

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

42nd Legislative Day

May 10, 1983

Speaker McPike: "The House will come to order. The House will come to order. The Members will be in their seat. The House will come to order. The Members will be in their seats. The Chaplain for today will be the Reverend Jerry Moe, Pastor, Faith Lutheran Church of Watseka. Reverend Moe is a guest of Representative Chuck Pangle. Will the guests in the gallery please rise to join us for to...prayer?"

Reverend Moe: "Shall we join now our hearts in prayer? Almighty God, as we open this Session today in prayer, we acknowledge our dependence upon You. You grant us everything. You grant us our breath, our heartbeats, every moment of our lives. Truly in You we live and move and have our being. O Lord, we thank You that You promise that if we will acknowledge You in all of our ways, that You will direct our paths. We pray today, Lord, for Your help and guidance for all the concerns that are to come before this Legislative Body. We thank You for the men and women who have accepted the heavy responsibilities of these offices. We pray for them, Lord. Give them wisdom and clearness of mind. Give them strength and energy of body. Give them compassion, and humility and spirit. And remind all of us, the citizens that they represent, to continually uplift them in prayer, to encourage them in every way that we can in their difficult tasks. May this be a day of special blessing for all of us. Guide in all decisions that may be made that they will be for the well-being of all the people, and may we all seek to follow the ideal that You've given us in the Bible where it says that, 'He hath shown the old man what is good'. And what does the Lord require of thee, but to do justly, to love mercy and to walk humbly with Thy God. And I pray this in Christ's

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name. Amen."

Speaker McPike: "Representative Ropp will lead us in the Pledge of Allegiance."

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 McPike: "Roll Call for Attendance. 117 Members answering the Roll Call, a quorum is present. Committee Reports."

Clerk O'Brien: "The corrected Committee Report. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken May 6, 1983, reported the same back with the following recommendation: 'do pass' House Bill 1866; 'Interim Study Calendar' House Bill 1698. Corrected Committee Report. Representative Van Duyne, Chairman of the Committee on Energy, Environment and Natural Resources, to which the following Bills were...was referred, action taken May 4, 1983, reported the same back with the following recommendation: 'do pass Short Debate' House Bill 1649. Corrected Committee Report. Representative Pierce, Chairman of the Committee on Revenue, to which the following Bills were referred, action taken May 4, 1983, reported the same back with the following recommendations: 'Interim Study Calendar' House Bills 875, 939 and 2128. Corrected Committee Report. Representative John Dunn, Chairman of the Committee on Transportation and Motor Vehicles, to which the following Bills were referred, action taken May 6, 1983, reported the same back with the following recommendation: House Bill 2276 was reported out in error. House Bill 2276 is tabled pursuant to Rule 27(D). Representative Jaffe, Chairman of the Committee on

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Judiciary, to which the following Bills were referred, action taken May 5, 1983, reported the same back with the following recommendation: 'Interim Study Calendar' House Bills 70, 699, 968, 1424, 1617, 1641, 1642, 1534, 879, 1711, 1791, 1800, 2256, 2257 and 2258."

Speaker McPike: "On page 49 of the Calendar, Consent Calendar Second Reading Second Day. Read the Bills, Mr. Clerk."

Clerk O'Brien: "Consent Calendar Second Reading Second Day. House Bill 548, a Bill for an Act concerning land titles. Second Reading of the Bill. House Bill 1037, a Bill for an Act in relation to support dogs for the physically handicapped together with Committee Amendment #1. Second Reading of the Bill. House Bill 1226, a Bill for an Act in relation to the deposit of certain funds. Second Reading of the Bill. House Bill 1230, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1462, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. House Bill 1483, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1498, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. House Bill 1550, a Bill for an Act to amend an Act in relation to state finance together with Committee Amendment #1. Second Reading of the Bill. House Bill 1670, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. House Bill 1707, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1777, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1844, a Bill for an Act to amend the Illinois Vehicle Code together with Committee Amendment #1. Second Reading of the Bill. House Bill 1870, a Bill for an Act to amend an Act in relation to the Department of

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Agriculture. Second Reading of the Bill. House Bill 1879, a Bill for an Act to amend an Act creating a Board of Higher Education. Second Reading of the Bill. House Bill 1881, a Bill for an Act to amend the Housing Authorities Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 1890, a Bill for an Act to amend an Act in relation to county and multi-county public health departments. Second Reading of the Bill. House Bill 1918, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1927, a Bill for an Act relating to the Department of Agriculture together with Committee Amendment #1. Second Reading of the Bill. House Bill 1944, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1952, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. House Bill 1953, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. House Bill 1958, a Bill for an Act to amend an Act in relation to vital records. Second Reading of the Bill. House Bill 2008, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 2058, a Bill for an Act to amend the Illinois Public Aid Code together with Committee Amendment #1. Second Reading of the Bill. House Bill 2059, a Bill for an Act to amend an Act concerning the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. House Bill 2070, a Bill for an Act to amend an Act relating to persons afflicted with tuberculosis together with Committee Amendment #1. Second Reading of the Bill. House Bill 2071, a Bill for an Act to amend the Meat and Poultry Inspection Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 2074, a Bill for an Act to amend an Act in relation to

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county and multi-county public health departments together with Committee Amendment #1. Second Reading of the Bill. House Bill 2093, a Bill for an Act to amend an Act to revise the law in relation to counties. Second Reading of the Bill. House Bill 2147, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. House Bill 2176, a Bill for an Act to amend the Illinois Pension Code together with Committee Amendment #1. Second Reading of the Bill. House Bill 2212, a Bill for an Act to amend an Act in relation to high risk childbirths. Second Reading of the Bill. House Bill 547, read previously, is removed from the Consent Calendar. 547 was removed. I'm sorry, 548. And House Bill 1498, read previously, is removed from the Consent Calendar."

Speaker McPike: "Third...Third Reading. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker, I'd like your permission to have...for a recess for an hour for Republican Conference in room 118 immediately."

Speaker McPike: "The House will stand at ease until the hour of 1:15 p.m. There will be a Republican Conference immediately in room 118. 1:15, one hour. Representative Friedrich."

Friedrich: "I would like to ask the Republican Members to be prompt, so we can get down there and get to business and get back on the floor."

Speaker McPike: "Do you need a full hour?"

Friedrich: "Yes, Sir. That's what the Leaders asked for."

Speaker McPike: "Fine. Thank you."

Friedrich: "Thank you."

Speaker McPike: "...Those people that are left on the House floor want to make note that the ex-Governor of Florida, Governor 'Rubin Askew', is right up here in the front. So if you

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could raise your hand, Governor, and be recognized. The Governor is going to be around for a while if the individual Members would like to meet with him. The House will come to order. On page seven...on page 37, page 37 of the Calendar, House Bills Third Reading Short Debate appears House Bill 58, Representative Bowman. Would you like to have your Bill heard, Sir?"

Bowman: "Well, yes, if we have enough people here quick on their feet. Yes. It's a noncontroversial Bill."

Speaker McPike: "Okay. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 58, a Bill for an Act limiting the types of information which may be disclosed by State Government regarding Illinois citizens or residents. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 58 as amended embodies all of the recommendations of the Special Advisory Committee to the Secretary of State regarding the disclosure and use of records maintained by the Secretary of State. This Committee was a blue ribbon Committee. It held hearings all over the state and spent a considerable amount of time in deliberation. This Bill merely implements the report. It has the support of the Secretary of State, and I know of no opposition to the Bill."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 58. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker McPike: "He indicates he will."

Cullerton: "Representative Bowman, you may have answered this question, but I did not hear it. Could you just tell us what effect this will have on the income to the state,

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since the state does pr...derive some income at this point?"

Bowman: "Oh, the effect on the income will be negligible. The stuff that you're reading in the Bill that affects fees is primarily recodification of material that's already in the statute, and it's just being rearranged. There...there are some fee increases, so that the effect of the...on the income would be slightly positive, but fairly modest."

Cullerton: "And the Secretary of State's position on the Bill?"

Bowman: "The Secretary of State drafted the Bill actually."

Cullerton: "And what's his position on it? No further questions."

Speaker McPike: "Okay, we are on Short Debate. The Gentleman from Marion, Representative Friedrich."

Friedrich: "A question of the Sponsor, Mr. Speaker."

Speaker McPike: "Yeah, he indicates he'll yield."

Friedrich: "My analysis...Representative Bowman says that this would prohibit cross-referencing for IRS, and it would be expensive, because it would...that's something that we asked for on the Audit Commission too, this cross-referencing. It would cost 2 or 3 million dollars. Is that possible?"

Bowman: "Is that a question?"

Friedrich: "Yes. I wonder if it does prohibit cross-referencing for...with IRS."

Bowman: "Cross-referencing, would you...would you describe what you mean by cross-referencing? I don't think that phrase is used in the Bill."

Friedrich: "Checking income tax. Checking income tax with IRS."

Bowman: "No, it doesn't prohibit that at all. The...I don't understand the...this just affects the Secretary of State's records, not the Department of Revenue's records."

Friedrich: "Well, our analyst must have done a bad job then,

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because mine says it would. I'm sorry."

Bowman: "Oh, Representative Friedrich, maybe the concern is this, the Bill in its original form did amend the Act establishing the Department of Revenue. The Amendment, however, deletes all references to the Department of Revenue and other Departments outside the Secretary of State's Office."

Friedrich: "Thank you."

Speaker McPike: "Representative Ewing on the Bill."

Ewing: "Would the Sponsor yield?"

Speaker McPike: "He will."

Ewing: "Is this going to result in an increased cost to the state, or are the fees in here sufficient to cover the cost?"

Bowman: "The fees are sufficient to cover the cost. In fact, Representative Ewing, there's language in several of the paragraphs where there are formulas established to indicate that if the formula itself is insufficient to cover the cost, then the actual cost shall be the minimum cost required."

Ewing: "Is this...is this any way tied in with your package of Bills on the right to know?"

Bowman: "Not at all."

Ewing: "It has nothing to do with access to the public records?"

Bowman: "Well, it has to do with access to public records. Yes, you're right about that. But this is unrelated to anything like freedom of information or employee right to know or any other Bills that are floating around on that subject. This Bill is supported by the Secretary of State, and his legal council was instrumental in drafting the Amendment that is now the Bill. Amendment #1 is the Bill."

Ewing: "Did the Secretary of State's Office come to you and ask you to sponsor this legislation?"



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Bowman: "Well, Representative Ewing, if you're interested in the history of the Bill, I'm very flattered. No one has ever asked me about my historical involvement in legislation before. But what I did was introduce the Bill. You see it has a very low number. I introduced it on the first day of the Session, because I was concerned about the same problem the Secretary of State had been concerned about. And as it turned out, he already had, when I introduced the Bill, he...I called him about it, and he said, 'Oh, I've already got this Committee that's working on the problem'. I said, well fine. I'll just hold my Bill in Committee, and I'll make it available to you. So when your Committee reports back to you with their recommendations, I'll be happy to incorporate those recommendations in my Bill. And that's exactly what I did."

Ewing: "Well, that was certainly accommodating of you. Thank you."

Bowman: "Thank you."

Speaker McPike "There being no further discussion, the Gentleman from Cook to close."

Bowman: "Well, thank you, Mr. Speaker. I think we've had many questions on this Bill. I believe I've answered them satisfactorily, and I believe that, as the discussion indicates, that there is no objection to the Bill on either side of the aisle. I urge adoption, or passage."

Speaker McPike: "The Gentleman moves for passage of House Bill 58. The question is, 'Shall House Bill 58 pass?'. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 108 'ayes', 3 'nos', 2 voting 'present'. And House Bill 58, having received a Constitutional Majority, is hereby declared passed. House Bill 278, Representative Levin.

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Out of the record. House Bill 279, out of the record.  
House Bill 433, Representative Preston. Out of the record.  
House Bill 466, Representative Ropp. Read the Bill, Mr.  
Clerk."

Clerk O'Brien: "House Bill 466, a Bill for an Act in relation to  
debts owed to and by the State of Illinois. Third Reading  
of the Bill."

Speaker McPike: "The Gentleman from McLean, Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, this is a Bill that  
we passed last year, a couple year...last Session dealing  
with an attempt to collect some student loans that have  
been defaulted. Currently, there are some \$8,000,000 in  
defaulted student loans, and through this Bill, it sets up  
a procedure by which the state could begin to collect those  
based on any state income tax that would be returned to  
them, would first go to pay off their loans. It's an  
attempt to collect come \$8,000,000, and I urge your  
favorable support."

Speaker McPike: "The Gentleman moves for passage of House Bill  
466. Is there any discussion? The Gentleman from Cook,  
Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. I know this is on Short  
Debate, but I would have to ask Representative Ropp a few  
questions."

Speaker McPike: "Proceed."

Cullerton: "Representative Ropp, what is the position of the  
Comptroller with respect to this Bill? Are they in favor  
of the Bill, or are they opposed to the Bill?"

Ropp: "For some reason, I understand that this year they are  
opposed to it. Last Session they supported it and helped  
us pass it. I think we've got the same Comptroller. I'm  
not sure why his position has changed."

Cullerton: "Well, we also have the same Governor who appoints the

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Department...the Director of the Department of Revenue. Now what's the...what's the position of the Department of Revenue on this Bill?"

Ropp: "When I talk to people dealing with the Department of Revenue, they would like to have an Amendment added in the Senate that would assist in speeding up this collection procedure, and..."

Cullerton: "So they're opposed to the Bill as it currently exists right now as well, right?"

Ropp: "I don't think I've ever seen anything that they're opposed to. They just want to improve it when it goes to the Senate with your help."

Cullerton: "Well, as I understand this, what you're doing is you're transferring something from the Comptroller to the Department of Revenue, and both agencies are opposed to the Bill. Now, I'll give you another chance to explain the Bill, but I'd like you to explain to me why those two people, those two groups would be opposed to the Bill and why it's such a good Bill then."

Ropp: "It's such a good Bill, because we want to collect \$8,000,000 that are currently defaulted. That's why it's a good Bill."

Cullerton: "Well, how could it help?"

Ropp: "Well, it helps by stating that those people who graduate and have these defaulted loans, should they ever become employed and should they ever have a state income tax refund due them, first of all, that income tax refund would be paid or maintained within the state in an effort to begin to recover the current \$8,000,000 which are currently defaulted. I want to collect that money that is due the state through repayment of loans. I think it's long overdue, that this ought to be repaid."

Cullerton: "Well, the goal is not what I'm questioning. How much

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will it cost the Department of Revenue to administer the Bill? Is that why they're opposed to it, because it will cost them some money?"

Ropp: "Well, any time a state agency performs functions, it costs money. My concern is that the cost to recover this would be less than what we would get in return; therefore, it would be a net plus to the State of Illinois, and these funds could eventually be turned back into student loans making it possible for additional students to go to college, which currently those funds are being somewhat limited because of our economy."

Cullerton: "Well, Mr. Speaker, I'll just indicate that I'm opposed to the Bill. The Comptroller's Office is opposed to the Bill. It believes that the Bill would significantly decrease the effectiveness of the offset system that we currently have as a method of revenue collection. And for that reason, I would also add that the Department of Revenue is opposed to the Bill. I don't think we should pass out a Bill when the Sponsor says it will be amended in the Senate. I don't think that he can speak for the Senate. I don't think any of us here in the House can. For that reason, I am opp...rise in opposition to the Bill."

Speaker McPike: "The Gentleman from McLean to close, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. As we continue to look for avenues to secure money for the State of Illinois, one way is to recover debts that should be recovered or money that have been paid out to - in this particular case - students. And we're attempting, by this procedure, to begin to recover some \$8,000,000 which have been defaulted as a result of students not paying back their loans that they said at one time they would. This is

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a procedure that needs addressing, and House Bill 446 begins to address that situation and bring back into the state some \$8,000,000 that is due the State of Illinois. I urge your favorable support."

Speaker McPike: "The Gentleman has moved for passage of House Bill 466. The question is, 'Shall House Bill 466 pass?'. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 85 'ayes', 19 'nos', 6 voting 'present'. House Bill 466, having received a Constitutional Majority, is hereby declared passed. House Bill 433. Representative Preston, are you ready to call the Bill now? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 433, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Cook, Representative Preston, on the Bill."

Preston: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 433 amends the Criminal Code to make the act of committing a battery on a Judge where that battery arises out of the Judge's official duties, raises that crime to aggravated battery. We've had, in some of the counties around the states, incidents where Judges had been attacked. One such instance where a Judge had been attacked on the bench, and it is a message by the Legislature that that activity will absolutely not be tolerated, and I urge your 'aye' vote. It passed in Committee 12 to zero."

Speaker McPike: "The Gentleman has moved for passage of House Bill 433. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 433 pass?'. All those in favor signify by voting 'aye', opposed vote

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'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 105 'ayes', 4 'nos', 3 voting 'present'. House Bill 433, having received a Constitutional Majority, is hereby declared passed. House Bill 506, Representative Friedrich. Representative Friedrich, do you wish to have your Bill called?"

Friedrich: "Mr. Speaker, I'd like unanimous consent to take this back to the Order of Second Reading for the purpose of Amendment."

