

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

114th Legislative Day

May 4, 1964

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led today in prayer by Rabbi Israel Zoberman of Temple E'rith Sholom in Springfield. Rabbi Zoberman is a guest of Representative Michael Curran. Would the guests in the gallery please rise to join us in the invocation?"

Rabbi Zoberman: "Dear Legislators, this week the nation has observed the Holocaust Memorial, the destruction of one-third of the Jewish people at the hands of Nazi Germany during World War II. While the Jews were singled out for total annihilation, five million Gentiles were murdered as well. To remember the past is to pledge that its tragic chapters should never be repeated. It is to confront the potential inhumanity of the human being. It is to challenge the abusive powers of the modern state. It is to affirm man's creation in God's only sacred image with inalienable rights and responsibilities. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

Ropp - et al: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Mr. Greiman, are there any excused absences?"

Greiman: "Yes. Mr. Speaker, I am advised that Representatives Brookins, Christensen and Keane are to be excused today."

Speaker Madigan: "Let the record reflect those excused absences. Mr. Vinson."

Vinson: "Representative Zwick and Representative Woodyard should be excused."

Speaker Madigan: "Let the record reflect those excused absences."

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Mr. Clerk, take the record. There being 105 Members responding to the Attendance Roll Call. There is a quorum present. Committee Reports."

Clerk O'Brien: "Representative Wolf, Chairman of the Committee on Personnel and Pensions, to which the following Bill was referred, action taken May 2, 1984, reported the same back with the following recommendation: House Bill 1216 'do pass as amended'. House Bill 1216 had attached Amendment #1 which was tabled previously, and the Committee adopted Amendment #1 with LRB #830221EGCBAM01. So this Bill is reported with two Amendment number ones 'do pass as amended'. Representative Fierce, Chairman of the Committee on Revenue, to which the following Bill was referred, action taken May 3, 1984, reported the...reported the same back with the following recommendation: Senate Bill 835 'do pass as amended' with House Amendment #1. On June 15, 1983, the House adopted Amendment #1 with LRB #8304143GLPKAM, and the Committee reported Amendment #1 with LRB #8304143GLPKAM01. So this Bill is reported with two Amendment number ones 'do pass as amended'. Representative Dunn, Chairman of the Committee on Transportation and Motor Vehicles, to which the following Bills were referred, action taken May 1, 1984, reported the same back with the following recommendations: 'do pass' House Bills 3233, 3234, 2972, 2888, 2994, 2368 and 3119; 'do pass as amended' House Bills 2211 and 2430; 'do pass Short Debate' House Bill 3116; 'do pass Consent Calendar' House Bills 3087, 2911 and 2913; 'do pass as amended Consent Calendar' House Bill 2784; 'do not pass' House Bill 2997; 'Interim Study Calendar' House Bills 2772, 2963, 2964, 2965, 2966 and 3243. Representative Brummer, Chairman of the Committee on Public Utilities, to which the following Bills were referred, action taken May 1, 1984,

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reported the same back with the following recommendations: 'do pass' House Bill 2987; 'Interim Study Calendar' House Bill 3220. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken May 1, 1984, reported the same back with the following recommendations: 'do pass' House Bills 1658, 3038, 2878 and 2899; 'do pass as amended' House Bill 2838; 'do pass Short Debate' House Bills 1546, 2811, 2896, 2946, 3092, 3095, 2428 and 1726; 'do pass as amended Short Debate' House Bills 3029, 3106 and 2438; 'do pass as amended Consent Calendar' House Bill 3125. Representative Pierce, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken May 2, 1984, reported the same back with the following recommendations: 'do pass', House Bills 3062, 3069, 2620, 3083 and 3084; 'do pass as amended' House Bills 1348, 2423, 3001, 2208, 2364, 2512 and 2971; 'do pass Short Debate' 29... House Bills 2919, 2783 and 3065; 'tabled in Committee' House Bill 3170; 'Interim Study Calendar' House Bills 2968 and 2563. Representative Wolf, Chairman of the Committee on Personnel and Pensions, to which the following Bills were referred, action taken May 2, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2865, 2885, 3032, 2606, 2595, 2921 and 2923; 'do pass as amended' House Bill 243 and 338; 'do pass as amended Short Debate' House Bill 3026; 'tabled in Committee' House Bills 2614 and 2866. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken May 2, 1984, reported the same back with the following recommendations: 'do pass' House Bills 1335, 2781, 2871; 'do pass as amended' House Bills 1800, 2726, 2827; 'do pass Consent Calendar' House Bills 2496 and 2936; 'do pass Short Debate Calendar' House Bill 3199; 'do pass

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as amended Short Debate Calendar House Bill 2773; 'tabled in Committee' House Bill 3198. Representative Nash, Vice-Chairman of the Committee on Elections, to which the following Bills were referred, action taken May 2, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2862, 2470, 3181, 3183, 2717 and 2424; 'do pass as amended' House Bills 3134 and 2716; 'do pass Short Debate' House Bill 2952; 'Interim Study Calendar' House Bill 2301. Representative Van Duyn, Chairman of the Committee on Energy, Environment and Natural Resources, to which the following Bills were referred, action taken May 2, 1984, reported the same back with the following recommendations. Continuing the report from Energy, Environment and Natural Resources: 'do pass' House Bills 315, 2299, 3036. Continuing Environment report: House... 'do pass' House Bills 3036, 3041, 3044, 3060, 3073, 3176, 3180, 3193, 3194, 3195, 3205, 3229 and 3232; 'do pass as amended' House Bills 2040, 2215, 3037, 3039, 3040, 3042, 3043, 3045, 3098, 3174, 3175, 3177, 3178 and 3179. Representative Terzich, Chairman of the Committee on Executive, to which the following Bills were referred, action taken May 2, 1984, reported the back...the same back with the following recommendations: 'do pass' House Bills 2376, 2411, 2710, 2809 and 2010; 'do pass as amended' House Bills 2736, 2775, 2598 and 2706; 'do pass Short Debate' House Bills 2481, 2548, 2554, 2657, 2681, 2692, 2693, 2714, 2735, 2892, 2894, 2900, 3066, 3093, 3094 and 3126; 'do pass as amended Short Debate' House Bill 2576; 'do pass Consent Calendar' House Bills 2927, 3089 and 2837. Representative Pierce, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2876,

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2884, 1395, 3165, 3206, 3172, 2961, 2510, 2416, 2743, 2986, 3024, 3243, 2192, 2931, 3197; 'do pass as amended' House Bills 2444, 3097, 1563 and Senate Bill 626; 'do pass Short Debate Calendar' House Bills 3166, rather 3161, 3144 and 2858; 'do pass as amended Short Debate' Senate Bill 833 and House Bill 3140; 'do pass as amended Consent Calendar' House Bill 1528; 'Interim Study Calendar' House Bills 2356, 1736, 712, 1841, 2442, 2814, 766 and 3168. Representative Wolf, Chairman of the Committee on Personnel and Pensions, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2671, 2674, 2926, 2906, 2455, 2747, 2459, 2476, 2891 and 2916; 'do pass as amended' House Bills 1210, 1211 and 3135; 'Interim Study Calendar' House Bills 3250, 3251 and 3258. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 3146, 2877, 2763; 'do pass as amended' House Bills 2630, 2558 and 3216; 'do pass as amended Short Debate' House Bill 2702. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass as amended' House Bill 1859 and 3123; 'do pass Consent Calendar' House Bill 3061; 'do pass as amended Consent Calendar' House Bill 2622. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 1663, 3072, 2449, 3162 and 2909; 'do pass as amended' House Bills 2910, 3068, 3101, 2875, 2908, 2869, 2684, 2992 and 3152; 'do pass as amended Consent

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Calendar' House Bills 3120 and 3192; 'Interim Study Calendar' House Bills 1547, 2995, 2996, 3245, 1600, 3049, 2991 and 2704. Representative Terzich, Chairman of the Committee on Executive, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 2934, 3027, 3056, 3085, 3096, 3108, 3128, 3138, 3139, 3203, 3208 and 3255 and House Joint Resolution Constitutional Amendment 25; 'do pass Short Debate' Ecuse Bill 2962; 'do pass as amended Short Debate' House Bill 3209; 'do pass Consent Calendar' House Bill 3141; 'be adopted' House Resolution 350; 'do not pass' House Joint Resolution Constitutional Amendment #15; and 'Interim Study Calendar' House Bill 3147. Representative Mautinc, Chairman of the Committee on Select Committee on Small Businesses, to which the following Bills were referred, action taken May 3, 1984, reported the same back with the following recommendations: 'do pass' House Bills 3063 and 3239; 'do pass as amended' House Bills 239 and 2804; 'Interim Study Calendar' House Bills 184, 1425, 1627, 1797, 2033, 2098, 3187, Senate Bill 108 and 1010. Representative Younge, Chairman of the Select Committee on Urban Redevelopment, to which the following Bill was referred, action taken May 3, 1984, reported the same back with the following recommendation: 'do pass as amended' Ecuse Bill 1004."

Speaker Madigan: "On page 15 of the Calendar, there appears the Order of the Consent Calendar Third Reading. Mr. Clerk."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. House Bill 1935, a Bill for an Act to amend an Act relating to the investigation and prevention of fire. Third Reading of the Bill. House Bill 2325, a Bill for an Act creating the Illinois Infrastructure Bank Act. Third Reading of the Bill. House Bill 2475, a Bill for an Act to amend an Act

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to revise the law in relation to coroners. Third Reading of the Bill. House Bill 2524, a Bill for an Act in relation to sanitary districts and railroad right-of-ways and public easements. Third Reading of the Bill. House Bill 2525, a Bill for an Act to amend the Illinois Administrative Procedure Act. Third Reading of the Bill. House Bill 2569, a Bill for an Act to amend an Act in relation to fire protection districts. Third Reading of the Bill. House Bill 2575, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2584, a Bill for an Act to amend an Act concerning jurors. Third Reading of the Bill. House Bill 2590, a Bill for an Act to amend an Act to revise the law in relation to fences. Third Reading of the Bill. House Bill 2617, a Bill for an Act to amend the Illinois Corneal Transplant Act. Third Reading of the Bill. House Bill 2619, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill. House Bill 2752, a Bill for an Act to amend an Act in relation to the Department of Children and Family Services. Third Reading of the Bill. On Consent Calendar Third Reading, Second Day, we've removed House Bill 2525. Correction, that was 2325 that's removed from the Consent Calendar. House Bill 2525 remains on the Consent Calendar."