Speaker McPike: "The Gentleman asks leave to return House Bill 506 to the Order of Second Reading. Are there any objections? Hearing no objections, leave is granted. Second Reading."

Clerk O'Brien: "Amendment #6, Friedrich, amends House Bill 506..."

Speaker McPike: "The Gentleman from Marion, Representative Friedrich, Amendment #6."

Friedrich: "Mr. Speaker, I'd like to ask consent to have Amendment #5 tabled, because this would replace it. We are trying to accommodate the universities in the language in this Bill. So I'd like to move to table the Amendment #5."

Speaker McPike: "The Gentleman asks leave to table Amendment #5. Are there any objections? Hearing no objections, leave is granted. Amendment #5 is tabled. Further Amendments?"

Friedrich: "Not..."

Clerk O'Brien: "Amendment 6, Friedrich."

Friedrich: "I'd like to move the..."

Speaker McPike: "Representative Friedrich."

Friedrich: "I'd like to move the adoption of this Amendment. It merely changes the language from Amendment #5, which says that this shall not apply to money donated to organizations related to state colleges and universities. I think

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there's no objection to the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #6. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #6 be adopted?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "The Gentleman asks leave for House Bill 506 to remain on the Order of Third Reading Short Debate. Are there any objections? No objections, leave is granted. House Bill 506 will remain on Short Debate. House Bill 589, Representative Hawkinson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 589, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Last year in this General Assembly, you raised from \$150 to \$300 the felony limits for theft and criminal damage to property. This Bill seeks to make that consistent with the other levels that are presently set at \$150, namely retail theft, deceptive practices and arson. This Bill passed Judiciary Committee 16 to nothing. I would ask for your support."

Speaker McPike: "The Gentleman moves for the passage of House Bill 589. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 589 pass?'. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 'ayes', no 'nays', none voting 'present'. House Bill 589, having received a Constitutional Majority, is hereby declared passed. House Bill 721, Representative Daniels.

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Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 721, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the Minority Leader and I are Co-Chief Sponsors of House Bill 721. It would make it unlawful to solicit advertisements in law enforcement or police officers' journals or magazines without first having obtained a current certificate of qualification from the Illinois Attorney General's Office, in other words, to prove that they are a legitimate law enforcement organization. This was drafted by the prior Attorney General because of the very severe problem that some phony organizations saying they represented police organizations, would go around communities just for the purpose of soliciting ads. And this is an attempt to eradicate that problem. It passed out of Committee with only 1 descending vote, and I'd appreciate your support."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 721. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker McPike: "He will."

Matijevich: "Yes, Sir."

Cullerton: "Representative Matijevich, in an effort to make this Bill, make sure that it's constitutional, since it might be challenged, I wanted to ask you a question or two. What if a magazine claims to be for police officers, but it doesn't represent them. Could you tell me whether or not that would be a law enforcement publication?"

Matijevich: "If the gentle...if the gentleman claimed he was a



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police or law enforcement magazine, he would have to do like the police publications do presently, have a current qualification certificate with the Attorney General's Office. This is in no attempt any Bill to try to avoid First Amendment rights. It is an attempt to try to get at the very serious problem of phony advertising soliciting by people who misrepresent themselves as police organizations."

Cullerton: "So it's your understanding that the police power, the right...the police power of the government has the right to limit this publication because of the existing abuses. Is that right?"

Matijevich: "Yes, Sir."

Cullerton: "No further questions. Thank you."

Matijevich: "Thank you, and we appreciate your support."

Speaker McPike: "Does anyone rise in opposition to House Bill 721? There being no opposition, the question is, 'Shall House Bill 721 pass?'. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 114 'ayes', no 'nays', none voting 'present'. House Bill 721, having received the Constitutional Majority, is hereby declared passed. House Bill 756, Representative Pangle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 756, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Kankakee, Representative Pangle."

Pangle: "Thank you, Mr. Speaker. I was asked by the Township and County Assessors' Organization to sponsor a Bill to clarify what they feel is a misnomer about them levying and setting the rates on real estate taxes. They asked if we would

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change the language to read instead of 'assessor' to 'appraiser'. This Bill is supported by the Illinois Township Association, the County Township Association and passed through Committee 11 to nothing, and I would appreciate an 'aye' vote."

Speaker McPike: "The Gentleman has moved for passage of House Bill 756. On that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Question of the Sponsor, Mr. Speaker."

Speaker McPike: "He indicates he will yield."

Vinson: "Representative, do I read the Bill correctly and understand your description of it correctly to say that what the Bill simply does is, throughout the statute, change the word 'assessor' and 'assessment' to 'appraiser' and 'appraising'?"

Pangle: "That's correct."

Vinson: "Well, I don't suppose it's going to have any terrible effects then."

Speaker McPike: "Does anyone stand in opposition? The Gentleman from Cook, Representative Bowman."

Bowman: "Well, this is surely one of the most terrible Bills I've ever seen in my life. Why would you want to do a thing like that? Would the Sponsor please yield for a question and answer the question?"

Speaker McPike: "Yes, he will. Right. Representative Pangle."

Pangle: "Yes."

Bowman: "Well why, I mean..."

Speaker McPike: "That's a question to you."

Pangle: "I didn't hear the question, Mr. Speaker."

Bowman: "No, I just...Representative Pangle, I didn't hear the explanation. Why would you...why would you want to change the reference?"

Pangle: "It was requested by the township assessors and the

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county assessors as clarification as to their duties as a assessor...as an appraiser rather than an assessor."

Bowman: "Okay, so it was requested by the township assessors. Okay, fine. Thank you very much."

Speaker McPike: "No one standing in opposition to the Bill, the question is, 'Shall House Bill 756 pass?'. All those in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 105 'ayes', 7 'nos', 1 voting 'present'. House Bill 756, having received a Constitutional Majority, is hereby declared passed. House Bill 763, Representative McAuliffe. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 763, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 763 amends the Vehicle Code and provides internal cross references on certain Sections of the Chapter 11, the Rules of the Road. It is merely a technical Bill to change a mistake in the Reference Bureau."

Speaker McPike: "The Gentleman moves for passage of House Bill 763. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Mr. Speaker, if I could just ask of the Clerk, was Amendment #1 tabled or was it adopted?"

Clerk O'Brien: "The record shows that Amendment #1 and 2 are adopted."

Cullerton: "Okay. Representative McAuliffe, over in the Senate you might want to have them check Amendment #1 and 2. There's supposedly a technical conflict with the two

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Amendments. #1 should have been tabled, but that can probably be handled over in the Senate if you want."

McAuliffe: "Alright, thank you."

Speaker McPike: "There being no opposition, the question is, 'Shall House Bill 763 pass?'. All those in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 116 'ayes', no 'nays', none voting 'present'. And House Bill 763, having received a Constitutional Majority, is hereby declared passed. House Bill 773, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 773, a Bill for an Act to amend Sections of an Act relating to contractors and materialmen's liens known as mechanics' liens. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This amends an Act with relation to mechanics' liens and would permit materialmen and subcontractors on public improvement projects to give notice of their claims for lien by registered mail or certified mail and also requires a copy of the complaint to be delivered to the appropriate public official. Currently it has to be a certified copy. So it would make it a little more...a little easier to and less expensive to serve notice. I would ask for your support of this Bill."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 773. Is there any discussion? Being no discussion, the question is, 'Shall House Bill 773 pass?'. All those in favor signify by voting 'aye', opposed vote 'no'. The Gentleman from Macon to explain his vote, Representative

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Tate. Have all voted who wish? Have all voted who wish?  
The Clerk will take the record. On this Bill, there are  
115 'ayes', no 'nays', none voting 'present'. House Bill  
773, having received a Constitutional Majority, is hereby  
declared passed. House Bill 782, Representative Kulas.  
Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 782, a Bill for an Act to amend  
Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 782 as amended amends the School Code  
by adding Sections which would require the State Board of  
Education to approve ethnic schools for the purpose of  
teaching a foreign language. It would require the State  
Board of Education to set up standards for which these  
schools could apply to...for approval. It also provides  
that these ethnic schools may voluntarily apply to the  
State Board of Education for approval, and it also allows  
the local school boards to give high school credits to  
students who have learned a foreign language at an approved  
ethnic school. If there is any questions, I'd be glad to  
ask...answer them."

Speaker McPike: "Representative Greiman in the Chair."

Speaker Greiman: "This is Short Debate. Does anyone stand in  
opposition? Representative Johnson."

Johnson: "I don't stand in opposition. I just wanted to ask the  
Sponsor a question."

Speaker Greiman: "Question. Proceed, Sir."

Johnson: "This seems, from your description of the Bill, to  
provide some form of a state mandate. I wonder if (a),  
that's the case and (b), if you have an estimate if there's  
any additional cost for the local school systems if this  
Bill were to become law."

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Kulas: "No, there are no local costs involved. All the Bill asks for is that the State Board of Education would set up guidelines for these ethnic schools, and then these ethnic schools could apply for approval. It wouldn't cost any money to the state."

Johnson: "Okay, thank you."

Speaker Greiman: "Representative Nelson, do you stand in opposition, Ma'am?"

Nelson: "No, I do not, Mr. Speaker. May I ask a question of the Sponsor?"

Speaker Greiman: "Sure, proceed."

Nelson: "Representative Kulas, would you just explain to the Members of the Body whether or not there is any limit to the number of credits that a student might be able to obtain through this method of receiving credit for outside courses in language instruction?"

Kulas: "No, that is up to the local school board to decide what they want to do on that. It is up to the local school board."

Nelson: "So, the local school board could say that, 'We will allow you, Myron, a total of two credits outside of the regular public school. Is that correct?'"

Kulas: "Right."

Nelson: "Thank you very much."

Speaker Greiman: "Representative Braun."

Braun: "Thank you, Representative. Would the credits allowed under this Bill for the ethnic schools, would they be allowed in the public schools also?"

Kulas: "It's...Chicago does have that program now, the Chicago School Board of Education. This would allow other districts to do the same thing."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor

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signify by voting 'aye', those opposed vote 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 96 voting 'aye', 14 voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Short Debate Third Reading, House Bill 787, Representative Braun. Out of the record. House Bill 801, Representative Matijevich. Proceed, Sir. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 801, a Bill for an Act to amend an Act in relation to state police. Third Reading of the Bill."

Speaker Greiman: "Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 801, the Amendment has now become the Bill. The Digest may be a little misleading. The state troopers bumped across a little known statute which prohibited them from being involved in political activities during their off-duty hours. Everybody had thought that that was erased in the law some time ago, but there was this unknown provision in the State Police Act where it had not yet been eliminated. Those of you who have been here a long time, like I, remember Tony Scariano passed a Bill that allowed off-duty political activity for police and firemen, and we all thought we did the job then. That's all that this does. It puts the law in compliance what we all thought it was anyway, and I move for the passage of House Bill 801."

Speaker Greiman: "Does anyone stand in opposition? Representative Vinson."

Vinson: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will. Proceed."

Vinson: "Does this mean...would passage of this Bill mean that a state trooper could, for instance, be the president of a

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ward organization in Chicago?"

Matijevich: "I find it hard to believe that a state trooper could be a president of a ward...organization and somehow not conflict with his on-duty hours. I find that very difficult to believe."

Vinson: "But if he did those activities only during non-duty hours, this would be...that would be totally legal."

Matijevich: "It very well could be, I guess, because he has that constitutional right to become involved - and the court cases have determined that - to become involved in political activities during an off-duty hour."

Vinson: "Now, are you aware of what the...how various groups view the Bill as amended? Could you explain that to the Body?"

Matijevich: "The Bill as amended only requires what everybody thought the law is. In other words, that's why the Digest is misleading. It...we had repealed that provision of the Act, but that would give one the indication that then you could become involved in political activities during on-duty hours. So we amended it to make certain, to clarify that this is only that...during on-duty, the State Troopers are still prohibited from becoming involved in political activity."

Vinson: "When did we supposedly pass the legislation that would have changed this in the past?"

Matijevich: "We passed it, oh, I'd say a good...it's got to be a good ten years ago at least. Tony Scariano...it was a very controversial Bill at that time, and Tony was the type of guy, as everybody knows, who would make more hay by the Bills he lost rather than the ones he passed. But he finally passed that one, and...because of some court decisions, too, I believe, and it's been a good, at least, ten or maybe twelve years ago, probably twelve years ago."

Vinson: "And he just apparently inadvertently overlooked the



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provision at that..."

Matijevich: "This...this part of the Act is in the State Police Act. So we eliminated it from, for example, the Cities and Villages or whatever. In the other parts of the statutes, it's been eliminated. But evidently...and Al Bennett said they just stumbled across this, not knowing that it was in the statutes. So seeing it was in the statute, they wanted to make sure that they took it out of the statute."

Vinson: "Okay, no further questions."

Speaker Greiman: "The Gentleman...remembering we're on Short Debate, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would rise in support of this Bill. I see nothing wrong with police officers having the same rights that teachers have. We had a recent election in Chicago where there was a lot of police officers involved on both sides, and I don't think police officers ought to be considered second class citizens and barred from political activity. I am a police officer."

Speaker Greiman: "Well, Representative..."

McAuliffe: "I'm not exactly nonpartisan myself. So I don't think there's anything wrong with letting police officers have the same rights that everybody else has."

Speaker Greiman: "Thank you. I would remind the Body that we are on Short Debate. Representative Brookins, for what purpose do you rise? The purpose of Short Debate is to shorten debate, and you may ask some questions if you have some questions. I know that you are a former police officer and probably your heart is in the right place. Perhaps we could move on though. Representative Brookins."

Brookins: "We'll make it short, Mr. Speaker. I just want to say that the problem with this is that our Police Department in Chicago is in trouble now, because they have participated

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in politics, and now there's no respect for them, and they cannot do their duties. So I rise opposed to this Bill."

Speaker Greiman: "The Gentleman stands in opposition to this Bill. Thank you. Is...Representative Matijevich to close."

Matijevich: "I would appreciate your support. I think this did not receive a unfavorable vote in Committee, so I would ask for your support."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', 5 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 823, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 823, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Greiman: "...Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, House Bill 823 amends the Income Tax Act, and it provides that the distributions from individual retirement accounts would be taxable income in the state. This would then make it comparable to what happens at the federal level. If you're acquainted with an individual retirement account procedure, in the year that you take money from your income and invest it in an IRA, it becomes nontaxable income. Currently in the state, we exempt it both at the time it's invested and at the time that it's distributed. This Bill simply puts us in line with the federal requirement for taxing that

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income when it is distributed, and I believe that it's a fair Bill, and I ask for your support."

Speaker Greiman: "Does anyone stand in opposition? Representative Preston."

Preston: "Would the Lady yield for a question?"

Speaker Greiman: "Indicates she will. Ms. Satterthwaite, go ahead."

Preston: "Representative Satterthwaite, does this Bill then mean that it is a tax increase for people who are in retirement? Is that the effect of this Bill?"

Satterthwaite: "Well, Representative Preston, currently if you have a plan for which you are allowed to have deferred income, that deferred income becomes taxable at the time that you withdraw it from investment. This simply puts an IRA account on the same basis as deferred income. So it does not really increase your taxes, but it does not allow you to have that income tax exempt. I believe that we have not intended that people have income completely tax exempt. The incentive, of course, is to invest it at a time when your income may be high, and then take it out at a later time when you may not have as high an income to be taxed."

Preston: "Thank you."

Speaker Greiman: "Representative Vinson."

Vinson: "Mr. Speaker, I would ask the requisite number of people to join me in asking that this Bill be taken off Short Debate."

Speaker Greiman: "Alright, the Gentleman has the requisite number of Members joining him in requesting him to take it off Short Debate, and it is now on regular debate."

Vinson: "Mr. Speaker..."

Speaker Greiman: "Representative Vinson, are you seeking recognition now?"

Vinson: "Yes, Sir."

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Speaker Greiman: "You are so recognized. Proceed."

Vinson: "To the Bill itself. This Bill is a tax increase Bill.

It is a tax increase Bill on savings. It is a tax increase Bill on pensions. One of the purposes in the treatment of IRA accounts, that we now accord them in Illinois, is to encourage savings and to encourage people to provide for themselves in their golden years. What this Bill will do is to tax pension income. It will take pension income in a way which forces people toward government assistance and toward government transfer programs. We provide this special treatment in Illinois to try to keep people from having to become dependent on government, to try to keep people from having to go on public aid and rely on Medicaid and so forth, to provide for themselves in their golden years. This Bill is an anti-senior citizen Bill. All this Bill does is to try to tax more income of senior citizens specifically. They don't get that money out until they're in retirement, and they should not be taxed at that stage. We should not try to force those people who have seen fit to provide for themselves, who have taken money that they could have spent on consumption in their middle years, and who have set that money aside to provide for themselves later. We should not try to force them onto government assistance and public aid. What this Bill does further by taxing them in those years, it discourages them setting that money aside and investing it during their income earning years. And when you do that, what you do is you deprive a flow of savings that can create investment, that can create jobs, that can create economic growth in Illinois. It's not inappropriate at all that Illinois create a separate exclusion on this, when what that exclusion does is to fuel economic growth in the State of Illinois, when what that exclusion does is to hold down

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government expenditures in the State of Illinois, and when what that special exclusion does is to make it possible for senior citizens in their declining years to enjoy their life with money that they have set aside, rather than to have to go on public aid with all of the infringement on their dignity and on their personal lives that that would do. This is a terrible Bill. This is one of the worst Bills of the Session. I would urge everybody to vote against this Bill. I would urge you to stand up for senior citizens and to stand up for economic growth. This is one of the few times that those two issues clearly can join and come together, where you can be for more jobs. You can be for more growth. You can be for senior citizens, and you can be against government all in one vote. And you ought to cast that vote, and it ought to be a 'no' vote on this particular Bill."

Speaker Greiman: "The Gentleman from Madison, Majority Leader McPike."

McPike: "Well thank you very much, Sam. That was a funny speech. I enjoyed it. Somehow he... Representative Vinson has implied that if we tax senior citizens, we're going to drive them onto the public welfare roles. I've seen recent advertisements by banks and Savings and Loans saying that if you invest \$2,000 a year, by the time you retire, you'll be a millionaire. I don't think I've heard the argument on this House floor that we shouldn't tax millionaires. This is a new argument. It says just because you're a senior citizen, we don't care if you have a million dollars, or ten million dollars or a billion dollars. We just don't believe that senior citizens should be taxed. We don't believe corporations should be taxed. That Reagan's viewpoint. Now we have a new theory here by Representative Vinson that says just because you have reached a certain

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age, you are now, therefore, never to be taxed. Now this Bill is really a very logical Bill. It says that while you're earning money, the government will allow you to set that side and increase the amount of savings pooled that we now have available, to do just what Mr. Vinson wants to do, increase the amount of savings which will be used to loan to businessmen to provide new jobs. But later on in your life when you retire, we never implied that we were never going to tax you. We simply said that we're going to give you a break. While you're in these very high income brackets, we're not going to tax you at high rates. Well now that we've given you this break and allowed you to defer these taxes for 10, or 20, or 30 or up to 45 years, now finally when you retire and your income is at a reduced rate, even though that income could very well be 20,000, or 30,000 or 40,000 a year, we're going to retax it at that rate and not necessarily the rate that it was when you're earning. So this Bill is a good idea. It says, 'Let's speak to the current situation, increase savings so that we increase investment and increase jobs'. But down the line, eventually we do tax income of everyone. We do tax income that is earned in this state, in this country, and so that one set of people do not necessarily, are not necessarily exempt from our tax laws. After all, they are benefitted from society, and I think that they should contribute to society as well."

Speaker Greiman: "The Gentleman from Will, Representative Davis."

Davis: "Well thank you, Mr. Speaker. Will the Sponsor yield?  
Will the Sponsor yield, Sir?"

Speaker Greiman: "He indicates he will."

Davis: "She will. Representative Satterthwaite, under your Bill if it should become law, and I decide to pull the pin and leave Illinois having built up some dollars in an IRA

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system here in Illinois, and I move to another state, to Arizona or Florida, to retire in the sunshine, to seek my golden years at another place, and the distribution then, I believe, of all IRAs comes out at 59 years old. And then I reach age 59 and the distribution of those monies start to come towards me. I am a resident of another state. I have been for five years now, and that distribution is coming toward me. The interest was earned in Illinois, the interest being paid by Illinois banks. Is that income going to be taxable then in Illinois? Must I file an Illinois income tax return?"

Satterthwaite: "My under...my understanding would be that it becomes taxable income to you in the year of distribution if you are an Illinois income tax payer at that point, then you would be paying Illinois tax on it."

Davis: "So in other words to avoid that, if I decided to retire at 58, I would simply move across the border someplace else that, perhaps as Florida does, does not have an income tax, state income tax, and then I would avoid paying any Illinois income tax on the income that has been generated in Illinois for 20 years. Is that correct?"

Satterthwaite: "Well, first of all, I don't think that your assumption that it is necessarily invested in Illinois banks is true. At the current time, it could be invested anywhere. It need not be in Illinois at all."

Davis: "Well, I understand..."

Satterthwaite: "There is no guarantee that the interest would have accrued in Illinois."

Davis: "I understand that, Representative, but so..."

Satterthwaite: "You would be..."

Davis: "So many are in Illinois. Just answer the specifics. If it were in an Illinois bank and being distributed by an Illinois bank, to me as a resident of six months of

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Florida, must I file an Illinois income tax return?"

Satterthwaite: "This Bill does nothing to determine where you are going to pay state tax at the time that these monies would be withdrawn. That same law would apply regardless of where you lived, for how long you lived there. It is a matter of state law as to where you will be taxed at that time. All that this Bill does is make it consistent with the federal law. The federal law now provides that it is tax-free income the year you invest it, but it is taxable income the year you withdraw it."

Davis: "Well, thank you, Representative Satterthwaite. I am afraid that...to the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Davis: "Terribly afraid because of my questions and your inability to answer those questions in the specific, that your Bill is seriously flawed from that standpoint. If you wanted to pursue continuing through the taxation notion then you would certainly address that particular issue to make absolutely certain that if Illinois banks, Savings and Loans institutions or brokerage firms or whatever were disbursing monies to an out-of-state resident that they should pay Illinois taxes. Now, Mr. Speaker and Members, nothing in the world ever says that this General Assembly should follow through on anything the Federal Government does, on anything that they do. The whole idea behind IRAs was capital formation. It wasn't necessarily tax generation. And Representative Vinson is absolutely correct, despite the convoluted arguments of the Majority Leader. Representative Vinson was quite correct. This is a tax increase Bill. This is an anti-senior citizen Bill, and we're all approaching that area for nothing else here in this Legislature, and this Bill should be soundly defeated."



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Speaker Greiman: "The Gentleman from Lake, Representative  
Pierce."

Pierce: "Mr. Speaker, I might as well clear all this up for the  
Gentleman."

Speaker Greiman: "Thank you, Mr. Pierce."

Pierce: "The Gentleman from Clinton, Mr. Vinson, never put in a  
Bill to create IRAs. He never gave a darn about IRAs,  
neither did Mr. Davis. The U.S. Congress created IRAs, and  
we are tied-in and coupled with the Internal Revenue Act,  
and so we were coupled into IRAs. The purpose that  
Congress created IRAs, not this General Assembly, when  
Congress created IRAs...the IRAs, the purpose was that you,  
in your earning years, you could put money aside from  
retirement, not pay income taxes on it. And when you  
retire at 59 1/2 or later, if you're subject to income tax,  
then it would come out and be taxable. If you're not stuck  
with income tax, if you're poor, if you're on public aid,  
then maybe it won't be taxable. But in Illinois because we  
have a strange quirk in our Income Tax Act, it wasn't  
taxable when it came out. So we created a benefit that  
Congress or no one else ever contemplated. Now the U.S.  
Congress determined they have so much money in their  
treasury in Washington, they could at least subsidize...of  
the delayed payment of taxes on IRAs. Apparently the  
Gentleman on the other side of the aisle feels Illinois has  
so much money in its treasury it can go even beyond that,  
even beyond that and say this money will never be taxable.  
Well, that's alright if that's what they want to do. It  
would be fine with me. I have an IRA, and I wanted to  
clear that conflict of interest. I might point out to the  
Lady from Champaign that other pension funds in Illinois,  
including HR 10s and other pension funds, aren't taxed on  
the way in or the way out either. An HR10 in Illinois

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isn't taxed when you contribute to it. It isn't taxed when you take it out. She's only closing one small part of the loophole here, the IRAs. And if the Gentlemen on the other side of the aisle think Illinois has so much money in its treasury that we can be generous even beyond, even beyond what they do on Capitol Hill in exempting millionaires' IRAs as well as poor people's. And poor people, of course, don't even pay a state income tax. If they feel we can be that generous, I'll go along with them. Why ever pay taxes on anything, and maybe we ought to raise the IRA from 2,000 a year to 10,000 a year contribution and help all the senior citizens when they retire."

Speaker Greiman: "For what purpose does the Gentleman from DeWitt arise?"

Vinson: "Thank you, Mr. Speaker. On a point of personal privilege. The Gentleman did mention my name in debate."

Speaker Greiman: "The Gentleman commented on what you said. That would be an abuse of personal privilege, Mr...Mr. Vinson. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield? Representative Satterthwaite, could you explain to me why all of the Republicans on the Revenue Committee voted for this Bill, and why they put it on Short Debate in the Revenue Committee? Did Representative Hastert, was he falling down on the job? Hadn't he got his orders from the Leadership? Or maybe he wasn't paying attention to this Bill. Could you explain what happened in Committee?"

Satterthwaite: "Well, I would hesitate to try to determine what the motivation of any Committee Member's vote was, but I will say that there were Republicans in attendance who voted for the Bill, because, I suppose, they believed that it only was fair that the income be taxed at one end or the other. I agree that it is an incentive for people to

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invest in an IRA and provide additional money for development, etcetera, but I don't think that it was ever intended that we should leave that income nontaxable at both ends."

Cullerton: "But can you explain why every one of them voted for it?"

Satterthwaite: "I really cannot, Sir, but I'm glad you brought up that point that there were no objectors on the Committee."

Speaker Greiman: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I want everyone on the Republican side of the aisle to know very clearly that this Bill is a tax increase, and if they want to vote for it, of course, that's their business. I would surmise that this is the first of Speaker Madigan's tax increase proposals to fund the overspending of the Democratic side of this House. For my part, I am going to vote 'no'."

Speaker Greiman: "The Gentleman from Cook, Representative Bowman."

Bowman: "Well, thank you, Mr. Speaker. I, too, have an IRA, and I suppose I have a conflict here. But I am voting to inc...to pass this Bill, and this is a tax Bill. Clearly it would impose a tax where none is now contemplated, but I think Representative Pierce put the matter very succinctly. This really restores taxes that the state would have collected if the Federal Government hadn't come in and given away the candy store to everybody who had their hand out in Washington. Now, I think what happened was, in Committee, was that the Republicans probably didn't...weren't quick to realize the political value in...in this legislation, and now they're making noises that would lead me to feel that they are trying to protect

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the administration in Washington, D.C. from having the very deleterious effects of the federal tax program from being...from being undone at the state level. Because what we're trying to do here is to restore a sense of order and balance to the state's revenue picture which was thoroughly destroyed in the changes made at the federal level. Now just a couple of points that I think people should consider here, because I think the rhetoric has gotten way out of hand. Indeed one can argue that, as both sides have done, that there is a stimulus to investment by not taxing income; however, let me just point out to you that the value of the tax deferral at the federal level is quite substantial or can be quite substantial. It could be as much as 20, 30 or 40 percentage points difference in your tax rate. In other words, the tax you pay on your deferred income might be 40 percentage points lower than on the income initially. Well, that's quite an incentive. That certainly would provide quite an incentive for investment. But the state tax, I would simply point out, is...is now 2 1/2%. And even if we get a tax increase, it's not likely to be very substantial. Certainly nothing like the federal tax benefits. So the incentive effects of passing this legislation are negligible. Passing this legislation would not have any, in my opinion, any appreciable detrimental effect to investment. The...the other thing I'd like to point out is that we talk about senior citizens a lot here, and everybody likes to help senior citizens. But if anyone is a senior citizen today at this moment, they cannot open an IRA. The federal law prohibits anyone who, once they become a senior citizen, from opening an IRA or making further investments in an IRA and being able to defer their tax liability further. This Bill only affects people who are now 20 years old, 30 years old, even 40 years old. So

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when we talk about senior citizens, I think most of us have in mind the people who are now senior citizens. This Bill won't affect them one way or the other. It affects you and me, Ladies and Gentlemen. That's who it affects, and I think that the people who are rising in opposition to this Bill are just looking for a free handout. And let me tell you, to the Gentleman from Clinton, there is no such thing as a free lunch."

Speaker Greiman: "Representative Flinn, the Gentleman from St. Clair."

Flinn: "Well, Mr. Speaker, I agree the rhetoric is out of hand. I move the previous question."

Speaker Greiman: "The Gentleman from St. Clair has moved the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those 'no'. I'm sorry. I'm sorry. Pardon me. The Lady from Champaign to close."

Satterthwaite: "Yes, Mr. Speaker and Members..."

Speaker Greiman: "Once I begin, I, you know, it's hard for me to stop myself."

Satterthwaite: "Thank....thank you, Mr. Speaker. I realize that we have gotten a little adrenaline flowing with this Bill, but perhaps we need to back off now and really look at the situation. Through action at the federal level, a new tax break for the citizens of Illinois as well as for the citizens of the rest of the country was provided, an incentive to invest money. But the Federal Government at least had the wisdom to say that this should not be totally tax-free money for now and forever more. And at the federal level, they said 'We will give you this incentive to invest when your income is high, but we will tax you when this money is distributed, so that you can really have

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the choice. Do you want to have your money in...money taxed at the front end or at the back end?" Unfortunately at the state level, we have become victims of that federal system, but we have not straightened out our law to comply with the federal system. And so I am simply saying to you that this is not for or against anybody of a particular income. It is not for or against anybody regardless of their age. The Bill came to my...the need for the Bill came to my attention from a constituent in my district who called me to say that this surely can't be fair. He, himself, felt that he could not afford to take his \$2,000 that year to invest it and that as a taxpayer, he was being asked to unfairly subsidize those who were wealthy enough to take advantage of this program. I ask for fairness. I ask that you support the Bill, so that we can have not a tax-free system, but a tax-fair system. I ask for your favorable vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. Representative Van Duyne to explain his vote."

Van Duyne: "Thank you, Mr. Speaker. Van Duyne's the name. I just wanted to explain my vote. I am going to vote 'aye', but the fact that the Lady puts it on the books that this money will be taxable doesn't get is collected, as evidence by the remarks from Representative Davis before. Representative Levin and I tried to erase that problem and force the Department of Corrections to collect these taxes, especially from nonresidents, as Representative Davis mentioned, in House Bill 258. So we met with an absolute brick wall on it, and I want to just show you that this is a perfect instance of why our Bill would have been applicable, especially in this sense and others."

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Speaker Greiman: "Have all voted who wish? Have all voted who wish? Clerk, take the record. On this Bill, there are 51 voting 'aye', 43 voting 'no', and the Lady from Champaign requests that it be placed on the Order of Postponed Consideration. On the Order of House Bills Third Reading Short Debate appears House Bill 828, Representative Ewing. Representative Ewing, you want to proceed, Sir? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 828, a Bill for an Act to amend an Act in relation to oil, gas, coal and other surface and underground resources. Third Reading of the Bill."

Speaker Greiman: "Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, several years ago in the moods to deregulate, they intended to deregulate well drillers in the State of Illinois. Later that was reversed, and we continue to have licensing and regulation of well drillers. At the time when they thought they were no longer going to be licensed or controlled by the state, they put in the statute that before you could drill a well, you must give the Department of Public Health seven days notice. This has caused some problems, particularly in areas where you have an emergency. If you have 200 head of cattle on your farm demanding many, many gallons of water a day, and your well goes out, and you have to wait seven days, you can have a financial crisis as well as an emergency. The Department of Public Health has signed off on this Bill. They feel that it is not necessary to have the seven days notice, and this is an effort to clean up the statute, and I would appreciate an 'aye' vote."

Speaker Greiman: "Representative Capparelli on a slightly different order of business."

Capparelli: "Yeah, thank you, Mr. Speaker. If I may, I'd just

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like to introduce the St Immaculate Conception School from the 26th District, the 8th grade class with Sister Theresa in the upper balcony."

Speaker Greiman: "Thank you. Back on Short Debate. Does anyone stand in opposition? Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', none voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 860, Representative Saltsman. Mr. Clerk, read the Bill. Yes, the Gentleman has requested leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Leave is hereby granted, and the Bill is returned to the Order of Second Reading. Represent...on the...are there any Amendments?"

Clerk O'Brien: "Amendment #2, Saltsman, amends House Bill 860 on page one, lines one and five."

Speaker Greiman: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill was recommended by...this Amendment was recommended by the Reference Bureau and was nothing more than a number error in a paragraph number, and I ask this Amendment be approved."

Speaker Greiman: "Is there any discussion? There being none, the Gentleman moves for the adoption of Amendment #2 to House Bill 860. All those in favor signify by saying 'aye', those opposed will signify by saying 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."



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Speaker Greiman: "Third Reading. Alright, Mr. Clerk...Mr. Clerk, read the Bill a third...a third time."

Clerk O'Brien: "House Bill 860, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill defers the federal income tax for these employees and their pension contributions. This Bill gives these employees the same privilege as other public employees and as we have here in the General Assembly in our pension. It's nothing more than the...the deferred payment of federal income tax under pensions. Most of us have it already."

Speaker Greiman: "Does anyone stand in opposition? The Gentleman from Cook, Mr. Piel."

Piel: "I think to keep things in proper order, Mr. Speaker, I think he's got to have leave to bring...to hear it on Third Reading today, and he also has to have leave to keep it on Short Debate, which I'm not objecting to."

Speaker Greiman: "No, you're correct on the Short Debate, as a matter of fact, but he need not ask leave. Under our rules, this was an Amendment suggested by the Reference Bureau and purely a technical defect in a Bill. And accordingly, it may be returned to the Order of Second Reading and then to the Order of Third Reading and heard the same day. Do...does anyone stand in opposition? Mr....the Gentleman from Effingham, Mr. Brummer."