Speaker Madigan: "The Clerk has read the Bills that appear on the Order of Consent Calendar Third Reading, Second Day, and with one exception that being House Bill 2325, we shall now proceed to a Roll Call on Third Reading which will be final passage. So all those in favor of the passage of these Bills will vote 'aye', all those opposed will vote 'no'. This is a Third Reading final passage Roll Call on the Consent Calendar. Third Reading final passage Roll Call on the Consent Calendar. Have all voted who wish? Have all

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voted who wish? The Clerk shall take the record. On this question there are 99 'ayes', no one voting 'no'. These Bills, having received a Constitutional Majority, are hereby declared passed. If I could have your attention, please. It is the intent of the Chair to go to the Order of Motions and to consider those Motions which would discharge a standing Committee. Today will be the last day under our rules for these Motions to be considered. I would ask that the Chairperson of the Committee and the Minority Spokesperson be prepared to speak to these Motions when they are offered so that we can have before us the opinion of the Committee and possibly an explanation of whatever action was taken in the Committee. Mr. Klemm."

Klemm: "For purpose of a parliamentary inquiry, Mr. Speaker."

Speaker Madigan: "Mr. Klemm."

Klemm: "Since today was the last day for Bills to be heard and moved out of Committee, some Motions might have been filed today that don't appear on the Calendar. Would they be called, Sir?"

Speaker Madigan: "We will publish a Supplemental Calendar, and we will stop taking applications for the Calendar at 1:00."

Klemm: "Fine. Thank you very much."

Speaker Madigan: "Thank you. So if everyone understands what I just said, then I would ask the Committee Chairpeople and the Spokespersons to be prepared to speak to these Bills. So if you are a Committee Chairperson, please examine the Calendar and be prepared to speak to the Bill when it is called. On the Order of Motions, Excuse Bill 91, Mr. McAuliffe. The Gentleman indicates he does not wish to call his Bill. House Bill 288, Mr. Ruff. Mr. Clerk, read the Motion."

Clerk O'Brien: "House Bill 288, pursuant to Rule 77(a), I move to discharge the Committee on Judiciary from further

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consideration of House Bill 288, Representative Bopp."

Speaker Madigan: "Mr. Bopp."

Ropp: "Thank you, Mr. Speaker and Members of the House. First of all, let me say that I have always supported, generally, the Committee concept. And I want to say at this point that the Judiciary Committee has treated me extremely fair and gone above and beyond the call of duty on this particular Bill. And I want to thank the Chairman, Minority Spokesman and Members of the Committee. But for the reason of this particular issue that I am attempting to address here today, one that, in my judgment, affects the total educational system and social system throughout the State of Illinois, it is urgent that this Committee be bypassed so that this Body can deal with an ever increasing problem of truancy in the State of Illinois. As a result of many, many more young people being out of school..."

Speaker Madigan: "Mr... Mr. Jaffe on a point of order."

Jaffe: "Mr. Speaker, I believe that the Gentleman should really not address the Bill but rather the procedures and the reason for his particular Motion. I don't think he should get into the Bill at this particular time or else I'm going to get into the Bill, and I don't want to prolong the...the debate on the floor of the House."

Speaker Madigan: "Mr. Jaffe's point is somewhat well taken. The rules provide that you should direct your comments to the Motion. I would suggest for all of those who will offer these Motions that you attempt to abide by the spirit of the rule which says that you should direct your comments to the Motion with the understanding that it probably will be necessary to offer some explanation as to what the provisions of the Bill are. Okay, Mr. Bopp."

Ropp: "Thank you, Mr. Speaker. That's what I'm attempting to do and hopefully will do it very briefly. The fact that we

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continue to expand our prison population in the State of Illinois is one of the reasons, if not one of the sole reasons that I'm attempting to bring this to the floor so that we can deal with improving the educational system in those areas where young people are currently truant. I urge your favorable support on this Motion to discharge Committee, because it is an attempt to deal with the very root of our educational system, particularly, as it affects those young people who choose not to attend school. It's a serious problem, one that deserves major concern. And I urge this Body to support this Motion so that we can begin to deal with the root of a very serious problem for many, many young people as they grow up in their later lives. I urge your favorable support."

Speaker Madigan: "The Chairman of the Committee on Judiciary, Mr. Jaffe."

Jaffe: "First of all, Mr. Speaker, I believe that the Motion is improper. This Motion was heard on two different occasions within the Judiciary Committee. There were two Roll Calls taken and; therefore, the Bill was tabled. I believe that the Motion that the Gentleman has up is improper, because he moves to discharge the Judiciary Committee when the Motion should, in fact, be a Motion to take from the table. So I would suggest to the Chair that the Gentleman's Motion is improper."

Speaker Madigan: "The Chair would suggest that the Clerk give the file to the Parliamentarian, that we take this matter out of the record for a few minutes to give the Parliamentarian an opportunity to examine the record and the provisions of the rule. And we will go to the Order of Motions on page 18 of the Calendar, House Bill 1149, Mr. Giorgi. Is Mr. Giorgi in the chamber? House Bill 2354, Representative Didrickson. Representative Didrickson."

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Didrickson: "Thank...Thank you, Mr. Speaker, Members of the House. I move to discharge House Bill 2354. It had a very brief hearing in Labor and Commerce. It deals with the awards on hearing loss workers' comp. It was a very brief hearing basically because of the last day rush of Bills being heard and a very special Bill being heard that day. I would suggest to you that it did not hear a fair hearing. We did not have a chance to respond to questions. And I respectfully ask for your 'yes' vote to discharge."

Speaker Madigan: "The Lady moves to discharge the Committee on Labor and Commerce from further consideration of House Bill 2354. The Chair recognizes the Chairman of that Committee, Representative Farley."

Farley: "Thank you, Mr. Speaker. I would disagree with the Lady's Motion. This conc...concept is not what I think we want to do as Legislators, and I would oppose the Motion."

Speaker Madigan: "Question is, 'Shall the House adopt the Motion to discharge the Committee on Labor and Commerce from further consideration of House Bill 2354?' Those in favor will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 47 'ayes', 51 'nos'. The Motion fails. House Bill 2358, Mr. Huff. Is Mr. Huff in the chamber? House Bill 2445, Representative Didrickson. For what purpose does Mr. Tuerk seek recognition?"

Tuerk: "Well, Mr. Speaker, 2445 and 2446 happen to be my Bills. They're listed under Representative Didrickson. I'll handle those if you don't mind."

Speaker Madigan: "Fine. So let us take 2445 first. And the Chair recognizes Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, very briefly, as maker of the Motion as indicated, I move to discharge the

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Committee on Labor and Commerce. And the reason I do this... make this Motion is the fact that this Bill along with others were never called in Committee even though they were posted on two or three occasions for hearing, and the Chairman of the Committee just was pressed for time and didn't get to these Bills and, therefore, didn't get a hearing. I would move that they be discharged and placed on the Order of Second Reading, First Legislative Day."

Speaker Madigan: "The Chair recognizes the Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We did run out of time. We were pressed for time, but I do oppose the Motion in the fact that this, again, is a concept that I don't think that we should be dealing with at this time. So I oppose the Motion, Mr. Speaker."

Speaker Madigan: "The question is, 'Shall the Motion...' Mr. Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, in a conversation with the Chairman the other day, he gave me every indication that he was going to support this Motion as well as the other Motions that I put, mainly because he failed to call the Bills. It wasn't that they weren't posted on three different occasions. There were plenty of time. I even asked him on several occasions during the hearing when and if he were going to call these Bills, and he gave me an indication that he would get to them. Now the fact that he ran out of time is no excuse. It is true this deals with the subject matter of import on both sides of the aisle and; therefore, I think that these two Bills, this one and 2446, should have a hearing on the floor of the House. And I would so move."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Labor and Commerce from further

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consideration of House Bill 2445 be adopted?" Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 46 'ayes', 52 'nos'. The Motion fails. House Bill 2446, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, the same type of presentation for this Bill as the previous Bill, and as I reiterate, it was posted on three different occasions. The Chairman failed to call the Bill. It was his decision not to call it. I was ready, willing and able to present the Bill to the Committee. I, frankly, think that's where it should have been heard. It was never called and; therefore, I think I deserve to have the Bill heard on the floor of the House. And I'd make the same appeal to this Bill as I did the previous Bill. So move."

Speaker Madigan: "The Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My commitment to Representative Tuerk was that I would state that we did run out of time. I did not at anytime make a commitment to support these Motions and, in fact, these concepts. So I would just say again, Mr. Speaker, that I oppose this Motion because of the concept."

Speaker Madigan: "Mr. Tuerk."

Tuerk: "Well I guess it's a matter of semantics, Mr. Speaker, Members of the House. That was not my understanding of any oral agreement between us. He said that he gave a commitment to the fact that we ran out of time. I don't know what that means at all, and I think that should be part of the record. He definitely told me he'd support the Motion, and I'm asking him to honor his commitment. Therefore, I renew my Motion to discharge Committee."

Speaker Madigan: "The question is, 'Shall the Motion to discharge

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the Committee on Labor and Commerce from further consideration of House Bill 2446 be adopted?" Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 47 'ayes', 48 'nos'. The Motion fails. House Bill 2577, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, I move to discharge Labor and Commerce Committee and advance to Second Reading House Bill 2577."

Speaker Madigan: "The Lady moves to discharge the Committee on Labor and Commerce from further consideration of House Bill 2577. The Chair recognizes Mr. McPike."

McPike: "Thank you, Mr. Speaker. A year ago, February, there was an agreement... reached in the Mansion that saved the unemployment insurance system two billion dollars over four years. Part of that agreement made by the Speaker of the House and Minority Leader Daniels was that no Bill on unemployment insurance would be advanced without the support of both labor and business. We lived up to that agreement last year. We did pass five or six Bills that were supported by both labor and business. This year we would like to continue the agreement and not go back, not try to embarrass the Speaker of the House or the Minority Leader by discharging of Bills from the... from the Labor Committee that have not been supported jointly by both labor and management. So for that reason, I would oppose this Motion."

Speaker Madigan: "The Chair recognizes the Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... Representative McPike explained it very well, and I would, at this time, oppose the Motion."

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Speaker Madigan: "Is there any further discussion? Mr. Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, it was interesting to hear the comments expressed by the Majority Leader on this issue; and, on balance, I would have to agree with the concept that that was an agreement of a year ago or two years ago, whatever the time frame was. However, the other side of the aisle did, in fact, alter that agreement in Labor and Commerce this spring with the fact that some of the Bills that got out of Committee dealt with the subject matter and didn't necessarily have the agreement of both labor and management. Therefore, since there are some Bills on the floor or at least one that I can think of off hand, I certainly think that this Bill should be discharged and, therefore, get a hearing on the House floor since it wasn't called in Committee. The Chairman of Labor and Commerce has an unusual knack of not calling certain Bills in favor of other Bills, depending on the Sponsor or the philosophy expressed by the Sponsor. So therefore, I think this Bill should be discharged and, therefore, come to the floor for a full discussion."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I do believe on this issue a brief explanation of the Bill itself would be in order for the benefit of all the Members on both sides of the aisle. Would the Lady consent to give a brief explanation of what this Bill does and also include what kind of possible impact it might have on our trust fund?"

Speaker Madigan: "The Chair would like to reiterate my direction at the beginning of this Order of Business. If there is to be an explanation of the Bill if you could just make it as brief as possible. So Representative Wojcik."

Wojcik: "Yes, Mr. Chairman and Members of the House, this is a

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pro small business Bill which is endorsed by the small business people of Illinois. What it does is it does help the small business individual to be able to transfer the unemployment comp. monies to the next employer, so that he's not going to be hit when the employer goes from employee A to B or C. It goes back to the last employer."

Mays: "So then, this only applies in those cases of a voluntary quit, where the person subsequently moves on to another job and another job and... on his own volition, and the liability then transfers back to the job, the original job, which he had voluntarily left in the first place. Is that correct?"

Wojcik: "That's right. It's a voluntary leave."

Mays: "Thank you."

Speaker Madigan: "Mr. Farley."

Farley: "Thank you, Mr. Speaker. I would just state to the Body that I think a 'present' vote on this Bill would be the correct vote and that we should keep the commitment that you made, Mr. Speaker, with the other side of the aisle sometime ago. So I would just say a 'present' vote is the correct vote."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Labor and Commerce from further consideration of House Bill 2577 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 44 'ayes', 28 'nos'. The Motion fails. We shall return to House Bill 288, and the Parliamentarian is prepared to render his ruling. Mr. Parliamentarian."

Parliamentarian Jacobs: "On behalf of the Speaker, Mr. Jaffe's point is not well taken. The rule provides that no Bill or

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Resolution may be voted on more than twice in any Committee to report the Bill or Resolution favorably to the House. One vote was taken to put the Bill in Interim Study and another vote was taken to report the Bill favorably."

Speaker Madigan: "Okay. Mr. Jaffe."

Jaffe: "Mr. Speaker, I rise in opposition to this particular Motion. As the Gentleman indicated, he had more than one hearing although we probably only had one vote before the Judiciary Committee. We spent hours on this particular Bill, heard this Bill in Subcommittee, in full Committee anytime he wanted to hear it, and I think we should defeat this Motion. I think it's a bad concept. Basically what it does is makes truants subject to prison. And I would hope that we would defeat this Motion."

Speaker Madigan: "Mr. Johnson."

Johnson: "I was Minority Spokesman on the Committee and with respect to my good friend, Representative Ropp, and I think he's conceded this, if we have any integrity in the Committee system at all, people should vote 'no' or 'present' on this Bill. This Bill was accorded a full hearing, a full debate and for whatever criticism people might have from time to time in the Judiciary Committee, nobody can accuse us of not looking at things in a deliberative or analytical manner. The Bill was substantially defeated. And I think that to vote 'yes' on this Motion to discharge... and I looked over the Calendar. I think maybe there's one other. I think Representative Davis has the Motion. There's only two Motions out of the days and hundreds and hundreds of Bills we have to discharge. I think that's a tribute to the Committee. And I don't see how this Bill is really any different than the other hundreds of Bills that were defeated in our Committee. I urge a 'no' or a 'present'."

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vote."

Speaker Madigan: "Mr. Ropp to close."

Ropp: "Thank you, Mr. Speaker and Members of the House. As a result of a year long study involving many of the people who have opposed this Bill throughout the past year, a compromise proposal has been worked out and was offered in Committee, and the Committee did not see fit to support a year long support of compromising on all sides. And I can assure that almost everybody has not agreed to the whole portion of the compromise, but it is a compromise. I ask this Body to give that consideration to this whole group to permit this Body to vote on a compromise that had been worked out by almost the entire segment of people involved in this particular area dealing with truancy. I ask your favorable support."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Judiciary from further consideration of House Bill 268 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 42 'ayes', 52 'nos'. The Motion fails. House Bill 2607, Representative Barnes. Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, I move to discharge Elementary and Secondary Education Committee and advance to the Order of Second Reading on House Bill 2607."

Speaker Madigan: "The Lady has moved to discharge the Committee on Education from further consideration of House Bill 2607. The Chair recognizes Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is an important Bill and one that we need to consider carefully because there is a very, very

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high cost involved here. This is the parochial school busing Bill. It is not a part of the budget of the State Board of Education. The State Board of Education has recommended this year, that of the new money available to the State of Illinois, which may amount to as much as five hundred and fifty million dollars, that two hundred and eighty-five million of that go for education. That would provide for full funding, for reimbursement of all our categorical... for increases in the state aid formula and yet, out of that large amount of money, no money is appropriated for this program. I strongly oppose the idea of providing public school funds for nonpublic students whose parents understand when they put their kids in a parochial school that they are doing so by their own free choice, and in order to provide a particular kind of education for their student. It is inappropriate for us to spend public funds for those children. House Bill 2607 seeks to provide free transportation to these students. And it has been estimated that shifting this burden to the state could cost Illinois taxpayers between five and 75 million dollars annually. That is a continuing cost. That is not a one-time shot. There is absolutely no room in the current budget for this kind of extravagant expenditure. The Governor, as a matter of fact in his budget, only recommends that we spend twenty-seven million dollars of the new money available for the entire educational elementary and secondary educational system throughout the entire state. This amounts to something like \$14 for each student in this state. That is woefully inadequate. And the idea that we can find money for this busing program is simply absurd. If that money were available, and it's not, it is really desperately needed to improve the quality of education in each school in this state. And I would urge a

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'no' vote on this discharge motion."

Speaker Madigan: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. We must not forget that this is the Governor's Bill. The Governor wants to help the parochial schools in these outer districts. He is going to provide the monies. In fact, he told me he was going to provide it a hundred percent funding. Now, it's needed and we have to come about to the time when we're going to accept the responsibility to keep the educational programs going on in this state, because if the parochial schools start closing, no budget will be large enough to be able to handle and contain these students that are needing of education throughout the state. We have to have this House Bill brought on the floor for full discussion. I urge your 'aye' vote to remove it. This is very important. It's the Governor's Bill. The Governor wanted it, and he's going to help us out with it. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I don't believe we are here at this point to discuss the pros or cons of the substance of this piece of legislation. We are here to consider whether there is some justification for discharging this Bill from Committee. The Bill was heard in a very lengthy hearing in Elementary and Secondary Education, and the Sponsor chose not to bring the Bill to a vote in Committee. I don't believe that we should subvert the Committee process by allowing that to happen only to accommodate the Sponsor on the House floor. I feel that the Bill could have been given a Committee vote and if the Sponsor were successful in getting the support of the Committee, it would now be on the House floor. Since that opportunity was not exercised, I don't believe that it is

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proper that we support this Motion to bypass the Committee process."

Speaker Madigan: "The Chairman of the Committee on Education, Mr. Mulcahey, says that Representative Satterthwaite said it all. The question is, 'Shall the Motion to discharge the Committee on Education from further consideration of House Bill 2607 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 57 'ayes' and 44 'nos'. The Chair recognizes Representative Barnes."

Barnes: "Mr. Chairman, could I have a Roll of the Absentees?"

Speaker Madigan: "Mr.... Representative Nelson."

Nelson: "Mr. Speaker, if this Bill receives the requisite number of votes, I would ask for a verification."

Speaker Madigan: "Mr. Clerk, read the absentees. Ladies and Gentlemen, we may have a problem with the Roll Call. No, the Clerk tells me that we have a good Roll Call from the machine. For what purpose does Mr. Pangle seek recognition?"

Pangle: "Nothing. Thank you."

Speaker Madigan: "Mr. Pangle."

Pangle: "I just wanted to change my vote to 'aye'."

Speaker Madigan: "Record Mr. Pangle as 'aye'. And Mr. Clerk, read the absentees."

Clerk Leone: "Poll of the Absentees. Ferris. Brookins. Bullock. Christensen. Cullerton. Comico. Virginia Frederick. Dwight Friedrich. Giorgi. Hoffman. Keane. McFike. Taylor. Winchester. Woodyard and Zwick."

Speaker Madigan: "Representative Younger."

Younger: "Mr. Speaker, how am I recorded?"

Speaker Madigan: "Mr. Clerk, how is the Lady recorded?"

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Clerk Leone: "The Lady is recorded as voting 'no'."

Young: "Change my vote to 'aye' please."

Speaker Madigan: "Record Representative Young as 'aye'.
Representative Dwight Friedrich."

Friedrich: "Record me as 'aye'."

Speaker Madigan: "Record Mr. Dwight Friedrich as 'aye'.
Representative Virginia Frederick."

Frederick: "Mr. Speaker, please record me as 'no'."

Speaker Madigan: "Record Representative Virginia Frederick as
'no'. Representative Rice."

Rice: "Mr. Speaker, I change my vote to 'aye'."

Speaker Madigan: "Record Mr. Rice as 'aye'. Are there any
further changes? Mr. Ryder. Mr. Ryder. How is Mr. Ryder
recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Ryder: "Please change that to 'no' please."

Speaker Madigan: "Record Mr. Ryder as 'no'. For what purpose
does Mr. Klemm seek recognition?"

Klemm: "May I ask how I'm recorded, Mr. Speaker?"

Speaker Madigan: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Klemm: "Would you please change my vote to 'no'?"

Speaker Madigan: "Record Mr. Klemm as 'no'. On this question
there are 59 'ayes', 44 'nos'. For what purpose does Mr.
Neff seek recognition? Record Mr. Neff as 'aye'. For what
purpose does Representative Fraun seek recognition?"

Braun: "Mr. Speaker, I'd like to request a verification of this
Roll if it requires the requisite."