Brummer: "May I ask one brief question on Short Debate?"

Speaker Greiman: "Yes, proceed, Sir."

Brummer: "I think the intent of this Bill is laudible. In light of the Bill...the vote we just had on Representative Satterthwaite's Bill, I am curious if we exempt this in going into the system, will this...under this Bill be taxed

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when it comes out of the system?"

Saltsman: "Yes."

Brummer: "Thank you."

Speaker Greiman: "Alright, is there any further discussion?

There being none, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote... 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 111 voting 'aye', none voting 'nay', 5 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 883, Mr. McPike. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 883, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 883 provides an alternative retirement formula for state air pilots who are covered employees. It raises the contribution rate for these pilots from the current level of 4% to 5 1/2%. The effect of the Bill will be to allow these covered pilots to have an alternative retirement system, that is to retire at age 50 with 25 years of service or at age 55 with 20 years of service. The Bill also provides that an eligible air pilot must be one whose job description states that his principle duty is the operation of an aircraft and one who possesses a pilot's license. I move for the passage of this Bill."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote

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'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 85 voting 'aye', 30 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 922. Representative Davis, are you prepared? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 922, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Davis."

Davis: "Well, Mr. Speaker, I'd like leave of the House to return this to Second Reading and leave it on that order in anticipation of an Amendment that should be ready tomorrow."

Speaker Greiman: "The Gentleman asks leave to return the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted to return House Bill 922 to the Order of Second Reading. On the Order of House Bills Third Reading Short Debate appears House Bill 930. Mr. Hoffman, are you prepared? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 930, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 930 is a product of the Joint Finance Subcommittee of the State Board of Education and the School Problems Commission. What it does, it amends Section 17-11 of the School Code, which allows any school district other than the Chicago District to amend its tax levy. It's a multiplier to be applied to the assessed valuation of a district. It will alter the amount of local or state funds the district will receive. The amended levy, or this

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amended levy, would have to be filed within 10 days of receipt of the multiplier by the county clerks. As many of you know, school districts make their tax levy in the fall, and the multiplier frequently is not issued until the following spring. If the multiplier is higher than anticipated, a school district's operating tax rate can be pushed below the minimum to qualify for state aid. We addressed this situation in a similar Bill by Representative Mulcahey, House Bill 629. This Bill also allows those school districts which lose local funds because of an increase in the multiplier to, within 10 days, to file a tax levy which would conform with that multiplier. The Bill came out of Education Committee without opposition, and I would ask for your support."

Speaker Greiman: "Does anyone stand in opposition? Gentleman from Cook, Representative Cullerton."

Cullerton: "If the Gentleman could just yield for a question."

Speaker Greiman: "Indicates he will."

Cullerton: "Representative Hoffman, how does this Bill compare to House Bill 629?"

Hoffman: "House Bill 629 deals with one of the two aspects in this Bill. House Bill 629 allowed for districts which did not set their operating tax rate or set their levy high enough to qualify for the minimum tax rate required by the state to... to qualify for state aid, and this Bill also allows the school districts which didn't maximize their local tax revenue, due to a lack of understanding of what their multiplier was going to be against their assessed valuation, to make that adjustment also within the 10 days applied."

Cullerton: "Well, if you could explain to me what do 'local revenues' mean? You have it on your Amendment on line 12. You say 'local or state sources'. What are local sources?"

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Hoffman: "Local sources are local taxes raised by property taxes."

Cullerton: "So, this would allow for those property taxes to increase without any referendum or..."

Hoffman: "The referendum is applied to the tax rate, not to the tax dollars. It doesn't address the rate at all."

Cullerton: "Okay. So what you're saying is that this Bill is not limited just to state aid, as House Bill 629 is, but also refers to local."

Hoffman: "That's correct."

Speaker Greiman: "Does anyone stand in opposition? Is there any further discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 99 voting 'aye', 8 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 947. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 947, a Bill for an Act to create sanitary districts and remove obstructions. Third Reading of the Bill."

Speaker Greiman: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Act increases the maximum amount of materials, equipment and services that are... that a purchasing agent may purchase without advertising or filing a requisition or estimate during emergencies from 10,000 to 25,000. The Bill was originally put in 1963; at the present time, many emergencies that have to be repaired - the cost is extremely exorbitant. And this is simply a modest increase, and it just changes the amount from 10,000 to

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25,000. And I say, the last adjustment was over 20 years ago, and I would appreciate your support."

Speaker Greiman: "Does anyone stand in opposition? The Lady from Cook Representative Alexander. Is there discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 78 voting 'aye', 28 voting 'no', 3 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 958. Representative Pierce? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 958, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Greiman: "Mr. Pierce."

Pierce: "Mr. Speaker, the purpose of House Bill 958 is to eliminate the requirement for notarization affidavits on court papers, including pleadings and affidavits. You would certify the truth in the documents but would not have to get a notary... notarial seal. Those of us that are lawyers, Mr. Speaker, know that on occasion a complainant, plaintiff, a... someone signing an affidavit will sign an affidavit, and then later on it will be notarized, which isn't even, as we would say, kosher, to begin with. And so, the purpose of this is to get us all on the straight and narrow and get the notaries on the straight and narrow by allowing... by allowing the person signing the court paper to certify that it's true and correct with the same penalties and same result of perjury as if it had been notarized. It eliminates a lot of useful... useless notarization, simplifies the works and makes honest men and women of us all. So, I ask the support for House Bill

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958."

Speaker Greiman: "Does anyone stand in opposition? There being no discussion, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr... The Gentleman from Cook, Representative White, for what purpose do you rise? Mr. White. Turn Mr. White on."

White: "I was trying to get your attention so I could vote 'aye'."

Speaker Greiman: "Oh. Well, next time. On the Order of House Bills Third Reading, Short Debate Calendar appears House Bill 960. Representative Birkinbine? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 960, a Bill for an Act to amend the Illinois Governmental Ethics Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Those Members who were here last Session remember that Representative Hallstrom passed a Bill that would raise the salary level to 30,000 dollars for those people who must file a statement of economic interest. The Governor amended that amount down. This Bill would set the level at 35,000 dollars but, in addition, would index that salary to the growth in personal income of Illinois residents as established by the Department of Commerce and Community Affairs. The intent of this legislation in the first place was to try and get, on record, those people who were in a position to set policy and make decisions - get

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them on record as to whether or not they had any possible conflicts of interest in their economic dealings; but, unfortunately, the times and the salaries of people have caught up with the salary levels that we have in the statute. And it's gone to such an extent that you might be interested to know that in the Village of Des Plaines alone, 400 people have to fill out such forms. In the City of Evanston, 558 people have to fill out such forms. It's gotten out of hand beyond what it was intended to do. Raising this amount to 35,000 dollars still does not change the fact that every Member of the Legislature would have to file such a form. People holding elected office in the Executive Branch would have to file such forms, as would the board of trustees of the state universities, members of a commissioner board created by the Illinois Constitution, or anyone whose appointment to a board would have to be confirmed by the Senate or the Judges, etcetera. It simply would raise the level to what we think is a more appropriate level and then index it for future years. We also adopted an Amendment, at the request of Representative Terizch, in Committee covering those people who are covered by a collective bargaining agreement."

Speaker Greiman: "Does anyone stand in opposition? Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this piece of legislation. I see no reason, at this time or for that matter anytime, to change the law which we have in place. It is difficult enough in this Legislature and in any other across this country, to pass legislation which will provide sunlight on the transactions of State Government. We have in place a fine law which provides for economic interest statements. Those, particularly at the state level, earn in excess of



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20,000 dollars. Why should we raise the threshold to 35,000 dollars and shut the window, turn out the light on a large number of people who are in that bracket now between 25 and 35,000 dollars? We don't need this legislation. We would then have people who are earning more than Members of the General Assembly who would not have to provide any economic interest statements. General Assembly salaries are 28,000 dollars. Any state employee earning 29,000 dollars, 30,000 dollars, 31, 32, 33,000 dollars would not have to file the economic statement, and they may affect the operations of State Government and the expenses of taxpayers in the State of Illinois in many, many ways and perhaps, more significantly, in some regards, the Members of the General Assembly. So, I would urge a 'no' vote on this Bill."

Speaker Greiman: "We're on Short Debate this time. The Gentleman from Cook, Representative Ronan."

Ronan: "I'll explain my vote, Sir."

Speaker Greiman: "Gentleman from Cook, Mr. Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. I rise in support of this legislation. There are many truck drivers nowadays that are making 20,000 dollars a year, many of them that do not know anything about this statement, and they will have problems with it. I think it's good legislation, and I support it."

Speaker Greiman: "Mr. Birkinbine to close."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have no dispute with the comments made by the Gentleman from Decatur, but salaries have grown to such a degree across the state that last year 24,000 people in this state had to file statements of economic interest. This is simply establishing a more realistic level for those people who would have to file. What we want to know

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is those people in decision making, a policy-setting position, do they have any possible conflicts... economic conflicts of interest? That's the intent of the Bill, and I don't change to... intend to change the intent, simply to make the limits more realistic. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Mr. Ronan, to explain his vote."

Ronan: "Thank you, Mr. Speaker. I rise in support of this legislation. The amount of money brought into this Bill by Representative Birkinbine is very reasonable and rational. Every tradesman in the State of Illinois makes more than 25,000 dollars a year. Plumbers, carpenters, electricians, pipe fitters have to file this ridiculous economic disclosure statement. Thirty-five thousand dollars is a much more rational level. It's going to get back to the real intent of the law, which is to say that people who have a potential conflict and who are in a position to make decisions have to file, and it's going to get rid of a lot of the people who really have no reason to be involved with this type of filing. That's why I support the legislation. I urge other people to rise up in... also."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich, to explain his vote."

Friedrich: "Mr. Speaker, I'd be willing to abolish the whole thing, but I'm not willing to make Legislators second-class citizens."

Speaker Greiman: "Gentleman from DuPage, Mr. Hoffman, to explain his vote."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. As an employee of the school district, I know that if we don't

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increase this level, you're forcing an inordinate number of people to file who have absolutely no conflict at all. They just happen to be placed on a salary schedule at a particular point; and, for that reason, they have to file with the county clerk. And no one ever looks at the material. It's just a waste of the taxpayers' money and the time of the taxpayers who happen to be making some money."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 68 voting 'aye', 42 voting 'no', 3 voting 'present', and this Bill, having received the Constitutional - Mr. Ewing 'no' - Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 965. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 965, a Bill for an Act in relationship to Kreider Rehabilitation Center. Third Reading of the Bill."

Speaker Greiman: "Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 965 conveys two parcels of property buildings, basically Pine Hall and Hilltop Hall at the Dixon Developmental Center, to the Kreider Rehabilitation Center that has been using them over the past few years. This is part of the shut down complex from the... shutting down the complex from a mental health developmental disabilities facility to a correction facility. This legislation was drafted in consort with the Department of Mental Health and Developmental Disabilities. It has no objections to it. There is an Amendment placed on it that provides that the conveyance shall be deemed authorized as long as the real estate and the real property there is used for public purposes, basically the Kreider

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Rehabilitative Center for the mentally and physically disabled. Basically, that's what the legislation does."

Speaker Greiman: "Does anyone stand in opposition? Mr. Olson, do you stand in opposition, Sir?"

Olson: "I stand in support of this measure as a hyphenated Cosponsor."

Speaker Greiman: "Thank you very much. Well, we... Thank you very much. Is there any other further discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor signify by saying 'aye', those opposed... by voting 'aye', those opposed vote 'no'. Voting's now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate Calendar appears House Bill 1003. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1003, a Bill for an Act to amend the State Records Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Wolf, the Gentleman from Madison."

Wolf: "Thank you, Mr. Speaker and Members of the House. House Bill 1003 simply creates the State Archives Advisory Board under the State Records Act. This Board has been in existence since 1974 and was responsible primarily for the publication of the first comprehensive guide to the archive holdings, a 700 page plus descriptive inventory of the archives of the State of Illinois. And for the first time, researchers now have an up-to-date listing of all of the public records and the historical documents stored there. By establishing this 14 member Board, it will provide the assurance of a long-term development of archive programs regardless of any further changes that there might

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be in the Office of the Secretary of State or the Director of the Archives. This Bill has been requested by the Secretary of State, and I would simply request your favorable consideration."

Speaker Greiman: "Does anyone stand in opposition? The question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. This... Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', none voting 'no', 4 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1034. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1034, a Bill for an Act to create the sanitary districts and to remove obstructions. Third Reading of the Bill."

Speaker Greiman: "Mr. Terzich."

Terzich: "Yes, this Bill amends the Act to remove the provision which suspends the authority of the sanitary districts to levy taxes for construction purposes for any year in which any construction bonds remain unused. By allowing the district to levy this 10... 10 of 1% tax for construction projects, the district will not have to issue bonds which carry interest costs. This was also discussed with the Civic and approved by the Civic Federation, and I would appreciate your support."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there

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are 65 voting 'aye', 44 voting 'no'. 5 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House... Short Debate appears House Bill 1039. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1039, a Bill for an Act to amend the Inter-Governmental Cooperation Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill is to amend the Inter-Governmental Cooperation Act, Chapter 127, Section 742 which defines public agency. It adds to that definition a combination of units of local government under that definition, pursuant to an inter-governmental agreement which includes provisions for a governing body of that agency. Now the reason for this legislation is, and it was given to me by the Northwestern Muni... Northwest Municipal League, is that they have an inter-governmental personnel benefit cooperative in that area that ... for the purpose of providing self-insurance. A reliable actuarial table requires about 100 employees for involvement in such a cooperative. This Bill will allow smaller units of government, units of government that have less than 100 employees, to combine and then, in that combination as a public agency, join the cooperative. This Bill came out of Committee 16 to 0, and I ask for your support."

Speaker Greiman: "Does anyone stand in opposition? Gentleman from Marion, Rep..."

Friedrich: "Quester.. Question of the Sponsor. I assume, then, this would be subject to audit, since you're now creating it as a public agency. It wouldn't?"

Kirkland: "I couldn't hear."

Friedrich: "Well, I say it would be subject to audit, since it's

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now a public agency, if this law passes?"

Kirkland: "If that's... Yes. No problem with that."

Speaker Greiman: "Does anyone stand in opposition? Being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1043. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1043, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Curran."

Curran: "Mr. Speaker, Ladies and Gentlemen, this Bill amends the Downstate Firemen's Article of the Pension Code. It provides that a firefighter must be given ten days notice prior to any hearing or meeting of the Board of Trustees of that Pension Code if it's on the firefighter's disability. And the firefighter must be entitled to attend such hearing and be represented by counsel. This simply brings the downstate firefighters up to where the Chicago firefighters already are. It does not require that the Board of Trustees has any obligation to provide the firefighter with counsel."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the

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Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1066. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1066, a Bill for an Act to amend the Illinois Park District Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1066 amends the Park District Code to authorize park districts to refund revenue bonds through the issuance of general obligation bonds subject to a front-door referendum. What's happened in the recent past is that many park districts have constructed such facilities such as ice rinks, tennis courts, etcetera, and the fees that have been generated from those recreational buildings and programs and such have not been enough to pay off the revenue bonds. So they, by front-door referendum, will wish to convert some of those or pay off the revenue bonds by the use of general obligation bonds. This Bill passed out of Committee by a unanimous vote of 13 to nothing, and I would appreciate the support of the House."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 108 voting 'aye', 3 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate Calendar appears House Bill 1071. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1071, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Doyle."



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Doyle: "... Gentleman of the House, this is fundamentally just a Bill that probably should have passed many, many years ago. What it does do is put the onus of paying for demolishing a building or repairing a building on the owner of the building rather than all the taxpayers paying for it the way it was previously done. And also what this does do - and I know we have quite a few attorneys in this chamber - it guarantees your salary. I would... I would ask for a Motion "do pass"."

Speaker Greiman: "Does anyone stand in opposition? The Gentleman from Champaign, Mr. Johnson."

Johnson: "They really fixed these things. I think this is a subject that at least ought to have more discussion than be put on Short Debate. So, I would ask the appropriate requisite number of Legislators to join me in taking it off the Short Debate Calendar."

Speaker Greiman: "The Gentleman is joined by the appropriate number to take the Bill from the Order of Short Debate to the Order of full... of Third Reading with full debate. Mr. Johnson."

Johnson: "Now, Representative Doyle, just so I understand the Bill. As I understand this Bill, this is appropriate in cases where property has been condemned and is going to be demolished or... or whatever by the municipality. Is that right?"

Doyle: "That's correct."

Johnson: "And what you're doing here, in addition to involuntarily demolishing the building that's apparently been in violation of a code and the owner hasn't had enough money to keep it up to code anyway, on top of that you're allowing an award of attorney fees, engineering costs and court costs to a municipality for divesting somebody of their building. Is that right?"

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Doyle: "That is correct. You are an attorney, aren't you Mr. Johnson?"

Johnson: "I am."

Doyle: "Okay."

Johnson: "But I'm not interested in lining my pocket at the expense of people who can't afford to keep the building up to begin with."