Speaker Madigan: "Yes. We already have a request for a
verification on file. Are there any further changes? On
this question there are 60 'ayes', 43 'nos', 5 'present'...
1 'present', and there is a request for a verification.
And... Representative Nelson. Representative Nelson, would

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you verify Representative Oblinger? Mr. Clerk, would you read the Affirmative Roll Call?"

Clerk Leone: "Poll of the Affirmative. Barnes. Breslin. Brummer. Capparelli. Curran. Davis. DeJaegher. DiPrima. Doyle. John Dunn. Farley. Flinn. Dwight Friedrich. Giglio. Hallock. Hannig. Harris. Hensel. Hicks. Huff. Krska. Kulas. Laurino. LeFlore. Matijevich. Mautino. Mays. McAuliffe. McCracken. McGann. Nash. Neff. Oblinger. O'Connell. Fanayotovich. Pangle. Bernard Pedersen. Fiel. Ehen. Rice. Richmond. Ronan. Ropp. Saltsman. Shaw. Slape. Stuffle. Terzich. Topinka. Tuerk. Turner. Van Luyne. Vinson. Vitek. Wait. Wojcik. Wolf. Younge. Yourell and Mr. Speaker."

Speaker Madigan: "Representative Nelson, are there any challenges?"

Nelson: "Yes, there are, Mr. Speaker. Representative Breslin."

Speaker Madigan: "Representative Breslin is in her chair."

Nelson: "Excuse me. Representative Capparelli."

Speaker Madigan: "Mr. Capparelli is in the aisle."

Nelson: "Representative John Dunn. Oh, sorry."

Speaker Madigan: "He's in his chair."

Nelson: "Representative Farley."

Speaker Madigan: "Mr. Farley is in his chair."

Nelson: "Representative Harris."

Speaker Madigan: "Mr. Harris is at the rear of the chamber."

Nelson: "Representative Hensel."

Speaker Madigan: "Representative Hensel. How is Representative Hensel recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Hensel from the Roll Call."

Nelson: "Representative Huff."

Speaker Madigan: "Mr. Huff. Is Mr. Huff in the chamber? How is the Gentleman recorded?"

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Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Huff from the Roll Call."

Nelson: "Representative McAuliffe."

Speaker Madigan: "Mr. McAuliffe is in the front of the chamber."

Nelson: "Representative Shaw."

Speaker Madigan: "Mr. Shaw is at the rear of the chamber."

Nelson: "Representative Turner."

Speaker Madigan: "Mr. Turner. Is Mr. Turner in the chamber?
Remove the Gentleman from the Roll Call."

Nelson: "Representative Van Dyne."

Speaker Madigan: "Mr. Van Dyne is in his chair."

Nelson: "That's all, Mr. Speaker."

Speaker Madigan: "On this question there are 57 'ayes', 43 'nos'.
For what reason does Mr. Johnson seek recognition?"

Johnson: "Having voted on the prevailing side by which this
Motion was defeated, I move to reconsider the vote by
which it was defeated."

Speaker Madigan: "Let me declare the result. So, on this
question there are 57 'ayes' and 43 'nos', and the Motion
fails. And Mr. Johnson, as one of those who voted on the
prevailing side, now moves to reconsider the vote by which
this Motion fails. And Representative Nelson moves to lay
that Motion on the table. And those in favor say 'aye',
and those opposed say 'no', and the 'ayes' have it. And
the Motion to reconsider is laid on the table. House Bill
2608, Representative Virginia Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I
move to discharge Labor and Commerce Committee and advance
House Bill 2608 to the Order of Second Reading. Mr.
Speaker, in the last day in the crunch of all the Bills
that were to be heard, my Bill was not called in Labor and
Commerce. So I'm asking for the House to consider the Bill
on the full House floor."

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Speaker Madigan: "The Lady moves to discharge the Committee on Labor and Commerce from further consideration of House Bill 2608. The Chair recognizes the Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would oppose the Lady's Motion in that I don't think that this concept is a correct concept, and I would move for a 'no' vote."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Labor and Commerce from further consideration...' For what purpose does Mr. Tuerk seek recognition?"

Tuerk: "I'd like to speak to the Motion, Mr. Speaker."

Speaker Madigan: "Proceed, Mr. Tuerk."

Tuerk: "Mr. Speaker and Members of the House, what the make of the Motion said is absolutely true, and what the Chairman of the Committee says whether he accepts the concept, put that aside. That's not part of the debate on the Motion at all. The debate on the Motion is such that this is another one of those Bills that the Chairman decided that he wasn't going to call and give the Sponsor a hearing on the Bill and; therefore, the Bill didn't see the light of day. So what the make of the Motion is asking the House to do is to discharge the Committee so at least it gets a fair hearing, concept or no concept aside as the Chairman pointed out. And therefore, I rise in support of the Motion."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Labor and Commerce from further consideration of House Bill 2608 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 37 'ayes', 37 'nos'. The Motion fails. House Bill

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2793, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I do not wish to call my Motion at this time."

Speaker Madigan: "I'm sorry, Representative, I didn't hear you."

Pullen: "I do not wish to call my Motion at this time. Thank you."

Speaker Madigan: "Thank you. House Bill 2829, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. House Bill 2829 is a very simple Bill, but it would...it would extend or keep in place the powers of the Chicago School Finance Authority for a period of another three years. As you know, the Chicago School Finance Authority was created as an oversight body to make sure that the Chicago schools published and lived up to a balanced budget. At the present time under current law, the Authority has four major oversight powers. Most of those powers have to do with certain veto authority. And I believe that the Chicago schools would be in far worse straits if this oversight Authority had not been there. You will note that next year, for the '84, '85 school year, the Chicago Board of Education estimates that its deficit will be a hundred and seventy-one million dollars. Chicago Board of Education five years after a financial collapse still cannot obtain an investment grade for its bond issues and cannot, therefore, market its bonds. Since the spring of 1983, the Board has been without a chief financial officer. And I believe that it would be a very wise thing to keep in place the Chicago School Finance Authority. That is all that this Bill does, and I would ask for a favorable Roll Call on this discharge Motion."

Speaker Madigan: "Mr. Mautino."

Mautino: "Inquiry, Mr. Speaker. My Digest shows 2829 to address

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the question of the attainment of age for enrollment into school. I look at the board it says 2829. I'd like to know what I'm addressing."

Speaker Madigan: "Representative Nelson."

Nelson: "Representative Mautino, I'm sorry if your analysis has not been updated. The Bill was amended in Committee and as it stands now, it only has to do with keeping the powers of the Chicago School Finance Authority in place for another three year period."

Speaker Madigan: "Representative Stuffle."

Stuffle: "Sponsor yield to a question?"

Speaker Madigan: "Sponsor indicates she will yield."

Stuffle: "What was the vote in Committee on the Bill?"

Speaker Madigan: "Representative Nelson."

Nelson: "The vote in Committee on the Bill was 7 'yes', 11 'no'. It was a straight partisan Roll Call for reasons I simply cannot understand. It should be a nonpartisan issue, Representative Stuffle."

Speaker Madigan: "Representative Levin."

Levin: "I rise in opposition to this Motion. There was a long and rather extensive hearing in Committee in which all of the issues relating to this subject were dealt with. And I would just point out that what came out in Committee was that even without this formal extension, the board, an oversight board will continue to have a veto over the budget of the Chicago Board of Education. And if there are not balanced budgets, the law provides that the whole procedure kicks in again. It was the feeling of the Committee after extensive debate that this legislation was not necessary. And I urge an 'aye' vote on the Motion to discharge. A 'no' vote. 'No' vote."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Education...the Committee on Elementary

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and Secondary Education from further consideration of House Bill 2829 be adopted?" Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 40 'ayes', 50 'nos'. The Motion fails. House Bill 2929, Mr. Terzich. Mr. Terzich."

Terzich: "Thank you, Mr. Speaker, Members of the House. House Bill 2929 creates for Illinois what could be determine as a real clean air act by establishing a Public Smoking Act of 1984. Simply stated, this legislation would provide that Illinois Department of Public Health administer a program designating smoking areas throughout the state and what the Bill refers to as the areas of public use. The legislation was patterned very closely to a similar legislation in the State of Minnesota which has been working quite well since 1975. Similar legislation exists in 37 other states. And I introduced this legislation not with the intent to harm any particular individual or group but to protect the larger segment of society from smokers. Therefore, the Bill makes space available for nonsmokers. And most of us will admit that the Bill would eliminate this intrusion on our breathing space by stating that you could smoke but only in designated areas. That the Bill... There was only one witness against this which was the Tobacco Industry. It did receive a substantial support from the Illinois Medical Association, the Illinois Heart Association, the American Cancer Society and many other professional and medical groups. The reason I move to discharge Committee, I think that this Bill is extremely important to the people of the State of Illinois. And for those, I think it would help protect the individuals lives as well as a cleaner environment. And therefore, I would move to discharge

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Committee and let the entire Legislature have their say so on House Bill 2929. Smoking stinks."

Speaker Madigan: "The Gentleman moves to discharge the Committee on Registration and Regulation from further consideration of House Bill 2929. The Chair recognizes Mr. Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must oppose my esteemed colleague's Motion today on House Bill 2929. As Vice-Chairman of the House Registration and Regulation Committee, this Bill had a fair hearing in the Committee yesterday and was defeated by a vote of 8 to 5, and we feel that this is an issue for local government. It's not a state issue. The cost of enforcing a Bill such as this would be prohibitive. It'd be over six million dollars. At a time when we're trying to balance our budget putting a new program like this and mandating our local governments is ridiculous. If local governments want this, let local governments have its own ordinances and enforce it. In most cities, including home rule units, these types of ordinances already in effect regarding nonsmoking, and this would definitely be a duplication of effort. I know this is 1984, and if you want big brother watching over you, vote for this Motion, but if you believe that the local units of government should have their say so, then vote against this Motion."

Speaker Madigan: "Mr. Tate."

Tate: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to the Motion. I agree with Representative Kulas. This Bill received a very long, and thorough and fair hearing in the Committee of Registration and Regulation. This issue is a local issue. There is no question that...that we're going to spend millions and millions of dollars of state taxpayers dollars for this issue. If the local... If local government decides that

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this is an issue that they feel that they want to tie up their law enforcement agencies to administer, then allow the local government to do... Otherwise, I think this is exactly an issue that's... it related to the State Mandates Act. And I would just hope that all of us will consider this when we force this down the locals' throats if that's what we decide to do. I hope I encourage a 'no' vote on this. Thank you."

Speaker Madigan: "Mr. Johnson."

Johnson: "I think unanimously in the last year and a half to two years studies by not only industry but a whole variety of other groups, whose scientific track record is a good one, have demonstrated that smoking is not only hazardous to the health and welfare of those who do it which is their own business and we ought to stay out of, but it also has a direct impact on people who through no choice of their own have to inhale smoke of other people. The studies clearly show that the incidence of respiratory ailments and circulatory ailments of those who are exposed on a regular basis to others who smoke is dramatically different from those who aren't exposed to that. And I would suggest to you that this is a matter that no one has taken by the horns. The State Legislature, if no one else is going to do it, ought to. It's not a question of individual liberty. Nobody questions somebody's right to smoke. They do question your right to make other people smoke and die of cancer and heart disease when they are exposed to it through no choice of their own. I think it's a good Bill, and I think it's an emergency situation. And it's something that ought to be addressed, and Representative Terzich's Bill and Motion do that very well."

Speaker Madigan: "The question is, 'Shall the Committee on Registration... Shall the Committee on Regulation and

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Registration (sic - Registration and Regulation) be discharge from further consideration of House Bill 2929? Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Terzich to explain his vote."

Terzich: "Well, yes, Mr. Speaker, there were some comments made with regard to the legislation and the controller of the ordinance. The Bill simply had minor offenses which are currently incurred at the present time in no smoking areas. It also include a civil penalty. There was no control method other than in local units. And the fact that the tobacco industry would say that would cost five million dollars was an outright lie. There was a lot of study on this, and certainly I think an individual should have the... the non-smokers should have just as much rights as those who do smoke. And all this Bill simply says is that you have to have a designated area for non-smokers. And if that's not asking too much, well, you go ahead and kill yourself."

Speaker Madigan: "Mr. Ropp, to explain his vote."

Ropp: "Thank you, Mr. Speaker. I think this is a good piece of legislation that ought to be supported. There is no reason because of the concern for sales tax, because of the concern of money that is generated as a result of the tobacco industry being in business should be no reason that we should impact or cause people's health to be affected. This is a good Bill and ought to be supported."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 35 'ayes', 57 'nos'. The Motion fails. House Bill 2957, Mr. Winchester. Is Mr. Winchester in the chamber? Excuse Bill 3103, Mr. Davis. Gentleman indicates he does not wish to call his Motion. House Bill 3105, Mr. Tuerk."

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Tuerk: "Mr. Speaker, Members of the House, House Bill 3105 is another Republican Bill of a long list of Republican Bills that the Chairman of Labor and Commerce just, on his own decision, failed to call. It's not that it wasn't posted properly, et cetera, but he just failed to call for a hearing. And, therefore, I think on that grounds alone it should come out onto the House floor. But in... when we get to the substance of the Bill, it addresses the collective bargaining for public employees issue which, as we all know, goes into effect this summer. What this Bill attempts to address are three or four of the real nitty gritty issues in that concept, and it's merely a cleanup Bill for understanding so that there are no misunderstandings relative to the concept. I reiterate, it just never got a hearing in Committee and; therefore, I think should be out onto the floor for all Members to consider. And therefore, I would make the Motion to discharge Committee and advance to Second Reading."

Speaker Madigan: "The Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would oppose the Motion."

Speaker Madigan: "The question is, 'Shall the Committee on Labor and Commerce be discharged from further consideration of House Bill 3105?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 46 'ayes', 40 'nos'. The Motion fails. House Bill 3107, Mr. Tate. Mr. Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the Committee... and... of the chamber, I move to discharge Labor and Commerce Committee and advance this Bill to Second Reading. This Bill is... amends the minimum wage law. It just puts

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Illinois statute in conformity with the federal statute. This is a part of the package of the National Federation of Independent Business People, truly a very pro-jobs Bill. Recently, the National Conference of Black Mayors endorsed this idea, as well as many other active employer groups and job recruiting. This Bill did not receive a... It was the last Bill to be called in Labor and Commerce Committee yesterday; that, at that time, there were only nine Members present, which took all nine votes to get it out. And, obviously, with the run of the mill of the Session and Members running around trying to get their own Bills out, it really did not have a fair opportunity. It did receive more votes, but it's neither here nor there."

Speaker Madigan: "The Chairman of the Committee, Mr. Farley."

Farley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would oppose the man's Motion."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Labor and Commerce from further consideration of House Bill 3107 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 38 'ayes', 50 'nos'. The Motion fails. House Bill 3231, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to discharge House Bill 3231 from the Cities and Villages Committee and advance to the Order of Second Reading. The Bill deals with the quick-take provisions of the Eminent Domain Law. I have spoken with the Minority Spokesperson on the Committee and with the Leadership... or Minority Party, indicating to them that I have planned to amend the Bill and will not move the Bill until they have seen and approved of the Amendments. And I

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would ask for your support on the Motion."

Speaker Madigan: "The Gentleman moves to discharge the Committee on Cities and Villages from further consideration of House Bill 3231. Those in favor will signify by voting 'aye', those opposed by voting 'no'. The Chair recognizes Mr. Vinson to explain his vote."

Vinson: "Mr. Speaker, I rise in support of the Gentleman's Motion. The Gentleman has indicated that the Bill will not be moved unless an agreed Amendment can be worked out among all of the parties, and I would urge that the General Assembly do discharge the Committee in this instance so that we can attempt to resolve a particularly difficult problem. It may, in fact, not be possible to resolve the problem; and, if it's not, I'm certain that the Gentleman, having given his word, will not move the Bill. I would urge an 'aye' vote on the Motion."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 66 'ayes', 28 'nos'. The Motion to discharge the Committee on Cities and Villages from further consideration of House Bill 3231 is adopted. House Bill 3237, Mr. Vinson. Mr. Vinson."

Vinson: "I... I don't wish to call the Motion, Mr. Speaker."

Speaker Madigan: "Thank you. Senate Bill 171, Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 171 has been a Senate Bill that passed the Senate, did not receive the necessary votes in the House last Session. It fell short by four or five votes. The Bill deals with the Metropolitan Sanitary District of Chicago in addressing the inclusion of sludge as a proper subject matter for situs hearings, which all other waste facilities are subject to. I would ask that the matter be discharged from Counties and Townships and placed on the

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Calendar for Second Reading."

Speaker Madigan: "Is there any discussion? Mr. Clerk, can we clear the Roll Call? The question is, 'Shall the Motion to discharge the Committee on Counties and Townships from further consideration of Senate Bill 171 be adopted?' All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. O'Connell, to explain his vote."

O'Connell: "Well, I see a trend developing up there; but, in explanation of my vote, this... this matter is of great importance to southwest Cook County and all of Cook County. There was much misconceptions when the Bill was addressed last year. Many of you voted, I felt, for the wrong reasons. This is simply giving us an opportunity to straighten out the matter and give it a full and honest debate."

Speaker Madigan: "Have all voted who wish? Clerk shall take the record. On this question there are 26 'ayes', 67 'nos'. The Motion fails. On the Supplemental Calendar #1 there appears House Bill 435, Mr. Klemm. Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. House Bill 435, in all honesty, received a very fair hearing. The Committee was very generous in hearing the Bill, not only once, but actually twice, since it went into Interim Study. But it's a Bill that I've spent three... almost... a little over three years in trying to address, and the Amendment changes the Bill and really becomes the Bill. And basically what the Amendment and Bill says is that if a person, regardless of who they are, is to intentionally and knowingly physically abuse a mentally ill or a developmentally disabled person and is found guilty, that they would be guilty of a Class 3 felony. Now, a Class 3 felony is, of course, a serious crime, and it's serious because there's a number of

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individuals who, if they physically harm an individual, would be classified a Class 3, such as if you strike a supervisor of a department, a park district worker, a librarian, a school teacher, a police officer, a correction institutional... institution employee, a number of those types of peo... even if you're over 60 years old and somebody attacks you, such as that or causes you physically harm. It would be a serious crime, and it would be a Class 3 felony. I feel that a mentally ill person, a developmentally disabled person, who was intentionally abused that way, should at least have the same penalties that we offer and prescribe to those people that are at least stronger and able to defend themselves. There is no opposition to the Bill now. I have some questions that I can resolve in Second Reading. I'd like to continue the work on it. I did receive a fair hearing. I think it's a conceptual disagreement with some of the legal minds of the Committee. I would at least ask that I get it out and continue the work that I've been doing on this Bill. Thank you."

Speaker Madigan: "The Chairman of the Committee on Judiciary, Mr. Jaffe."

Jaffe: "Mr. Speaker and Members of the House, I think the Gentleman indicated that he did get a fair hearing not only once, but we put it into Subcommittee. We heard it on numerous occasions. We tried to accommodate him as much as we possibly could. The Committee has some very serious reservations about this Bill. As an example, if you... if a nurse would pinch a patient, that nurse could very well be guilty of a Class 3 felony and be sentenced to the penitentiaries for a number of years. The Committee contemplated this Bill very heavily and came to the conclusion that we should not put it out, and I would urge

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this floor to vote against this particular Motion."

Speaker Madigan: "Mr. Johnson."

Johnson: "Again, as a few minutes ago, as the Minority Spokesman on the Judiciary Committee, and again in deference to Representative Klemm who, I know, believes strongly and presented himself very well before the Committee, as I think we've done on nearly everything else, this Bill was thoroughly considered, thoroughly debated and, I think, got more than a fair hearing. And if our Committee or the Committee process is going to have any kind of viability at all, this Bill is a classic example of one that simply, for a variety of reasons, didn't meet anywhere near the objections that people raised. I think, for those reasons and for those who believe that a deliberative Committee system ought to work, that we ought to vote 'no' or 'present' on this Motion."

Speaker Madigan: "Representative Karpel."

Karpel: "Thank you, Mr. Speaker. I just rise in support of this Motion to discharge House Bill 435 from Committee. I somewhat feel to blame that this Bill failed. Perhaps that's not correct, but I had a Bill in that Committee immediately before this Bill which would have put township officials under the same statute of it being aggravated battery and assault to threaten public officials, bus drivers, park district employees, teachers, all kinds of people. And I was going to include township officials under that statute. Well, that Bill was not only defeated in Committee, it was perhaps booed and laughed out of Committee. And I think maybe the Members of the Judiciary Committee that day were ready to abolish any kind of statute that would make it a crime to, you know, threaten or hurt anyone; and, since Representative Klemm's Bill came up right after that, perhaps that had something to do with

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its being defeated. And I... I'd urge an 'aye' vote on this Motion."