Doyle: "What this does do, Mr. Johnson, is takes away from the citizens who are not responsible for the deterioration of this building in any manner, shape or form and stops them from having to pay for remodeling or demolishing this building and puts it where it belongs rightfully, which is on the owner of the property."

Johnson: "What's the approximation in a typical... Are you a city attorney?"

Doyle: "Pardon?"

Johnson: "Are you a city attorney or a mayor?"

Doyle: "Yes, Mr. Johnson."

Johnson: "Okay. Well, you ought to be in a good position to judge then. In a typical demolition case, let's say of a hundred thousand dollar downtown property that has to be demolished due to failure to comply with a code, what would the cost be, the average cost, for attorney fees and for engineering costs and for court costs in that regard?"

Doyle: "I do not believe a mayor is qualified to answer all those questions. I certainly am not."

Johnson: "Well, can you give me an approximation?"

Doyle: "I don't know. Maybe you, as an attorney, you could. I can't. I..."

Johnson: "Well, I can."

Doyle: "I don't really know. The last building... First of all, our downtown section is very minute, and the last one that we had ran in the area of about 12,000 dollars in

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destruction, about 3 to 4,000 dollars in attorney fees."

Johnson: "Now this..."

Doyle: "Somewhere in that ballgame."

Johnson: "This Bill is suggested by and supported by the Illinois Municipal League. Is that right?"

Doyle: "That is correct."

Johnson: "Okay. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash. Gentleman from Cook, Representative Cullerton."

Cullerton: "I just want to rise in support of the Gentleman's Bill. The current law says that no action may be taken to demolish a building until there has been proper public notice and the Circuit Court has approved the action. Currently, the costs of the demolition or the repair is recoverable from the property owner. This just includes the court costs and attorneys fees that properly should go to the municipality. It provides for an incentive of the municipality to proceed against slum landlords. And just because it's been supported by the Municipal League doesn't mean that you have to vote against it. So, I would ask for support for this Gentleman's Bill."

Speaker Greiman: "The Lady from DuPage, Ms. Karpiel."

Karpiel: "Yes, will the Sponsor yield, please?"

Speaker Greiman: "Indicates that he will."

Karpiel: "Representative, in the analysis that I have, it says that if a building is considered dangerous, that a municipality may go to Circuit Court and be authorized for the demolition. Who determines what dangerous is? Is that in present statute, or does the municipality have to pass an ordinance, or who determines the dangerousness of the building?"

Doyle: "The local building commissioner."

Karpiel: "The local building commissioner. So that every

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individual municipality might have a different determination as to what is dangerous?"

Doyle: "Probably about the same determination that each one in this chamber has a different understanding."

Karpziel: "Well, the Representative from Chicago just mentioned something about slum landlords, but what we could actually have here would be some little, old, broken down, single-family building, which we, for instance, do have in our municipality that are still being occupied by some senior citizens that have lived there since maybe 1910, 1920, and they're not able to keep up the building. The village might then be able to go in and say that building is dangerous and get an authorization to demolish it and then charge those people for the desolition of it."

Doyle: "What you're stating can happen right now, Representative. The law provides that if a building is dangerous right now, today, that you can go in and do the same thing. The only problem with it today is that all the taxpayers pay for this total cost where, in reality, it should go... the onus belongs with the owner of the property. Now, local government is a very human sort of government, probably more so than higher levels of government are, and there are many cases where government bends backwards to help those who are unfortunate. And I really can't see the correlation here at all."

Karpziel: "Do the villages now, the municipalities now, if they want to demolish one of these buildings, and they consider it dangerous, and they get an authorization, they have pay for the demolition as well as the court... attorney costs?"

Doyle: "Yes, Ma'am."

Karpziel: "And so this is just simply saying that they can now go and... Well, first of all, I just want to say to the Bill,

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Mr. Speaker."

Speaker Greiman: "Proceed."

Karpiel: "I just think that this is... I agree with Representative Johnson that this is a bad Bill. I can see what it may be getting at. In some areas it might do good works for the people in the village or the municipality; but, in other areas, I can see that it just might get some of these municipalities or local governments, which I realize are people-oriented and very warm-hearted, Representative, but I can see that in some instances they might want to clean out a blighted area of some old buildings where some old people are living. And this way they can do it, and they can... don't even have to pay for it. I suggest a 'no' vote on it."

Doyle: "I hope you do understand..."

Speaker Greiman: "The Gentleman... Excuse me, Mr. Doyle. You'll have an opportunity to close at the end. The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. We know that all too often, where municipalities are called upon to demolish buildings which the owners allow to become unsafe and dangerous, the procedure is time consuming. The neighbors find that the building remains in a dilapidated condition for months, even years, before the proceedings get going, and the owners thereof know that when the building becomes dilapidated and in that condition, that about the worst that's going to happen to them is that a real estate lien will be placed against the property. They usually let it go for taxes, and finally it's taken over and sold as a vacant lot. This is a good piece of legislation; because, in the rare instance where the lot itself has some value, you might as well let the absentee owner know, who allows

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the property to become run down, that if a lien is placed against the property, it will be a stiff lien. There will be costs. There will be attorneys' fees. There will be engineering costs. There will be everything that can be legitimately added on so that you make that owner think twice before he allows the property to get run down in the first place. This is a good, good Bill. We should all put a green light up on the board in support of this fine legislation."

Speaker Greiman: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Mr. Speaker, I move the previous question."

Speaker Greiman: "Gentleman moves the previous question. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and Representative Doyle to close."

Doyle: "Just in closing I would just like to draw the attention to this distinguished Body that any action must be authorized by a court. It is not done on the whim of any single individual, and I would appreciate a positive vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Mr. Pierce, to explain his vote."

Pierce: "Mr. Speaker, it looks like it's not necessary, but why shouldn't a land owner, who doesn't keep up his property, pay for the repair or demolition of the property when a court orders it done? It's not done, as the Gentleman said in closing, by whim. It's done only under a court order. It's a good Bill, and I think it's passed."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 105 voting 'aye', 8 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1072. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1072, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Doyle."

Doyle: "This is another Bill that's a taxpayers' Bill. What this does do... In most every municipality, every municipality that has a waterworks, at various times, run into where people do not pay their bills. Many of the suburban areas have it. I'm sure Chicago, Peoria and everybody else has it. Each municipality allows time for people who have hardships, and we work around those kind of things. What this does do is to help the municipality and, again, the taxpayers in general, where the people who owe these water bills must pay for attorneys' fees once again. There are many, many places that I could cite for you where these bills, water bills, runs into thousands and thousands of dollars, and the taxpayers in general are being asked to pay for somebody else's water service. I think we should all pay for our own. This is... All this Bill does - it goes to a court. Again, any lien that is put in here will be... must be authorized to be paid off by the court, and I ask for its passage."

Speaker Greiman: "Does anyone stand in opposition? Gentleman from Marion, Representative Friedrich."

Friedrich: "A question to the Sponsor."

Speaker Greiman: "Indicates he'll answer. Mr. Doyle."

Friedrich: "Does the municipality need to file a lien and make the matter public record, or do you buy a piece of property and wake up to the fact that you can't get any water until you pay a thousand dollar water bill?"

Doyle: "No, that's all in the lien."

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Friedrich: "Well, I know it's a lien. But is it a recorded lien where I, as a property owner when I examine the abstract - I'm buying a piece of property - can I... will I learn at that time if there is a lien against it?"

Doyle: "Not at all times, and this is one of the problems..."

Friedrich: "That's right."

Doyle: "This would help this happen. Exactly what you're saying would happen with this Bill."

Friedrich: "Well, Mr. Speaker, to the Bill."

Speaker Greiman: "Mr. Friedrich, proceed."

Friedrich: "I think what would happen - and down our way at least - in a normal course of buying a piece of property, you have the abstract extended and have some attorney examine the abstract. Now, if the city does not make this lien a record, you can be an innocent victim of this water bill and wake up a week later and find out you'd bought a piece of property that cost you 2,000 dollars; that you had to pay the city before you could get water to that property you'd bought. I think it's a dangerous Bill, unless you require the city to file that as a lien of public record so it shows up in the abstract."

Speaker Greiman: "The Gentleman from Kankakee, Mr. Pangle."

Pangle: "I have a question."

Speaker Greiman: "Indicates he'll yield."

Pangle: "What happens in the case of a renter who would build up a water bill of 2,000 dollars and then decided to leave? Would the owner of that property have a lien placed against him for the bill of the renter?"

Doyle: "The lien is placed against the property owner, not a renter."

Pangle: "That answers my question. The owner would be stuck with the renter's water bill. Is that correct?"

Doyle: "That's correct."



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Speaker Greiman: "Does anyone else stand in... Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 55 voting 'aye', 53 voting 'no', and the Gentleman from Cook, Mr. Doyle, requests Postponed Consideration. On the Order of House Bills Third Reading, Short Debate appears House Bill 1076. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1076, a Bill for an Act to amend an Act concerning community school lunch programs. Third Reading of the Bill."

Speaker Greiman: "Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the Illinois Education Association asked me to introduce House Bill 1076. What it does is change the present language only to make the wording stronger that the State Board of Education shall reimburse not less than 15 cents or the actual cost, whichever is less, to school districts for each free lunch, not less than 15 cents or the actual cost, whichever is less, for each free breakfast. The Bill, as introduced, was improper because they actually could have profited, but Representative Diana Nelson and Representative Cowlshaw saw that in Committee. So, therefore, I amended it. I don't believe there's any opposition to the Bill as now amended. And I ask for your support."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 111 voting 'aye', 5 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1114. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1114, a Bill for an Act in relationship to special education services. Third Reading of the Bill."

Speaker Greiman: "Ms. Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. House Bill 1114 does... makes three technical changes in the School Code. Basically, it makes reference to the State Superintendent of Education instead of Public Instruction. Number two, it deletes the reference to permit for school psychologists and reinstates reference to certificate which is a common practice since 1970. The third point that it does correct is it repeals a provision authorizing demonstration projects in the School Code if they have been completed and the results have been reported since July 1981. I urge your favorable support. Thank you."

Speaker Greiman: "Does anyone stand in opposition to this Bill? Representative Matijevich, the Gentleman from Lake."

Matijevich: "Loleta, I don't have... I'm not in opposition; but, because it speaks to psychologists and because, I guess, you're a Sponsor of the Bill, I'm going to ask a rhetorical question and then answer it for you. Do you know what the difference is between a psychologist and everyone else? And you don't. A psychologist is one who, when a beautiful woman walks into a room, looks at everyone else in the room to see their reaction. I thought you'd love that."

Speaker Greiman: "Thank you. Is there anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting

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'aye', those opposed vote 'no'. Voting is now open. Have all voted... Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1158. Mr. Clerk, read the Bill. I noticed that Alderman Oberman has come in apparently to teach us something about parliamentary procedure. Mr. Saltsman."

Clerk Leone: "House Bill 1158, a Bill for an Act to amend the Law Enforcement Officers', Civil Defense Workers', Civil Air Patrol Members', Paramedics' and Firemen Compensation Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Saltsman, Gentleman from Peoria."

Saltsman: "Thank you, Mr. Speaker. This Bill is an Act that will provide an unremarried surviving spouse of a law enforcement officer or firefighter, who is killed in the line of duty. They must have the ability to do the job that they apply for within State Government, and it does give them top priority on a hiring list if they do have the abilities to do the job that they're applying for."

Speaker Greiman: "Does anyone stand in opposition? Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. I have a question. The question is, in the Bill it states that an unremarried surviving spouse shall be entitled to employment with the state. My question is very unclear. Does that mean that the person can work, the person must work or the state, in fact, must find that person the job? Could you answer that question, please?"

Saltsman: "Yes. The unmarried (sic -unremarried) spouse - naturally what we're protecting here - if she did remarry,

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she would not be eligible for this benefit. If she did remarry, she would not be eligible for the benefit that she is survived by"

Hallock: "But... I understand the intent of the Bill, but the language itself isn't very clear. As I've said before, when the language says, 'that this person shall be entitled to employment with the state', that doesn't state whether you mean or whether that provision says the person can work, must work, or the state must find them a job."

Saltsman: "The last sentence of the Amendment, I think, speaks it out as much as anything. That's the reason what the change was for, which says to commensurate with the surviving spouse's abilities."

Hallock: "Well, Mr. Speaker and Members of the House."

Speaker Greiman: "This on the Bill, Sir?"

Hallock: "It's on the Bill."

Speaker Greiman: "Proceed, Mr. Hallock."

Hallock: "The language of the Bill is very ambiguous at best and confusing at worst. It would seem to me that, although the intent of this Bill might be a good one, the language itself isn't clear what it says. This is a kind of a Bill we should beat, because the courts will have to spend months and years trying to find out what we actually did here. The Sponsor himself doesn't seem to know what this language says. I've asked him the question three times, and he kind of has given me the same answers which really has responded by saying nothing. I urge that this Bill be defeated."

Speaker Greiman: "Gentleman from Will, Mr. Davis."

Davis: "Well, Mr. Speaker, I think I would like to ask the Members on my side to join me to take this off of Short Debate. This Bill has a few more implications than what has been explained so far in debate."

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Speaker Greiman: "Gentleman requests taking this Bill off of Short Debate. He has the appropriate number of Members joining him, and the Bill is now on full debate. Mr. Davis on the Bill."

Davis: "Well, thank you, Mr. Speaker. The Amendment is a rather peculiar Amendment. Representative Hallock alluded to it. I understand the Attorney General, Mr. Hartigan, offered the Amendment to the Democrats to put on this particular Bill. And one would assume that if you have a law enforcement official that was killed, it's quite conceivable that his wife might be an attorney, and I would assume then would take over as probably the Deputy Attorney General or whatever. I apologize for the Republican side of the aisle and for those Democrats who would seek to amend this Bill further to indicate that perhaps Mr. Hartigan would offer a job to everybody that was in this particular category, and we could increase his budget for that benefit. I don't know where the Attorney General's coming from, but I can tell you the Bill itself as drafted, Representative Saltsman, was a good Bill. The Hartigan Amendment on this Bill makes it the most ludicrous thing I have ever seen since I've been down here in eight years, and I would simply hope that all of you pay attention to this notion that we must now furnish surviving spouses, who are unmarried, a job commensurate with their abilities - whatever that is - including, I suppose, to have the Attorney General resign and perhaps even have that attorney or that widow or widower then appointed Attorney General. It's absolutely ludicrous. This Bill ought to be defeated or, at least, put on Postponed Consideration and have the Hartigan Amendment stripped off of it."

Speaker Greiman: "Gentleman from Cook, Mr. Bowman."

Bowman: "Will the Gentleman yield for a question?"

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Speaker Greiman: "Indicates that he will."

Bowman: "Representative Saltsman. Representative Saltsman, the... Over here. Yes. The illusion to this Amendment has been made that this Amendment was supported by or encouraged by the Attorney General. Is that correct?"

Saltsman: "Yes."

Bowman: "Okay. Well, I have one further question. You indicated, in your remarks, that the... if the surviving spouse remarries, that the surviving spouse, he or she, is not entitled to the job. However, suppose the, say, a widow is... gets a state job under this Bill and has the job and then remarries. Then is the state... Does she lose the job?"

Saltsman: "No."

Bowman: "She retains the job, even if she remarries after."

Saltsman: "Yes."

Bowman: "I see. Thank you."

Speaker Greiman: "Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, the surviving spouse who is entitled to this job - suppose that sufficient positions... suppose that the positions are filled. Does the surviving spouse have a right to, for instance, bump a Korean War veteran from a job?"

Saltsman: "No."

Vinson: "Would the surviving spouse have preference over a Korean War veteran for a job?"

Saltsman: "They were hoping it would be the same preference. The intent is for it to be the same preference."

Vinson: "Currently does... Currently, a veteran has the same preference as you would accord a surviving spouse in this?"

Saltsman: "The veteran has a point preference, as far as

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veterans' points are concerned."

Vinson: "But the... Isn't the point preference deleted by the Amendment?"

Saltsman: "Yes."

Vinson: "So, we're according the surviving spouse a different kind of preference than we would be a veteran."

Saltsman: "Right."

Vinson: "Thank you."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn. I pardon your back, Sir."

Dunn: "That's my good side. I move the previous question."

Speaker Greiman: "Gentleman moves the previous question. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mrs. Barnes to explain her vote."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, I wanted to thank the Attorney General Hartigan for this Amendment, because everytime I go down to get a job Roger McAuliffe or Al Ronan are always sitting in there. And they always beat me to all the patronage. So, for that reason, I'm voting 'yes'."

Speaker Greiman: "For what purpose does the Gentleman from Macon rise?"

Dunn: "Well, Mr... To explain my vote."

Speaker Greiman: "No, Mr. Dunn. I recognized you in debate. So, I cannot do that. The Gentleman from Marion, Mr. Friedrich, to explain his vote."