Speaker Madigan: "Representative Klemm."

Klemm: "Just to close, Mr. Speaker. I really had sufficient votes when I went into the Committee. Unfortunately, because of the last week, a number of Members had to leave. I didn't call my witnesses in deference to the Committee, because I thought I had enough votes. I would like at least a consideration to continue with this Bill. The pinching of the nurse is going to be amended out, things like that, and I know it will be a reasonable Bill. I ask for your support."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Judiciary from further consideration of House Bill 435 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 47 'ayes', 48 'nos'. The Motion fails. House Bill 1007, Representative Younge."

Younge: "Mr. Speaker, I move to discharge the Revenue Committee and advance to the Order of Second Reading House Bill 1007. This Bill, the subject matter is a municipal earnings tax. I have... The Bill would permit, by referendum, a municipality... majority of its citizens to vote whether or not they want to put a... local income tax on. I have been able to resolve the objections raised by two Members of the Committee. I have talked with the Chairman of the Committee. He does not have any objections. I have talked with the Minority Spokesman. There is no objection, and I move for the discharge of the Committee."

Speaker Madigan: "The Chairman of the Committee on Revenue to speak on this Bill, Mr. Pierce."

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Pierce: "Mr. Speaker, the Lady from St. Clair did have one hearing on the Bill where it failed 'do pass', and she requested a second hearing, which I felt she was entitled to. We were supposed to meet this morning at 9:00 and that was distributed to all the Members, and she said she'd be here this morning at 9:00. Unfortunately for her, the Committee wound up its Bill business about 5:30 last night. That was our second session, and at 5:30 last night there were no other Sponsors around so we... so the Committee adjourned, leaving her high and dry this morning when she came around at 9:00 looking for a second hearing on her Bill. And out of courtesy to her and the fact that she did come around at 9:00 this mornng and we had adjourned, I would not oppose this Motion to discharge. I'm not saying I'm going to support the Bill, but I would support the Motion to discharge."

Speaker Madigan: "Representative Hastert."

Hastert: "Just to reiterate what the Spokesman... or the Chairman of the Committee said. Representative Younger did have a hearing on this Bill. She was entitled to a second hearing. She evidently understood that there was going to be a meeting this morning which... We adjourned yesterday. So, I just want to let the Members know that this was a misunderstanding, but she did have a hearing on this Bill already."

Speaker Madigan: "Those in favor of the Motion will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younger, to explain her vote."

Younger: "Thank you very much, Mr. Speaker. This Bill is an urgent cry for help from a municipality that has lost one-half of its tax base. This Bill would not cost the

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state any money. It would impose a local income tax on a group of citizens if they vote it by a majority vote to so tax themselves for an income tax. It would apply only to areas in counties of less than a million population. This Bill would provide funds and income for small municipalities that are having tremendous trouble and difficulty in reference to the financing of municipal services. It is needed by communities who do not have... which do not have adequate fire protection, police protection and what have you. A group of citizens would have to vote to impose the tax by a majority vote, and I ask you for your support on this very, very urgent matter of income to municipalities that need additional income to provide the municipal services."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 52 'ayes', 44 'nos'. The Motion fails. House Bill 2347, Mr. Hicks. Mr. Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would move to discharge from Executive Committee House Bill 2347 and advance to the Order of Second Reading. The Bill in Committee... It takes nine votes to get it out of Executive Committee. The Bill had eight votes for it, and no votes opposing it and no votes 'present', and I would ask for a favorable vote on it."

Speaker Madigan: "Gentleman moves to discharge the Committee on Executive from further consideration of House Bill 2347. Mr. Hicks has moved to discharge the Committee on Executive from further consideration of House Bill 2347. Does the Chairman of the Committee wish to address this Motion? Mr. Terzich. Mr. Terzich. This is a Motion to discharge the Committee on Executive. Would you wish to shower us with your words of wisdom?"

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Terzich: "Oh. Yes, Mr. Speaker, Representative Hicks received a hearing in our Committee, and I believe the vote on this Bill was eight votes to nothing and unfortunately that another Member or so wasn't in attendance. And that, you know, someone had an 8 to nothing vote in a Committee certainly should have some consideration on his Bill on discharge."

Speaker Madigan: "Representative Kar..."

Terzich: "I voted for it, by the way, Mr. Speaker."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee...' For what purpose does Representative Karpel seek recognition?"

Karpel: "I reluctantly must rise in opposition to this. This is another exposition on civic center Bill. And although it says in your analysis that all it does is change the... change the name, in changing the name, it also changes the level of funding that it can receive from 1.5 million to 3.5 million dollars. Now I realize that we have formed a great many civic centers and exposition centers in this state. Especially this year in our Committee, we have formed some new ones. But I think that the Assembly should realize that right now the Department of Commerce and Community Affairs estimates that... estimates that it has four to five million dollars to fund these in 19... in '85. And yet there are civic centers, without the new ones that are being formed and without this one being enlarged, there's enough out there that are requesting over 60 million dollars in funds. So whether or not, you know, you want to say you've formed one of these things or not, there simply isn't the funding available, and I'd urge a 'no' vote. It did get... It did get a good hearing in Committee. It was not one of those Bills that we just shuffled through at the last few minutes when we were all

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in a hurry and were missing a lot of Members. There were a lot of Members there, and it did receive a good hearing. And I don't think that this Bill has got any bad treatment and should be moved out of Committee."

Speaker Madigan: "Question is, 'Shall the Motion to discharge the Committee on Executive from further consideration of House Bill 2347 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 68 'ayes', 31 'nos'. The Motion is adopted. House Bill 2597, Mr. Terzich. Mr. Terzich."

Terzich: "No... Mr. Speaker, Ladies and Gentlemen of the House, on House Bill 2597, due to some mix-up, we had an agreement between both sides of the aisle on some Bills on an agreed list of which 2598 was listed and subsequently taken off and 2597 was supposed to be included. However, it was omitted as an oversight, and it's Representative Capparelli's Bill. And it's a good piece of legislation. I would move that we discharge Committee. Yes, it is alright with both sides of the aisle on this, Mr. Speaker. Mr. Speaker, shall I take the same Roll Call? Is that what you want?"

Speaker Madigan: "Mr. Terzich, we are trying to clear the machine from the previous Roll Call. Are we ready, Mr. Clerk? Mr. Terzich has moved to discharge the Committee on Executive from further consideration of House Bill 2597. Is there any discussion? Representative Karpziel."

Karpziel: "Thank you, Mr. Speaker. I just wanted to say so that my side of the aisle will understand, this is really just sort of a technical thing. I think it was mixed up. The Clerk... or the Clerk of the Committee put the wrong Bill on the agreed Bill list and whatever, something happened,

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but this Bill is fine."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Executive from further consideration of House Bill 2597 be adopted?' All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 89 'ayes', 11 'nos'. The Motion is adopted. House Bill 2851, Representative Yunge. The Lady does not wish to call her Motion. House Bill 3074, Mr. Hicks. Mr. Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'd move to discharge House Bill 3074 from the Environment Committee due to a mix-up with the Chairman of the Committee and the Bill even being reported for a couple of days on the computer as having passed out. There was a mix-up on it some way or another, and I would move and ask for your favorable vote."

Speaker Madigan: "The Gentleman moves to discharge the Committee on Energy and Environment from further consideration of House Bill 3074. On that question, the Chair recognizes the Chairman of the Committee, Mr. Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. I support the Representative's Motion to discharge this Bill. In fact, I was supposed to handle it for him in Committee, and I completely forgot about it. So, I do support his Motion to discharge."

Speaker Madigan: "Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would oppose this discharge Motion, because the Department of Commerce and Community Affairs and Energy... the Departments of Energy and Natural Resources already have programs that are very similar to the program that is

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being proposed in this piece of legislation, and I would oppose this Motion."

Speaker Madigan: "Representative Daniels."

Daniels: "Mr... Mr. Speaker, would the movant yield to a question?"

Speaker Madigan: "The Sponsor indicates he will yield. Excuse me, Mr. Daniels. To whom did you wish to address your question?"

Daniels: "The person that is making the Motion."

Speaker Madigan: "Yes, the Sponsor indicates that he will yield."

Daniels: "Were you in Committee on the day this Bill was up?"

Hicks: "No, Sir. I was not."

Daniels: "You were replaced in Committee on that day?"

Hicks: "Yes. The Speaker was... the Chairman of the Committee was to handle the Bill that day."

Daniels: "You were replaced on that day?"

Hicks: "That's correct, Sir."

Daniels: "You were in the Capitol, though. Is that right?"

Hicks: "On the particular day it was supposed to be called, yes, Sir, I was."

Daniels: "And you... this is the day that the community right to know legislation came up?"

Hicks: "No. Sir, I was not available at the time the Committee, nor was I available the whole rest of the day that day. I was ill that day and was not available."

Daniels: "I see. Well, Mr. Speaker, talking to the Motion. Those of us on this side of the aisle were fascinated by the movement on that Committee of Members on the other side of the aisle and how, when they seemed to not want to vote on a piece of legislation, they disappeared. And I think the reason that this Bill wasn't heard is the tyrant that the Chairman of that Committee went into on the particular day in question. We... In case somebody would like to have

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their own ears listen to the Committee, we'd be happy to have a taping Session available for you. We could play the tape over the House microphone if you'd like to have it later on, but you might want to hear about the happenings during this Committee. It's no wonder that the Chairman forgot to call this Bill. He was so busy berating the public in general and the Mincrity Spokesman on this Committee that he couldn't remember what he was supposed to do. Well, Mr. Speaker, we're delighted to be able to look at legislation like this; and, if the Chairman of the Committee can't remember his responsibility, his Bills, we'll have to take it up in another matter, I guess. So, we're going to oppose his actions on it. Mr. Van Dwyne, I'd love to have you answer the questions that I just brought up, and I hope you'll let... chance, Mr. Speaker."

Speaker Madigan: "Mr. Van Dwyne."

Van Dwyne: "Point of order, Mr. Speaker. The Gentleman wasn't even addressing the Motion."

Speaker Madigan: "Your point is well taken, Mr. Van Dwyne. The question is, 'Shall the Motion to discharge the Committee on Energy and Environment from further consideration of House Bill 3074 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. For what purpose does Representative Topinka seek recognition?"

Topinka: "I would like to verify that Roll Call, please, or any other Bills that come out of that particular Committee today, please."

Speaker Madigan: "There is a request for a verification. Mr. Clerk, at the request of Representative Hicks, call the absentees."

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Clerk Leone: "Poll of the Absentees. Ferris. Brookins. Christensen. Dosico. Giorgi. Hoffman. Huff. Keane. Oblinger. Taylor. Wait. Winchester. Woodyard. Younge and Zwick. No further."

Speaker Madigan: "Mr. Clerk, proceed to read the Affirmative Roll Call."

Clerk Leone: "Poll of the affirmative. Alexander. Barnes. Bowman. Braun. Breslin. Brummer. Brunsfold. Fullock. Capparelli. Cullerton. Curran. Currie. DeJaegher. DiPrima. Doyle. John Dunn. Farley. Flinn. Giglio. Hannig. Hicks. Homer. Jaffe. Krska. Kulas. Laurino. LeFlore. Ieverenz. Levin. Markette. Marzuki. Matijevich. Mautino. McGann. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Pangle. Pierce. Preston. Bea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Terzich. Turner. Van Duynes. Vitek. White. Wolf. Yourell and Mr. Speaker."

Speaker Madigan: "For what purpose does Representative Ralph Dunn seek recognition?"

Dunn, R.: "Mr. Speaker, change me to 'aye', please."

Speaker Madigan: "Record Mr. Dunn as 'aye'. For what purpose does Representative Oblinger seek recognition? Record Representative Oblinger as 'aye'. Representative Greiman. Mr. Greiman."

Greiman: "Yes, Mr. Speaker, I hit the wrong button, and would you change me to 'aye', please?"

Speaker Madigan: "Record Mr. Greiman as 'aye'. Representative Younge."

Younge: "Mr. Speaker, record me as 'aye', please."

Speaker Madigan: "Record Representative Younge as 'aye'. Representative Braun."

Braun: "Mr. Speaker, leave to be verified."

Speaker Madigan: "Representative Topinka, would you verify

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Representative Braun? Yes, sure. So we have verified
Representative Braun. Okay... Let's turn on
Representative Topinka."

Topinka: "She's already turned on. Thank you. Sorry. It was a
knee jerk reaction. I couldn't resist."

Speaker Madigan: "Okay. Very good. Nice."

Topinka: "A little levity sometimes makes some of this more
bearable."

Speaker Madigan: "Now, did you have any challenges,
Representative Topinka?"

Topinka: "As I said, a little levity sometimes makes some of this
more bearable. Anyway, first off I'd like to start with
Representative Hicks to see if he is in here today for
sure."

Speaker Madigan: "The Gentleman is in the center aisle."

Topinka: "So, he's feeling better today. That's good. Okay."

Speaker Madigan: "Yes."

Topinka: "And then, Representative Slape."

Speaker Madigan: "Mr. Slape is in his chair."

Topinka: "I'm glad he's feeling better today, too. That's good,
because I get worried about the epidemic that seems to be
raging through the Capitol. Anyway, let's go with
Representative Breslin."

Speaker Madigan: "Representative Breslin? Representative
Breslin. Remove Representative Breslin from the Roll
Call."

Topinka: "Representative Barnes."

Speaker Madigan: "Representative Barnes is in the chamber."

Topinka: "Representative Bullock."

Speaker Madigan: "Mr. Bullock. Is Mr. Bullock recorded? Remove
Mr..."

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Bullock."

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Topinka: "Representative Currie."

Speaker Madigan: "Representative Currie is in her chair. And for what purpose does Mr. O'Connell seek recognition?"

O'Connell: "Mr. Speaker, could I have leave to be verified?"

Topinka: "I'll give leave to be verified on Representative O'Connell."

Speaker Madigan: "Leave is... leave is granted."

Topinka: "Alright. Rep... You said Representative Currie is in her chair?"

Speaker Madigan: "Yes."

Topinka: "Okay. Representative Farley."

Speaker Madigan: "Mr. Farley. Is Mr. Farley in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr... Mr. Farley is in the chamber."

Topinka: "He's back. Okay. Representative Giorgi."

Speaker Madigan: "Could you repeat that name?"

Topinka: "Representative Giorgi."

Speaker Madigan: "Mr. Giorgi is recorded as not voting."

Topinka: "Okay, thank you. Representative Huff."

Speaker Madigan: "How is Mr. Huff recorded?"

Clerk Leone: "Gentleman is not recorded as voting."

Topinka: "Representative Keane."

Speaker Madigan: "How is Mr. Keane recorded?"

Clerk Leone: "Gentleman's not recorded as voting."

Topinka: "Representative Laurino."

Speaker Madigan: "Could we have some order, please? Representative Laurino is... Representative Laurino. Is the Gentleman in the chamber? How is Mr. Laurino recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Laurino from the Roll Call."

Topinka: "Okay. Representative Mautino."

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Speaker Madigan: "Mr. Mautino. Is Mr. Mautino in the chamber?
How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Mautino."

Topinka: "Let's finish. Representative Bhem."

Speaker Madigan: "Mr. Bhem. Is Mr. Bhem in the chamber? How is
the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Bhem."

Topinka: "Representative Richmond."

Speaker Madigan: "Mr. Clerk, Mr. Mautino has returned to the
chamber..."

Topinka: "Okay."

Speaker Madigan: "... and Representative Ereslin has returned to
the chamber. For what purpose does Mr. Richmond seek
recognition? The Gentleman is in the chamber."

Topinka: "Okay. Representative Ronan."

Speaker Madigan: "Mr. Ronan. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Ronan."

Topinka: "Representative Panayotovich."

Speaker Madigan: "Mr. Panayotovich is in his chair."

Topinka: "Okay. Representative Shaw."

Speaker Madigan: "Mr. Shaw. Is the Gentleman in the chamber?
How is Mr. Shaw recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Madigan: "Remove Mr. Shaw."

Topinka: "Thank you. Representative Taylor."

Speaker Madigan: "How is Mr. Taylor recorded? How is Mr..."

Clerk Leone: "Gentleman's not recorded as voting."

Topinka: "Okay. And Representative Turner."

Speaker Madigan: "Could you repeat that name?"

Topinka: "Representative Turner."

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Speaker Madigan: "Turner. Mr. Turner is in the chamber."

Topinka: "Okay. How did we do? That will be all."

Speaker Madigan: "That's all? Okay. There are 60 'ayes' and 40 'nos', and the Motion is adopted. It's a violation of the rules. For what purpose does Representative Braun seek recognition, to violate the rules?"

Braun: "Probably, Sir. Mr. Speaker, for purposes of an announcement. The students from Our Lady Gate of Heaven School in Chicago located at 2300 East on 99th Street are here and are visiting with us in the gallery, and I'd like to say hello to them. Thank you, Mr. Speaker."

Speaker Madigan: "House Bill 3253, Mr. White."

White: "Mr. Speaker."

Speaker Madigan: "Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I move to discharge the Judiciary Committee and advance to the Order of Second Reading House Bill 3252 (sic - 3253). Through an error in posting, the Bill was not heard on two occasions, and it's a simple Bill. All it does is that it deals with the area of panic peddling in the area of Chicago."

Speaker Madigan: "The Chair recognizes Mr. Johnson."

Johnson: "Before I address the Motion, what error in posting was there, Representative White?"

White: "Pardon me?"

Johnson: "What error in posting was there?"

White: "It should have been put on... placed on the Calendar in the Committee on two separate occasions; and, as it turned out, the Bill was not posted."

Johnson: "What do you mean, it should have been? I don't understand that. Representative Jaffe and I have acceded to every request by every Member of this chamber to waive posting requirements in this whole Spring Session. Nobody ever came to me on this Bill at any time and asked me to

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waive anything. Now, tell me what the error was before I can address your Motion."

White: "Again, the Bill was given to the... the Committee, the Judiciary Committee; and, as it turned out, it was never posted."

Johnson: "Well, whose responsibility was it for posting?"

White: "The staff in the Committee."

Johnson: "Well, I'd be interested to see Representative Jaffe's response to that. He's run that Committee, as the Clerk has, with a great deal of concern for the rights of every Member in here. And I really question... It's the only Bill out of 500 that wasn't posted. Nobody ever came to me and asked me to waive anything. You could have done that and have it heard. I guess I'll address the Motion. You know, we... Representative Churchill, in the last four days, probably spent as much time in the Judiciary Committee as a good many Members of the Committee did. He was there for six or seven hours on really a fairly minor Bill, waited his turn. We've met four times this week for innumerable hours. We eventually got to Representative Churchill, as we got to other Members, and gave him, as we gave other people, a fair hearing. We've... Representative Jaffe and I have gone out of our way to be fair to every Member of this House. Anybody who has requested this whole term for us to waive posting requirements, we've done it. And I would... I would say - and I've been in there, and I don't think I've missed two minutes of Judiciary hearings in the four times we've met this week. And unless I'm wrong, Representative White, there wasn't a single time in four days this week when you were there to have your Bill heard. Representative Braun is a hyphenated Sponsor of the Bill, and she was there most of the time. And I would presume if this was such a matter of great moment, either

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you or her could have done as the other tens of Sponsors who appeared before that Committee would have done, and that is to wait your turn and have the Bill heard on its merits. I really think that if we're going to have this Committee system work at all, and we have a situation where we have Sponsors all over here give courtesies to each other and the Committees give courtesies to them to have their Bill heard, and now all of a sudden at the end out of all 500 of these Bills, somebody... where the Sponsor never even appeared before the Committee to give our Committee the courtesy of having a hearing and wants to discharge the Committee is just an absolutely an affront not only to the Members of the Committee and Chairman Jaffe and his staff, but every Member of this House. I don't understand any merit at all for this Motion. I don't know where the mistake was made, but I don't believe that it was a mistake. And I believe that if you wanted to have your Bill heard so bad, you should have appeared before the Committee and have it heard like everybody else did."