Friedrich: "Mr... Mr. Speaker, the question I would raise - if you have a woman who qualifies under this, who has to hire her; the Speaker of the House, the Attorney General, the Comptroller, the Governor; and, if none of them say they

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want her, what does she so? Who does she sue? Which one of them? She's entitled to a job under this law, but who's the guy that has to hire her? I don't know. It doesn't say."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 41 voting 'aye', 52 voting 'nay', 17 voting 'present', and this Bill is hereby declared lost. On the Order of House Bills Third Reading appears House Bill 1171. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1171, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Under the laws as they exist today in Illinois, we basically have two retirement systems for our Illinois teachers. We have the Downstate Teachers' System and the Chicago Teachers' System. Now, if someone is a member of one of those systems, for example, the Downstate Teachers' System, should then enter into the armed services for a period of time and then come back into the armed services... or then come back into the... the same pension system, when they retire, they're entitled to those years that they spent in the armed services. The other system has identical legislation so that they also recognize that. What this Bill says is that if someone, for example, is a member of the Chicago System, should take a leave of absence from teaching and enter the armed services but then come back and teach in the Downstate System or vice versa, then those years that they've spent in the armed service would also be covered. Now, the Pension Laws Commission has come out in favor of this Bill. They've stated that the cost increase would be very small, and I would



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appreciate your favorable vote."

Speaker Greiman: "Does anyone stand in opposition? The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1192. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1192, a Bill for an Act to amend the Court Reporters Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Marshall, Ms. Koehler."

Koehler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1192, sponsored by Representative Peg Breslin and myself, amends the Court Reporters Act to allow two individuals to share one court reporter position. This is called job sharing, where two people split one job and also split the salary and benefits. Amendment #1 was adopted in Committee and Amendment #2 makes clear the method of determining seniority. Job sharing is being done all over our country. It is being done in the private sector and the public sector in various states. Legislation such as House Bill 1192 is the product of societies general movement toward flexibility in the work place. We see such things as flex time, job sharing and work sharing. All of these things contribute to job satisfaction. I would appreciate your thoughtful consideration of this legislation. Thank you."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote

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'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 100 voting 'aye', 2 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1209. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1209, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker and Members of the House. 1209 is my first Bill. This Bill establishes an alternate retirement annuity of state employe... for the state employees system, for police officers employed by the Department of Mental Health. This Bill... the police officers of the Mental Health will have their contribution rate increased from 4% to 9 1/2% to cover the cost of the increased benefit. This would bring these officers in line with the other correctional officers. I urge your favorite vote. Thank you."

Speaker Greiman: "Does anyones stand in opposition? The Gentleman from Cook, Mr. Shaw. Do you stand in opposition, Sir?"

Shaw: "No, I..."

Speaker Greiman: "You have a question?"

Shaw: "Yes. No, I don't have any questions. This is Short Debate, right?"

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. LeFlore has a lot of friends out there. I see that. Have all voted who wish? Have all voted who wish? On this Bill... Mr. Clerk, take the record. On this Bill there are 93 voting 'aye', 19

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voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1252. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1252, a Bill for an Act to release highway easement rights. Third Reading of the Bill."

Speaker Greiman: "Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, what 125... House Bill 1252 does is releases the highway easement down in the Village of Cahokia. The State Highway Department had that for many years to build the new Route 3. They've never used it, and now the Village of Cahokia has asked that it be released for use in building a Hucks store down there that way. And I know of no opposition. They are paying for it; and, when the payment is received, then the easement will be released."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 1337. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1337, a Bill for an Act to amend an Act concerning Children and Family Services. Third Reading of the Bill."

Speaker Greiman: "Mr. Keane, Gentleman from Cook."

Keane: "Thank you, Mr. Speaker. House Bill 1337 amends the

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Department of Children and Family Services. It says... Deletes the requirement for a written contract in the purchase of child-care services from other public or private agencies. It doesn't mean that there will not reduce it at a future date to a written contract. All it indicates is that it, at a given time, the agency can act without the... on a verbal contract. It could be later reduced to a written contract."

Speaker Greiman: "Does anyone stand in opposition? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Will the Gentleman yield for a question?"

Speaker Greiman: "He indicates that he will."

Vinson: "Is it your intention to use this Bill as a vehicle in the Senate, Representative?"

Keane: "I have very little influence in the Senate."

Speaker Greiman: "We respect your candor. Proceed, Mr. Vinson. Do you have any further... Are you in opposition, Sir?"

Vinson: "I wonder if there... if I might get a more candid response, or a more forthcoming response."

Keane: "As it goes over, no. But as..."

Vinson: "As it comes back, you might?"

Keane: "As you know, Representative, better than I that any bread we cast on those Senate waters, we don't know how it will come back to us. And we just live day to day."

Vinson: "Well, I think you're right."

Speaker Greiman: "Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 95 voting 'aye', 12 voting 'no', 4 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the

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Order of House Bills Third Reading, Short Debate appears  
House Bill 1409. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1409, a Bill for an Act to amend the  
Liquor Control Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House,  
this Bill amends the Liquor Control Act, and it's really  
very simple. There are certain home-rule municipalities  
that have provided for the sale of alcoholic beverages by  
ordinance as opposed to the normal procedures of a  
referendum; and, if that same municipality happens to go  
from home rule to non-home rule, it merely is a  
precautionary legislation to protect those people who have  
liquor related investment in these municipalities. And I  
would encourage a favorable vote."

Speaker Greiman: "Does anyone stand in opposition? There being  
no one, the question is, 'Shall this Bill pass?'. All  
those in favor signify by voting 'aye', those opposed vote  
'no'. The voting is now open? Have all voted who wish?  
Have all voted who wish? Mr. Clerk, take the record. On  
this Bill there are 113 voting 'aye', 2 voting 'no', 1  
voting 'present', and this Bill, having received the  
Constitutional Majority, is hereby declared passed. Ladies  
and Gentlemen of the House, we are now going to change the  
Order of Business. We will be on the Order of House...  
substantive House Bills only. No appropriations.  
Substantive House Bills only, Third Reading, on page 39,  
next Bill. Accordingly, on the Order of House Bills Third  
Reading, substantive Bills only, appears House Bill 447.  
Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 447, a Bill for an Act to amend the  
Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

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Hannig: "Thank you, Mr. Speaker and Members of the House. Way back in the days of Benjamin Franklin, the idea of a volunteer fire department was first conceived and put into action. While, in many cases, today we have found that the bigger cities in our state have been able to provide the more efficient, in some cases, professional fire department, we do find also that in many downstate communities, we still have the volunteer fire departments in place and, I might add, functioning very well. What this Bill proposes to do is to provide to... to those volunteer firemen a special license plate that would identify their car as a car that is used by a volunteer fireman. Now, there's really two reasons to do that. The first, quite obviously, is to give them some special recognition for the fact that they, as volunteers in receiving no pay, do from time to time risk their life to try to save the lives and property of others. And secondly, it's to provide to the local authorities, who are trying to direct traffic, for example, around a rural fire, the knowledge that a person coming to that location bearing those plates is actually a member of the volunteer fire department trying to get to the fire, as opposed to simply a spectator. And for those reasons, I would ask for your support of this Bill."

Speaker Greiman: "Gentleman moves for the passage of House Bill 447. Is there any discussion? Mr... The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Will the Gentleman yield?"

Speaker Greiman: "Indicates that he will."

Leverenz: "Can you tell us how much this special recognition would cost?"

Hannig: "I don't have the exact figures, but it's estim... it's estimated that there are approximately 30,000 volunteer

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fire depart... or about 30,000 volunteer firemen in the state. So, I have the idea that it would not cost very much."

Leverenz: "Well, at ten dollars a piece, that's 300,000, but you... you indicate now that you're wanting to have a new set or type of license plate issued. You, of course, know that the Secretary of State wants to eliminate all the charitable vehicle plates and lessen the number of special issue plates."

Hannig: "Well, I can't speak to that particular plate, the charitable vehicle plate, but I do know that we did have testimony in the Committee. The Secretary of State's Office has taken no position on the Bill. They have told me that they can implement the Bill, that it will not cause a lot of hardship with their office. And the Bill did pass out of Committee with a vote of 14 to 1."

Leverenz: "You also indicated that whoever was handling traffic control at a fire would be able to recognize a volunteer fireman because he had a special plate or she had a special license plate. Is not the blue light that they come with effective; that they'd recognize the license plate rather than the flashing light?"

Hannig: "Not all downstate fire districts are of such a magnitude, nor do they have the financial ability to purchase these for all their members."

Leverenz: "But gung-ho firemen buy their own blue light. Is that not true?"

Hannig: "Some do and some don't."

Leverenz: "So... Thank you."

Speaker Greiman: "Gentleman from Bond, Mr. Slape."

Slape: "Would the Gentleman yield? Representative Hannig, do you have a legal description of what is a volunteer fireman?"

Hannig: "The law... or the Bill basically says that a volunteer

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fireman has a meaning described to the term in Section 10.5-3 of the Illinois Municipal Code. It's an already used definition. It should not cause any problems."

Slape: "What kind of a verification do you have if a person applies for the plate that he's actually a volunteer fireman?"

Hannig: "We have... We have given the powers and duties to enforce this action to the Secretary of State who has the powers and duties to enforce the special plates for the other 102 special plates we already have. So, I believe that they do already have ways to enforce this."

Slape: "Okay, thank you."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold. There being no further discussion, Mr. Hannig, Gentleman from Macoupin, to close."

Hannig: "Yes, thank you, Mr. Speaker. Let me point out that these are not free license plates, but the volunteer firemen would be asked to purchase them as we and everyone else in this state must do. What this Bill simply says is that it will designate a new type of plate, like we did last year for the National Guard and we have done in the past for ex-POW's. Now we would have a plate for the volunteer firemen. It would help, in many cases, expedite the problems that can occur in downstate rural areas when there is a fire. And I would ask for your favorable vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 78 voting 'aye', 30 voting 'no', 5 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 454.



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Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 454, a Bill for an Act to amend an Act creating the Chicago Community School Study Commission. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Huff."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Chicago School... Chicago Community School Study Commission was a viviparous creation of this Representative; and, while I express pride of authorship, I also hasten to add that the Commission is necessary. The Commission is charged to study the creation of separate autonomous school districts within the City of Chicago and the restructuring of the Chicago Board of Education. The intent of House Bill 454 is to extend the time of the Commission to report to the Illinois General Assembly from March 1, 1983 to March 3, 1985. I urge your 'aye' votes."

Speaker Greiman: "The Lady from Lake, Mrs. Frederick."

Frederick: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise to inform this Body that it is not unusual to extend the reporting date of a Commission; however, regretfully, I have to inform you that if you examine the budget of this Commission, there has been very lax handling of the financial aspects of the Commission. I would ask you to seriously consider whether you want to extend the reporting date; and, especially if you do intend to vote that way, that you ask the Chairman if he will personally take responsibility for the budget for the ensuing years. I am going to vote 'no' on the extension of this Commission, on the reporting date, and I ask you to seriously consider whether you wish to extend that date."

Speaker Greiman: "Is there any further discussion? There being none, Mr. Huff to close."

Huff: "Well, Mr. Speaker, I can well understand the

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Representative's concern based on a newspaper article that was entirely incorrect. The newspaper article said that this Commission was broke; and, at the time that the article appeared, we had an actual surplus in our account. And that I believe the newspaper article also said that we were poorly managed, and they attribute it to some official from the Comptroller's Office. I was not able to ascertain who that official was, but I can only say that, in terms of what we are trying to do, Chicago education is in trouble. And in terms of the magnitude, Ladies and Gentlemen, the only thing that would measure up to this is to be told that this earth of ours is about to collide with a planet ten times the size of this earth and traveling at three times the speed of sound. That is the kind of catastrophic consequences we would have if we turn our backs on the children in Chicago. I might also remind you that the Chicago School District is the state's largest, most diverse and costly school system. The school population alone is double that of the entire population of the state's second largest urban center. The school teachers and staff outnumber the population of most state municipalities, and the City has historically been the base for thousands of immigrants and minorities that have, for generations, come to our urban centers. That pattern shows no sign of abating today. The schools... Chicago schools are also unique to the state in that they have suffered repeatedly and suffered serious traumas over the past decades. Financial crisis have followed financial crisis, until the collapse came in 1979. Teacher strikes and threatened strikes have created an atmosphere of hostility, a lack of credibility, distrust and constant uncertainty. The business community is skeptical of the capacity of the schools who prepare graduates who can adequately function

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in the world of work today. And we talk about fiscal responsibility, Mr. Speaker, Ladies and Gentlemen of the House. Let me talk about one of the greatest squanderers, the number one squanderer in the state. We all know him as Governor Jim Thompson, but the taxpayer knows him as the shah. I don't want to talk about this, but I'd just remind you, Ladies and Gentlemen, that it was the Governor who came to us in September with this beguiling reassurance that the state was sound, that the fiscal condition of the state was unassailable, that we had money in the bank, that we had a balanced budget, that we had a AAA rating and, yet, three weeks after the elections, Ladies and Gentlemen, we had nothing. We had nothing, and the Governor immediately instituted the ax..."

Speaker Greinan: "Please bring your remarks to a close, Sir."

Huff: "If you will allow me, Mr. Speaker. The Governor immediately instituted the axiomatic Republican dogma, 'Blessed are those who expect nothing, for that is exactly what you'll get'. And yet, Ladies and Gentlemen, the Governor is asking for more. I don't want to talk about the fact that the last six years the Governor has been in office that the Mansion's operation budget has gone three times its original amount. In a short span of three years, this budget has soared from 1.9 million to 4.9 million, and it's still climbing. I don't want to mention, Mr. Speaker, Ladies and Gentlemen of the House, that the Governor has ran up a 42,000 dollar light bill last year, when there were 120,000 people who went through the winter without any lights or heat. I'm not asking about... I'm not going to talk about the fact that the other day in Appropriations the Governor's staff was asking for an increase in the Governor's budget, and now I ask you, Ladies and Gentlemen, Speaker of the House..."

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Speaker Greiman: "Please bring your remarks to a close, Mr. Huff."

Huff: "All I want to talk about is education and how to save it and how to give the tax relief to the taxpayers. I want to talk about how to be fair and how to get our state moving and how to meet the global competition that challenges all because of our poor state of education. I think I've... I think the case has thoroughly been stated, Mr. Speaker, and I merely ask the state and this Body not to turn its back on our children of the City of Chicago."

Speaker Greiman: "Thank you. The question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. And Mr. Johnson to explain his vote. Mr. Winchester to explain his vote."

Winchester: "Well, thank you very much, Mr. Speaker. I think the Gentleman has been spending too much time with his good buddy Roger Simon and not enough time on this Commission studying what the problems are in the City of Chicago. I don't think that we need a Bill that allows a 30,000 dollar appropriation to tell us what the problems are with the Chicago school system. It's simply that they refuse to enact a local income tax or to increase their income tax, and I don't think we need this kind of Bill when there's an easy way to address the issue, other than attacking the Governor and other than having some kind of a Commission like this."

Speaker Greiman: "Gentleman from DeWitt, Mr. Vinson, to explain his vote."

Vinson: "Mr. Speaker, I would just request a verification if it gets the appropriate number of votes."

Speaker Greiman: "Mr. Huff to explain his vote."

Huff: "Mr. Speaker, I'm not going to apologize for anything I said about the Governor, but I want you... I want everybody

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to know that if we turn our backs on the children in Chicago, it will create one of the greatest financial disasters. For example, Ladies and Gentlemen, it will cost the state or most certainly the City more than a billion dollars to close down that system. We tend to forget that the... because of the 1979 changes in the unemployment security, that we'll have 50,000 people drawing unemployment compensation with an accrued liability of benefit wages charged to that City at the rate of seven million dollars a month. And it's... Whatever is going to affect Chicago will affect all of us alike, downstate, suburban Chicago. So, you can do what you want to do about it. I say that we are in... we have 40% unemployment right now, because we do not..."

Speaker Greiman: "This is explanation of vote. Please bring your remarks to a close, Mr. Huff."

Huff: "I think I've said it all, Mr. Speaker."

Speaker Greiman: "Lady from Cook, Ms. Braun."

Braun: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Commission does important work, and I would hope that my friends on the other side of the aisle would not make this a partisan issue - not make it a part... not react in a partisan way to something that perhaps, is a partisan issue. The... The Commission ought to be refunded, because it's work is not completed. It's just that simple. It needs to be renewed, and I would hope that we could put the requisite votes up there so that this Bill will be able to have the number necessary for passage without falling victim to partisanship this late in the Session. Thank you very much, and I encourage your support for this Bill."

Speaker Greiman: "Gentleman from Champaign to explain his vote, Mr. Johnson."

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Johnson: "I would just remind the Lady that it was nobody on this side of the aisle who alluded for five minutes in improper debate to the position of the Governor on matters totally unrelated to this and made this a partisan issue. Now I would suggest to the Lady that if she wants to avoid partisanship, that she ought to suggest to her Members that there's a more appropriate way of doing that than harranging the Governor, who happens to be a Republican Governor, on an issue that he didn't need to be harranged on. And I think our response in this case, along with the merits of the issue, are the 'no' votes that you see on the board."

Speaker Greiman: "Gentleman from Winnebago, Mr. Hallock, to explain his vote."

Hallock: "Thank you, Mr. Speaker and Members of the House. It would seem to me that the Sponsor made one good point and that point was that Chicago schools have problems. Well, the best solution to that problem would be to abolish this Commission and spend the money to hire a couple teachers and have some good education in Chicago instead of just one Commission. I urge this vote be defeated."

Speaker Greiman: "Lady from Kane, Ms. Zwick."

Zwick: "Thank you, Mr. Speaker, Members of the House. I think the issue has become very clouded, judging from a Representative's speech over there. We're getting onto issues that are simply not involved with this Bill. There's an old proverb that says two wrongs don't make a right, and I don't care what's going on in past history and we're getting into partisan debate. That's not the issue here. The issue is that we spend 8 1/2 million dollars minimum on Commissions in this state, and this is one of them. You read this Republican analysis, which I would be

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glad to give to some of you over there if you don't have it, and it is unbelievable. They document some of the expenditures in this Commission in here that simply can't be believed about claiming transportation expenses, paying executive directors that aren't there, paying for things that simply shouldn't be there. I have not heard one thing that this Commission has done to help this problems of the Chicago School District. If we had been shown one thing, then perhaps we need some outside expertise in terms of this Commission, but we have a million different places that are dealing with the problems of the Chicago School District."

Speaker Greiman: "Bring your remarks to a close, please."

Zwick: "I would ask you to at least vote 'present' on this. The Bill can be brought back if this is a viable Commission that is needed, but at least take the time to look, to document, to see the realities of what this Commission does. They have done nothing. Let's form something that will really help the Chicago schools and deal with the issue, rather than just throwing money out on more commissions for political patronage, because that's what this is. Please vote 'no'."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 65 voting 'aye', 53 voting 'no', none voting 'present'. Mr. Vinson, for what purpose do you rise?"

Vinson: "A verification."

Speaker Greiman: "The Gentleman from DeWitt asks for a verification. The Gentleman from Cook, Mr. Huff, requests a Poll of the Absentees. Are there no absentees? There are no absentees. Mr. Clerk, would you verify the Roll Call, please... Affirmative Roll Call? Before you begin,

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Mr. Clerk. Mr. Ronan, yes. For what purpose do you rise, Sir?"

Ronan: "Thank you, Mr. Speaker and Members of the House. I don't want to interrupt this very important verification; however, we're very pleased to have down here today the Vice Mayor of the City of Chicago, the guy who's going to be the next Mayor of the City of Chicago, Dick 'Mell', more importantly, my Ward Committeeman. Alderman Dick 'Mell' from the 33rd Ward."

Speaker Greiman: "Mr. 'Mell' will also preside over a seminar in parliamentary procedure for us later on. Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Alexander, Berrios."

Speaker Greiman: "Mr. White, for what purpose do you rise?"

White: "Mr. Speaker, I'd like to have leave to be verified."

Speaker Greiman: "Does the Gentleman have leave, Mr. Vinson. Gentleman has leave. Mr. Clerk. Mr. Johnson."

Johnson: "Mr. Speaker, I assume this will be one of a number of verifications at various times during the spring, and I wonder if you could enforce the House rules so that we'll have an opportunity to conduct this verification properly. Everybody's standing up walking around. We don't have any idea who's here and who's not, and we'd like to have the verification conducted according to the House rules so that we'd have an opportunity to see who really is a green vote up here."

Speaker Greiman: "The point is well taken. It's helpful to both sides for the management of the House, for people to be in their seats during a verification. Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the poll of the affirmative. Bowman, Braun, Brookins, Bullock, Capparelli, Christensen, Cullerton, Currie, DeJaegher, DiPrima, Domico, Doyle, John Dunn, Farley, Flinn, Giglio, Giorgi, Greiman, Hannig, Hicks, Huff, Hutchins, Jaffe, Keane, Krska, Kulas, Laurino,



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LeFlore, Leverenz, Levin, Marzuki, Matijevich, Mautino, McAuliffe, McGann, McPike, Nash, O'Connell, Panayotovitch, Pangle, Pierce, Preston, Rea, Rhem, Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Slape, Steczko, Stuffle, Taylor, Terzich, Turner, Van Duyne, Vitek, White, Wolf, Younge, Yourell, and Mr. Speaker."

Speaker Greiman: "Question the Affirmative Roll Call, Mr. Vinson. Ms. Karpziel and Mr. Van Duyne, if you can control yourself for a few moments. Representative Vinson."

Vinson: "Representative Bowman."

Speaker Greiman: "Representative Bowman. Is the Gentlemen in the chamber? How is Representative Bowman voting?"

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

Speaker Greiman: "Remove him from the Roll Call."

Vinson: "Representative Capparelli."

Speaker Greiman: "Representative Capparelli is in his seat."

Vinson: "Representative DeJaegher."

DeJaegher: "Representative DeJaegher. How is the Gentlemen voting?"

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

Speaker Greiman: "Remove him. Well, he's back in, add him on."

Vinson: "Representative Domico."

Speaker Greiman: "Representative Domico. Is Representative Domico in the chamber? How is the Gentleman recorded?"

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

Speaker Greiman: "Remove him from the Roll Call."

Vinson: "Representative Dunn. John Dunn."

Speaker Greiman: "Representative Dunn. Is Representative... Representative Bowman is back in the chamber. Add... put him back. Representative DeJaegher, you were already put back. Representative Dunn. How is the Gentleman recorded?"

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

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Speaker Greiman: "Remove him from the Roll."

Vinson: "Representative Flinn."

Speaker Greiman: "Representative Flinn is in his chair.  
Representative Dunn has returned to the chamber."

Vinson: "Representative Giorgi."

Speaker Greiman: "Return him to the Call... to the Roll.  
Representative Giorgi. If you'll wait, he'll be here in a  
moment. Is Representative Giorgi in the chamber? How is  
the Gentleman recorded? Representative Giorgi has joined  
us. Proceed, Mr. Vinson."

Vinson: "Representative Hannig."

Speaker Greiman: "Representative Hannig is in his seat. Don't  
you know Representative Hannig?"

Vinson: "No."

Speaker Greiman: "He's in his seat."

Vinson: "Representative Hicks."

Speaker Greiman: "Representative Hicks. How is the Gentleman  
recorded?"

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

Speaker Greiman: "Remove him from the Roll."

Vinson: "Representative Kulas."

Speaker Greiman: "Representative Kulas is in his seat."

Vinson: "Representative Levin."

Speaker Greiman: "Representative Levin is in his seat."

Vinson: "Representative Pangle."

Speaker Greiman: "Representative Pangle is in his seat. You must  
get to know our Members, they're wonderful people.  
Proceed, Mr. Vinson."

Vinson: "Representative Preston."

Speaker Greiman: "Representative Preston is standing in... at his  
seat."

Vinson: "Representative Saltsman."

Speaker Greiman: "Representative Saltsman. Is Representative

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Saltsman in the chamber? How is the Gentleman recorded?"

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

Speaker Greiman: "Remove him from the Roll. Representative Saltsman has returned to the chamber. Add him back on."

Vinson: "Representative Satterthwaite."

Speaker Greiman: "Representative Satterthwaite is in her chair."

Vinson: "Representative Wolf."

Speaker Greiman: "I'm sorry, who? Representative who?"

Vinson: "Wolf. I see him there now. Representative Yourell."

Speaker Greiman: "Representative Yourell. Representative Yourell is here at the well."

Vinson: "Where?"

Speaker Greiman: "Well, I say he's here, he's right here."

Vinson: "Representative Bullock."

Speaker Greiman: "Representative Bullock is here in the chamber speaking with the Majority Leader."

Vinson: "No further questions."

Speaker Greiman: "On this Bill, there are 63 voting 'aye', 53 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. And under the Order of House Bills Third Reading appears House Bill 455. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 455, a Bill for an Act setting forth certain rights which are to be guaranteed to firemen. Third Reading of the Bill."

Speaker Greiman: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, may I have leave of the House to include Representative Larry Stuffle as a hyphenated Sponsor of House Bill 455?"

Speaker Greiman: "Alright, leave is granted for Stuffle... Mr. Stuffle to be added as a hyphenated Cosponsor. Proceed, Mr. Terzich."

Terzich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. House Bill 455, is the Firemen's Bill of Rights. And what it does, is it sets forth the rights for firemen with regard to investigation of conduct, interrogation, economic disclosure and notice of personal actions and other related matters. This piece of legislation will afford all of the firemen in the State of Illinois the same type of protection and rights that are presently enjoyed by the Chicago Fire Department as a result of contract negotiations with the Chicago Firefighters' Union. It's a Bill that will provide a firefighter the same rights that all citizens of the State of Illinois are entitled to, and I would appreciate your support."

Speaker Greiman: "The Gentleman... the Gentleman has moved for the passage of House Bill 455. Is there any discussion? Mr. Cullerton, the Gentleman from Cook."

Cullerton: "Yes, will the Gentleman yield?"

Speaker Greiman: "Indicates that he will."

Cullerton: "Representative Terzich, does this apply to volunteer firemen?"

Terzich: "No, this is just active firefighters."

Cullerton: "How many firemen are there in the State of Illinois?"

Terzich: "There's approximately 5...or 4,000 in the City of Chicago and an additional 4,000 throughout the State of Illinois."

Cullerton: "If there's 8,000 firemen, why do they have 300 Bills on the House floor?"

Terzich: "I don't know. Someone said that a firemen is your friend. I, you know, they have problems, I guess."

Speaker Greiman: "The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Would the Gentleman yield for a couple of questions?"

Terzich: "Surely."

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Speaker Greiman: "Indicates that he will."

Bowman: "Representative Terzich, you said that this Bill gives only rights which other citizens already have. What is the need for the Bill then?"

Terzich: "Well, what it is is that the fire department is basically a quasi-military type organization of which that they have chiefs and what have you, that generally speaking, that they do and have used unfair tactics in approaching members of the fire department with regard to charges placed before them. And they have exercised some undue tactics on a firefighter that would result in the loss of his job, his pension and many other things. And that this Bill simply sets forth the procedure of which they may take action, the same as like in the military service or..."

Bowman: "Well, it sounds to me that you are suggesting that... that the investigation ought to be conducted very similar to, say a grand jury investigation. Is that the kind of rights and guarantees that you're trying to write in the law?"

Terzich: "No, it's not... Well, I don't know how grand juries investigate, Representative. You maybe with... know more than I do. I don't know how they investigate."

Bowman: "No, the point that I'm trying to make is that it seems to me that what we're doing here in the Bill - and I'm not a lawyer, okay. I'm just reading this as a... in the form of a citizen. But it seems to me that we go beyond the... providing the kinds of rights that other citizens have. And... in grand jury investigations for example, so that... that I'm just wondering if, for example, I know that when you... when they... a case is actually brought to trial, that a person has the right to confront the... their accuser and so forth. But at the investigating stage,

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that's not usually the case. And I mean... so what you're doing here is you're combining the investigation with the trial all wrapped up into one, it seems to me. And it seems to me that might be inappropriate."

Terzich: "Well, again, this is the same benefit that's afforded 4,000 firefighters in the City of Chicago. The Bill did go through the... the Committee and passed the House quite substantially in the last Session. And at the same time, we went through the Judiciary Committee. We replied. We accepted different Amendments, and it's certainly nothing more than any rights that should be afforded any individual in the State of Illinois with that particular problem."

Bowman: "Well, okay, to the Bill. Yes, we've seen this legislation before, and there's also another Bill pending affecting policemen. And surely we should grant firemen the rights that other members of society are granted; however, it seems to me that - I am not an attorney, but in reading this, it does appear to go beyond the sort of rights that we do provide people in other circumstances to the point that I think that those individual items should be justified in debate. The Sponsor has not told us specifically where the Bill extends rights that are now commonly accepted or goes beyond rights which are now commonly accepted, and... and I think he should do so, and I think he should justify those in debate. And I'm a little concerned that... that maybe we have gone too far in wrapping together the... what is... amounts to an investigation with what amounts to a trial. And I think we really ought to keep investigations and trials separate. And that's why I have some concerns about this legislation. I hope that further debate will clarify that."

Speaker Greiman: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Mr. Speaker, will the Gentleman yield for a

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question?"

Speaker Greiman: "Indicates that he will."

Mays: "Bob, according to my analysis, it indicates that these provisions would cover any investigation of a firefighter, even by a nonrelated agency for a crime completely unrelated to firefighting. Is that correct?"

Terzich: "No, this sets up the procedure within the fire department. This was discussed with the Chiefs' Association. They see no problem with following the type of procedure. What basically we're saying, that if the individual is being investigated, that he is entitled to the rights. He's entitled to counsel. He's entitled to have a... time to seek an attorney if this is dependent. It... there doesn't seem to be any problems with the right of the firefighter with regard... with the interdepartmental organization."

Mays: "But regardless of what crime he is charged with or what crime is being investigated, he would be afforded these rights. Is that correct?"

Terzich: "That's within the fire... that is within the fire department while he is on the job working. That has nothing to do if he's caught speeding, or robbing... a grocery store, or beating his wife or whatever the case may be. That has nothing to do with it. This is simply interdepartmental."

Mays: "Our analysis does indicate otherwise, and I think some of the other people on this side of the aisle and throughout the chamber should take note of that. Another question. You mentioned in your presentation that Chicago already has... has these rights. Is that correct?"

Terzich: "That is correct."

Mays: "How did they get them?"

Terzich: "This was provided under the... the Local 2

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Firefighter's Union in their collective bargaining agreement."

Mays: "So they got them through discussions across the table with firefighter management so to speak. Is that correct?"

Terzich: "That's correct. That's correct. And this..."

Mays: "So..."

Terzich: "...Simply extends this to other fire departments throughout the State of Illinois."

Mays: "So what you're doing then is preempting a local unit of government from entering into its own negotiation. You're taking this out of the field of negotiations all together by putting it in state law. Is that correct?"

Terzich: "Well, I wouldn't call it as far as negotiations. All it does is it....the practice that they're. This should not be official..."

Mays: "You mentioned that these...you mentioned that they did..."

Speaker Greiman: "Mr. Mays and Mr. Terzich, you know, you may propound a question. Give him an opportunity to respond, Sir. Mr. Terzich, respond in a succinct manner responsive to the questions. Proceed."

Terzich: "Certainly. This is not an issue that should even be under collective bargaining. It's an issue that extends a person the rights, the protection, under the law. And this is all that the Bill does. There is nothing unreasonable about the place of interrogation, written notification, offensive languages prohibited, constitutional warnings, the same as any other individual is given to the person. It doesn't do anything other than gives the formula that if the person is going to be charged with, that he be extended his individual rights. That's all the Bill does, and it shouldn't be under any collective bargaining. It should be given to the individual."

Mays: "Thank you. Thank you, Mr. Terzich. To the Bill, Mr.



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Speaker."

Speaker Greiman: "Proceed."

Mays: "Number one, I would urge a 'no' vote on this Bill, because it does seem to cover any investigation that the firefighter may be undergoing, regardless of whether it was firefighter related. Secondly, Chicago's firefighters did receive, I guess, these rights through the orderly procedure of collective bargaining. That is a procedure that is available to all municipalities, all firefighters in the State of Illinois currently. And what we're doing is taking it away from the collective bargaining table and mandating it at the state level. I again would urge a 'no' vote."

Speaker Greiman: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House, I rise in support of House Bill 455. It's important to point out when one argues here that this could be the subject of negotiations that we do not now have a collective bargaining law in the State of Illinois for firefighters. The opportunity to vote for that will come yet this year. I think Representative Terzich is absolutely right in pointing out the need for the Bill. In fact, in the hearings before the particular Boards he's relating to, a person's job may very well be on the line or at least a suspension may be the subject of the activities of that particular Board of Fire and Police Commissioners in downstate communities. In fact, in response to what Representative Bowman said, the courts have looked at a number of issues and situations of late and have dealt with them in such a manner that they have attempted to provide the same rules of evidence in these cases as they do in court cases. In fact, a person's, if not their liberty by

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way of the decisions of one of these Boards, may be jeopardized by a future court case or action against a person. Certainly the person's job is in question in these situations, and I see no reason why the person ought to at least be able to have the right to counsel, to be heard, to cross examine, to be confronted and to have reasonable rules of evidence apply in these hearings. That's all the Bill does. That's all it's intended to do. It doesn't go to the scope of other activities or other hearings outside the internal workings of the cities and the manner in which personnel decisions are made. And for those reasons, the Bill deserves an 'aye' vote."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson. He indicates he will. Hawkinson. He indicates he will."

Hawkinson: "Thank you. Representative Terzich, you, in answering Representative Mays and now the last speaker, have indicated that this is to be limited to in-house investigations where a firemen's job might be affected. The Policemen's Bill of Rights is so limited. I'd refer you to page one Section 3, and ask if this language has been amended to so limit it. On page one Section 3 line 11, it says 'whenever a fireman is subjected to interrogation by members of his agency or another investigative agency for any reason, and the investigation could lead to disciplinary action, demotion, loss of seniority, dismissal or criminal charges and so forth'. That's the language I think we're concerned about. If this is as you say, limited to in-house investigations regarding discipline, demotion, seniority or dismissal, I have no problem with the Bill. But if you're going to limit the police departments, other law enforcement agencies, from investigating criminal acts that have nothing to do with his status as a fireman, then I have some problem. What is

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your opinion after looking at that language?"