Speaker Madigan: "Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker. How can I improve on what Representative Johnson has said? Let me say that I really feel very badly about this particular Bill. I don't believe that there was any request made of the Committee to post this particular Bill; and, as you know, at all times Representative Johnson and I have had an agreement whereby we have waived the posting requirements for every Member of this House. That being the case, I was never approached to have the posting requirements waived on this particular Bill. Representative Johnson was never approached to have the posting requirements waived. And because I believe in the integrity of the Committee system, I would support Representative Johnson and urge a 'no' vote on this Bill,

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which I probably would have voted for had it come to our Committee."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "I take no position on the Bill, but I... I do, in support of what Representative White is talking about. The rule says that the Sponsor, if he requests a hearing, has to have one within 45 days; but, from the way we've been operating in the last couple Sessions, or two or three, Chairmen of Committees have been posting all Bills and taking it for granted that a Sponsor does want a hearing. And from what I'm hearing from Representative White, the Bill was never posted, and I hope we're not, in the future, again having the old policy where every Member has to go to a Chairman and say, 'I want my Bill posted', because I like the policy that eventually all Bills assigned to Committee are posted. Because I think that that's a given that a ... that a Sponsor does want a Bill posted and heard."

Speaker Madigan: "Mr. White, to close."

White: "Mr. Speaker and Ladies and Gentlemen of the House, as I said earlier, two attempts were made to have this Bill heard in Committee, and at no time did I get notification that the Bill was to be heard. It did not appear on the Calendar. And based on what I've said, and I stand by it, I ask for your favorable consideration."

Speaker Madigan: "The question is, 'Shall the Motion to discharge the Committee on Judiciary from further consideration of House Bill 3253 be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 69 'ayes', 26 'nos', and the Motion is adopted. Mr. Clerk, do we have any Agreed Resolutions? Mr. Clerk, read the Adjournment Resolution."

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Clerk O'Brien: "Senate Joint Resolution 109. Resolved by the Senate of the 83rd General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, May 3, 1984, it stands adjourned until Tuesday, May 8, 1984 at 1:00 p.m. And when the House of Representatives adjourns on Friday, May 4, 1984, it stands adjourned until Tuesday, May 8, 1984 at 12:00 noon."

Speaker Madigan: "The Gentleman seek recognition on the Adjournment Resolution? Mr. McPike, on the Adjournment Resolution."

McPike: "Thank you, Mr. Speaker. I move for the adoption of the Adjournment Resolution."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The Adjournment Resolution is adopted, but the Chair would like to advise the Members - let's not leave - that on this Tuesday, although the Adjournment Resolution provides that we shall convene at 12:00, that we shall convene at 12:30. So that on Tuesday, we will convene at 12:30. Alright. For what purpose does Mr. Bowman seek recognition?"

Bowman: "Thank you, Mr. Speaker. Just to remind the Members of the Appropriation Committee, that the Appropriation Committee will meet at 8:00 a.m. Tuesday morning prior to the House convening. We still have some work ahead of us, and we will be convening at 8:00 a.m."

Speaker Madigan: "For what purpose does Mr. Levin seek recognition? Mr. Levin."

Levin: "Hello? Yeah, Mr. Speaker, I would ask leave to put the following Bills in Interim Study."

Speaker Madigan: "Mr. Levin, let us do that next week some time."

Levin: "We can do that later?"

Speaker Madigan: "Yes."

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Levin: "Okay, thank you."

Speaker Madigan: "Thank you. I'm sorry, Mr. Levin. The Clerk corrects me that if you wish to move your Bills to Interim Study, you'd better do it now. Mr. Levin."

Levin: "Yes, I've provided a list to the Clerk. I'd like to put in Interim Study House Bills 4, 5, 723, 1728, 1731, 1732, 1743, 2405, 2487, 2490 and 2993."

Speaker Madigan: "Mr. Clerk, would you read the other Motions that you have concerning Interim Study?"

Clerk O'Brien: "Also, a Motion by Dwight Friedrich to discharge... or to put House Bill 2408 in Interim Study."

Speaker Madigan: "Does that complete all of the requests for Interim Study? You've all heard those requests. Here's another request."

Clerk O'Brien: "Also, House Bill 1756."

Speaker Madigan: "Mr. Johnson, do you seek recognition on the question of Interim Study?"

Johnson: "Yeah. On a point of personal privilege, Mr. Speaker. I want to see the staff find this out, but I've just been informed by our staff that House Bill 3253 was posted for Wednesday, and it was contained in each one of the posting notices that went to the Members of the House, or the Members of the Committee, that it was in our packet and that the Bill was there. The Bill was posted for Wednesday, contrary to the representations of the maker of the Motion. That's what our staff has informed me just now. I'd like to have an answer on that, and I think every Member of this House ought to know what they voted on; because, I think, if that's the case, I want to make a Motion to reconsider."

Speaker Madigan: "Mr. Johnson, in all fairness, you know that many people have left the chamber because we have begun to consider matters that are normally considered at the end of

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the day. It's no one's fault, but I think it's just a little unfair to raise that question of the Motion at this time. Mr. Johnson."

Johnson: "I have our Calendar here, and the Bill appears on Wednesday's Calendar, Judiciary Committee, 2:00, House Bill 3253."

Speaker Madigan: "Mr. Johnson, this question was fairly well debated during the consideration of the Motion. Everyone was aware that there were allegations on both sides concerning whether or not there had been proper posting. So, that was a subject of the debate."

Johnson: "Okay. I'm not going to make the Motion to reconsider."

Speaker Madigan: "Fine."

Johnson: "But I really think, when we have representations made of the kind that were made, that every Member just for their future reference ought to be able to determine on their own whether, in fact, those representations are accurate. I'm not saying they weren't, but I do have Wednesday's Calendar and the Bill does appear among those listed and posted for Judiciary at 2:00 on Wednesday, May 2, 1984."

Speaker Madigan: "Thank you, Mr. Johnson. Now, we would like to return to the Order of requests for Interim Study. Mr. Clerk, read the request that you have in your hand."

Clerk O'Brien: "One further request on House Bill 2778..."

Speaker Madigan: "Mr. Mautino? Proceed, Mr. Clerk."

Clerk O'Brien: "... by Representative Wait."

Speaker Madigan: "Okay. Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I, as well, would like to make the same request for House Bill 3114."

Speaker Madigan: "Are there any further requests for Bills to be put on the Order of Interim Study. There being no further, you've all heard the requests that Bills be placed on the

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Order of Interim Study. Is there leave? Leave is granted.
Agreed Resolutions."

Clerk O'Brien: "House Resolution 891, McGann; 892, Tuerk and
Saltsman; 893, LeFlore; and 895, Ercokins."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "House Resolution 891, McGann, congratulates Arthur
Velasques, the Man of the Year; House Resolution 892,
Tuerk - Saltsman, congratulates the Richwoods High School
Girls Basketball Team; House Resolution 893, LeFlore,
congratulates Community Mental Health Ecard of Chicago; and
House Resolution 895, Brookins, congratulates Audrey
Johnson. I move the adoption of the Agreed Resolutions."

Speaker Madigan: "Those in favor say 'aye', those opposed say
'no'. The 'ayes' have it. The Agreed Resolutions are
adopted. Death Resolution."

Clerk O'Brien: "House Resolution 894, Saltsman - et al, with
respect to the memory of Josephine O'Connell."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, I'm going to move the adoption of this
Resolution, but I believe Representative Saltsman wanted to
say a few words on its behalf. Rep..."

Speaker Madigan: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. Josephine O'Connell is the
mother of William O'Connell who is otherwise known as
Ziggy, the political writer for the Georgia Journal Star,
and I make a Motion that this Resolution be adopted by all
Members of the General Assembly... by adding all Members to
this Motion."

Speaker Madigan: "Mr. Saltsman, along with Mr. Matijevich, moves
for the adoption of the Death Resolution. Those in favor
say 'aye', those opposed say 'no'. The 'ayes' have it.
The Resolution is adopted. And for purposes of the record,
let the record show that when I declared that leave was

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granted to put certain Bills on the Order of Interim Study, that... that that was leave for the use of the Attendance Roll Call for that purpose. Mr. Mulcahey."

Mulcahey: "Mr. Speaker, I would ask leave of the House to table House Bill 2371 of which I am the Chief Sponsor."

Speaker Madigan: "Is there leave? Leave is granted. Is there anything further to come before the Body? Fine. Mr. McPike, for the Adjournment Resolution, and the Clerk would like perfunctory time until all Committee Reports are read."

McPike: "Allowing the Clerk perfunctory time for purposes of Committee Reports, I move the House stands adjourned until Tuesday at the hour of 12:30."

Speaker Madigan: "You've all heard the Motion. Those in favor say 'aye', those opposed say 'no'. We stand adjourned until 12:30 on Tuesday."

Clerk O'Brien: "Committee Reports. Committee Reports. Representative Dunn, John Dunn, Chairman of the Committee on Transportation and Motor Vehicles, to which the following Bills were referred, action taken May 4, 1984, reported the same back with the following recommendations: 'Do pass' House Bill 2997 and 2933; 'do pass as amended' House Bill 3151 and 3117. Representative Brunner, Chairman of the Committee on Public Utilities, to which the following Bills were referred, action taken May 4, 1984, reported the same back with the following recommendations: 'Do pass as amended' House Bill 3129; 'Interim Study Calendar' House Bill 2955. Representative Wolf, Chairman of the Committee on Personnel and Pensions, to which the following Bills were referred, action taken May 4, 1984, reported the same back with the following recommendations: 'Do pass' House Bills 2443, 2580, 2715 and 2835; 'do pass Short Debate Calendar' House Bill 2540; 'Interim Study

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Calendar* House Bills 2564, 3250, 3251 and 3258. Representative Laurino, Chairman of the Committee on Insurance, to which the following Bills were referred, action taken May 1, 1984, reported the same back with the following recommendations: 'Do pass' House Bill 1535; 'do pass as amended' House Bill 2321; 'do pass Short Debate' House Bills 2883 and 3066; 'do pass as amended Short Debate' House Bill 3067; 'do pass Consent Calendar' House Bills 2499 and 2896; 'do pass as amended Consent Calendar' House Bill 2500; and 'Interim Study Calendar' House Bills 245, 1088, 2705, 3259 and 2500. The House stands at ease, waiting for further Committee Reports. The House will be back in Session. Committee Reports. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills and Resolutions were referred, action taken May 4, 1984, reported the same back with the following recommendations: 'Do pass' House Bill 2699, 2613, 3202 and 2883; 'do pass as amended' House Bills 3204, 3102, 2409, 809, 3230 and 2323; 'Interim Study Calendar' House Bill 2349. No further business, the House now stands adjourned."

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