Terzich: "Well again, that...really all that applies to is to the, for example, the Civil Service Commission or any charges that are being brought before the Civil Service Commission, not any court of law. That's the only Section that..."

Hawkinson: "So you're interpreting..."

Terzich: "The Board of Fire and Police Commissioners, for example."

Hawkinson: "Your interpretation then would be that that would not apply to a police investigation of an independent criminal charge."

Terzich: "That's correct, and you know, this is the only place where, you know, promotions, or demotions or loss of jobs would take place. That's what it is. And as I said, Representative, that this has been enforced in the City of Chicago now for approximately three years. There's no problem. If there's any crimes that are committed, it has nothing to do with this Section. This is only interdepartment investigations which, you know, is the purpose of the Bill."

Hawkinson: "Thank you. I think that's important to have that in the intent."

Speaker Greiman: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is a very simple Bill that gives firefighters the same rights that an ordinary criminal would have in court. I passed a Bill here last year, I think it was 147 to 5. It was a Law Enforcement Officers' Bill of Rights. This is exactly the same as that Bill. Unfortunately, the Bill didn't get out of the Senate last year. But this Bill deserves to be passed here. Let's give the firefighters

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and the policemen a status as first class citizens and not make them third and fourth class citizens."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duynes."

Van Duynes: "Thank you, Mr. Speaker. I move the previous question."

Speaker Greiman: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The question is, 'Shall this Bill...Oh, I'm sorry, Mr. Terzich to close."

Terzich: "Well yes, again, Mr. Speaker, Ladies and Gentlemen of the House, that actually I really don't find any opposition to the Bill, especially for those people who are directly involved with this type of legislation. It simply affords a procedure set forth for the investigation, and it does nothing more than allows the same rights that should...every individual should be entitled to. The Bill did receive a substantial vote in the last Session, and I would urge your support at this Session. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. The voting is now open. Mr. Ropp to explain his vote."

Ropp: "I guess, Mr. Speaker, I just wanted to ask a question, but Representative McAuliffe answered it relative to other groups of people who are...or have the same kind of Bill of Rights or something like it, and it was already stated that the policemen do. So at least we have some indication that other groups are in compliance."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? To explain his vote, the Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, can I interrupt just a minute please to introduce a group from Mt. Vernon from Horace Mann School

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in Mt. Vernon, a group of gifted children with their teacher, Ms. 'Marjorie Long', and I would appreciate recognition in the gallery."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 93 voting 'aye', 11 voting 'no', 9 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Matijevich in the Chair."

Speaker Matijevich: "Thank you. House Bill 459. Representative Bowman, are you ready? The Clerk will read the Bill."

Clerk O'Brien: "House Bill 459, a Bill for an Act in relation to reports required to be submitted to the General Assembly. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, on House Bill 459."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 459 is the anti-paperwork Bill. It passed the House last year almost unanimously. Basically, what 459 does is very, very simple. It simply amends every Act in which agencies and commissions are required to report to the General Assembly, in some unspecified way, and specifies that their obligation may be discharged by filing the reports with the Leadership on both sides of the aisle, in both chambers, with the Clerk and the Secretary and then by sending some number of reports to the State Library Government Report Distribution Center. Now, the State Library, mind you, is suppose to be collecting these things anyway. So, it's not an additional burden on them. Then the Legislative Counsel coordinates with the State Library, and they simply send us, once a month, a notice of which reports have been received with a little abstract that they have prepared for us. And then we, if we wish

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the reports, we call them up or send back a check list and have the reports mailed to us. So, this is an attempt to cut down on the amount of paperwork, totally unnecessary paperwork, that goes across your desk and my desk - reports that we never read, and they go right in the wastebasket. So, I hope that this Amendment will save you and I a lot of work, will save the agencies a lot of work and will save the state a lot of paper. I move for the passage of House Bill 459."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 459. On that, the Gentleman from Cook, Representative Leverenz."

Leverenz: "You... Would the Representative yield?"

Speaker Matijevich: "He indicates he will."

Leverenz: "Thank you. I got that backwards. You indicated that this was the anti-paper Amendment... or Act?"

Bowman: "Yes, I believe I said something..."

Leverenz: "How did you title it?"

Bowman: "I don't believe that was in the title of the Bill."

Leverenz: "But you..."

Bowman: "I think it's a title in relation to government documents and reports."

Leverenz: "I see. And it interrupted every statute that had to do with reports?"

Bowman: "That's correct."

Leverenz: "How many pages to your Bill?"

Bowman: "Oh, well over a hundred."

Leverenz: "Well over a hundred."

Bowman: "That's right. Well, you have to make an investment of the future, Representative Leverenz."

Leverenz: "Thank you."

Speaker Matijevich: "The Gentleman from Effingham, Representative Brummer."

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Brummer: "Yes, with regard to the Bill, the Sponsor so seldom comes up with good legislation that when... occasionally, when he does come up with a good Bill such as this, I feel compelled to stand up and support it. It would save taxpayers' money. It would prevent our desks from being littered with all kinds of reports that we do not read regularly, and yet it would make available to us the information that those reports are available. And should we want them or desire them, we can receive them from a central distribution center. It is a good Bill. It will save the taxpayers' money and ought to be passed."

Speaker Matijevich: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hope the Members of this Body will take this Bill very seriously. It is probably the best Bill to come out of the General Assembly in the last decade. What this Bill does is to do away with garbage. The reports and the nonsense that come across our desks without our solicitation are incredible. I have to admit that I don't care about a lost property report from the Department of Financial Institutions, and I don't care about a water conservation study in Cairo County, Illinois (sic - Cairo, Illinois). They have their importance. They have their importance to the people who are interested in those documents, and those documents can be requested by those who are interested. We waste taxpayers' dollars. We waste tax... We waste Legislators' time in looking at these reports for the seven seconds it takes while we pick them up and throw them in the garbage. This is a good Bill that will make available every report that has to be... has to be published and, yet, doesn't distribute them and cost dollar, after dollar, after dollar year after year. I urge

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your 'aye' vote. This cleans up garbage in the General Assembly."

Speaker Matijevich: "The Gentleman from Perry, Representative Ralph Dunn."

Dunn: "Mr. Speaker, I'd like the Gentleman from Chicago to know there's no Cairo County, Illinois. It's Alexander County, and it's in Representative Winchester's district. And it's not to be sullied with, and you shouldn't sully the name of Alexander County by calling it Cairo County. It sounds like a bad Bill, too."

Brummer: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, to close."

Bowman: "I simply ask for a favorable vote on this fine piece of legislation."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 459. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 3 voting 'nay', and House Bill 459, having received a Constitutional Majority, is hereby declared passed. House Bill 461, Representative McMaster. Clerk will read the Bill."

Clerk O'Brien: "House Bill 461, a Bill for an Act to amend an Act in relation to natural resources, research, data collection, environmental studies. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Knox, Representative McMaster."

McMaster: "Thank you, Mr. Speaker. During my two weeks of absence from this I guess Body, I turned all of my research material upon this Bill over to the... my hyphenated



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Cosponsor, Representative Van Duyne."

Speaker Matijevich: "The substitute from Will County,  
Representative Leroy Van Duyne."

Van Duyne: "Thank you. Thank you, Mr. Speaker. The Bill is sponsored by Representative McMaster and myself. And it in... and the Amendment was drafted by the Illinois Teacher in Commerce with the close corporation of other industry groups and the Illinois Municipal League. And accordingly, it's strongly supported by both. It simply makes the power of the Economic Technical Advisory Committee more explicit. It received unanimous support in Committee. I know of no opposition to the Bill. It's supported also by the Department and the Illinois Pollution Control Board. And I'd appreciate your 'aye' vote. Tom, Tom will close on this."

Speaker Matijevich: "Representative McMaster and Van Duyne have moved for the passage of House Bill 461. On that the Gentleman from Cook, Representative... no. If there is no debate, all those in... in favor signify by voting 'aye', opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 115 'aye', none voting 'nay'. And House Bill 461, having received the Constitutional Majority, is hereby declared passed. House Bill 467, Representative Kulas. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 467, a Bill for an Act to exempt hearing aids from certain taxation. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 467 would eliminate the sales tax on hearing aids. The reason I introduced House Bill 467,

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because one group of disabled people in the state have been penalized, and they've been paying the 2% sales tax on the hearing aids. And I like to put this group in par with other people in the state. And that's the reason for introduction of this Bill. I'd be glad to answer any questions, if there are any."

Speaker Matijevich: "Representative Kulas has moved for the passage of House Bill 467. On that the Gentleman from... The Gentleman from Kendall, Representative Hastert."

Hastert: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Hastert: "Would the Sponsor have any idea what the revenue impact of this Bill would be?"

Kulas: "Pardon me? I'm sorry, I didn't hear the question."

Hastert: "Do you have any idea what the revenue impact would be to the state on this Bill?"

Kulas: "The revenue impact, I received a fiscal note from the Department of Revenue, but I think the calculator must have been broken. Their revenue impact note, fiscal note stated that there will be a lost of \$3,000,000 to the state. My calculations according to the figures that I have received, that there are approximately 30,000 hearing aids sold in the State of Illinois. At a lost of 2%, it would be a lost to the state about \$200,000."

Hastert: "Now, you said a loss of 2% of that. Does this establish a minimum tax?"

Kulas: "Pardon me."

Hastert: "Does this establish a minimum tax, or does it wipe out all sales tax?"

Kulas: "No, it wipes out all the sales tax on the hearing aids."

Hastert: "How about like things, like glasses and dentures, is there a tax on them?"

Kulas: "No, there isn't. That's why I introduced this Bill,

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because the people who are hard of hearing, said "How come when my friend goes to get dentures, he doesn't pay taxes? How come when he goes to get glasses, he doesn't pay taxes? But I go get a hearing aid, and I have to pay taxes."

Hastert: "Well, I have, Representative, contrary to that, people who buy glasses, do pay a 2% tax and that tax is added into the service. And people who buy dentures do pay a 2% tax in those dentures and that tax is added into the service tax. And what... Mr. Speaker, may I speak to the Bill?"

Speaker Matijevich: "Proceed."

Hastert: "What we're actually doing here, is setting up a special class of medical instruments which has no taxation, while people who are buying glasses, and dentures, and other types of medical apparatus are paying the tax. So, I think we're unjustly or in some type of creating a special situation, where we have one group of people that we're not taxing, whether we're... and the general case of people that fall in that category, we are taxing. I just think that it's unfair, and it's a bad Bill."

Speaker Matijevich: "There is no further debate, Representative Kulas, to close."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Representative Hastert was working... he's working on my side because I went to buy these glasses last week, and I didn't pay any sales tax on them. My mother got dentures, she didn't pay any sales tax on them. But the poor hard of hearing people have to pay sales tax on this Bill. As I mentioned, the revenue lost to this state would be minimal about \$200,000. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Kulas has moved for the passage of House Bill 467. Those who are in favor signify by voting 'aye', those opposed by voting 'nay'. The

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Gentleman from Cook, Representative Ronan, did you want to explain your vote? I don't think it's necessary. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 73 voting 'aye', 37 voting 'nay', 2 voting 'present', and House Bill 467, having received the Constitutional Majority, is hereby declared passed. House Bill 477, Representative Mulcahey. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 477, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Mulcahey on 477."

Mulcahey: "Thank you, Mr. Speaker, and Members of the House. House Bill 477, actually the Amendment #1 to 477 now becomes the... becomes the Bill. And House Bill 477 is probably something we've all been talking about from time to time, as far as campaigns go. It is something that is probably long overdue, as far as education is concerned. It simply allows, and I emphasize the word 'allows', local school boards to provide for a school, a four day school week. Now if this is adopted, the local school districts are to establish a school calendar of at least a 154 days to insure the 147 days of actual attendance. And it also provides, of course in the Bill, it provides for institute days, it provides for parents conference days and so on and so forth. If adopted again, this Bill will have... it should be no reduction whatsoever in state aid claims. And the savings that can be realized by going into this particular type of a four day school week, can be realized in transportation cost. All the school districts that I've talked to are in favor of it. We can save as far as energy costs conserved, heating fuel costs, school lunch expenditures and so on, and so forth. It came out of

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Committee 15 to 2. I know of no opposition. And I would ask for your adoption of House Bill 477."

Speaker Matijevich: "Representative Mulcahey has moved for the passage of House Bill 477. Is there any debate? If not, the question is, 'Shall House Bill... The Gentleman from Cook, Representative Yourell."

Yourell: "Yes. Thank you, Mr. Speaker. Will the Gentleman yield to question?"

Speaker Matijevich: "He indicates that he will."

Yourell: "Representative Mulcahey would this lengthen the school day?"

Mulcahey: "Good question, Representative Yourell. I was remiss, didn't and answer, didn't point that out. Yes, it does, it increases the school day. Let's see, in grades 2 through 12, that's six hours of attendance, first grade five hours attendance, and K... kindergarten, three hours attendance are counted as one half day of attendance. So, it does increase the school day by one hour. And when you compute it all out, as a matter of fact, it practically comes out to the same as 176 school days, by the way we have it right now."

Yourell: "So, at the end of a school term, it doesn't do anything, increasing the day really because you decrease the number of days in the school week. Is that right?"

Mulcahey: "That's absolutely correct."

Yourell: "Well, the Federal Commission on Education is recommended, I think. And everybody knows this, that we have mediocrity in education in Illinois and in other states. And because of that, they recommended that the school day... a length of a school day, actual school class time be increased, and also, the school year be increased. And they made a lot of other recommendations. And this Bill does not do that. That this Bill really does not

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extend anything, does it?"

Mulcahey: "Well, quite frankly, this Bill does not extend anything. It leaves it basically, 99% the way it is now as far as the hours are concerned. It just lengthens each day. And you'll have practically the same things you have now, except you're entitled to go four days as opposed of five."

Yourell: "Thank you."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman. No, the Gentlemen from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Ropp: "Mr. Sponsor, you've mentioned that it would save costs in terms of transportation and some other things. Have you calculated the cost or maybe the inconvenience that might be incurred, if a working father and mother now will have to hire a babysitter to make sure that they have someone at home when these kids are going to be not attending school on one of those five days that we normally consider school week?"

Mulcahey: "Okay, two... two points answer that question, Representative Ropp. Number one, schools are not babysitting services. And number 2, this will be up to the local school boards to make that determination. Therefore, the local school boards should publicize the fact that they're going to discuss the fact to the idea of going to a four day school week, then the local community or local area can go to the school board and do their lobbying with them. This is permissive legislation."

Speaker Matijevich: "Okay. Good enough. The lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

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Speaker Matijevich: "He indicates he will."

Satterthwaite: "Representative Mulcahey, as I recalled, there was some problems relating to your Bill, and the kindergarten student. What happens in the instance of kindergarten students, would they still be maintaining the same numbers of hours in kindergarten that they currently have?"

Mulcahey: "Yes, they will."

Satterthwaite: "I think that is not the case. That in fact, it would not be possible for them to meet the minimum term requirement that is now in the code for them if this Bill were to pass. I, also, have some great difficulty, even allowing for the option, at the local level for school districts to go to the four day system. I think we will find that a number of our parents will either not be able to get adequate child care arrangements, if they are working during the fifth day when school is not scheduled, or in fact, that we will find that they are giving up employment in order to stay home to take care of their children. I don't think that's the way we want our school districts to go at this point. I understand that there may be some emergency situations where, for a short term, it might be desirable to go on a four day week. But that in fact, is not what this Bill provides for. This Bill provides for it to be done on a calendar year basis, where it would be set up much in advance. But it would not address, just in an emergency situation. I think it's the wrong time in our society to go to a system that would require that one parent be home during that fifth day. Many of the families are having to have both parents working, and I think that we will find in fact, that its more costly to the state in the long run, for a piece of legislation like this to pass. And I urge the Members to vote against the proposition."

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Speaker Matijevich: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Mr. Speaker, would the Sponsor yield?"

Speaker Matijevich: "He indicates that he will."

Hastert: "Representative Mulcahey, I have a couple of question on this Bill. The intent of the legislation is it not, to change the number of school days in a school year, is that correct?"

Mulcahey: "That's correct."

Hastert: "Does it give us a specific number in the legislation?"

Mulcahey: "The legislation calls for 100 and... a calendar of at least 154 days in order to insure the 147 days."

Hastert: "Alright, then is any number in between that flexible?"

Mulcahey: "No."

Hastert: "Otherwise, they couldn't choose a 163 days or 178 days."

Mulcahey: "Oh, sure! sure! Right. They can go... They have a minimum."

Hastert: "So, any numbers between a 154 or 185 is a flexible number? Can that be established, does that have to be established at the beginning of the school year or anytime deemed necessary by the school board?"

Mulcahey: "Absolutely correct, Dennis. That has to be established at the beginning of the school year."

Hastert: "So, that's right up front concerning... you know. It can't be three months down, and they have a really bad winter with a blizzard and everything. But it doesn't give them that flexibility."

Mulcahey: "No, it does in a sense. Set up just like it is right now, its five days, except they'll at the beginning of the school year, they will establish a four day right up front, and it will operate that way the whole year long."

Hastert: "Is the purpose of this legislation only in case they



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want to change the length this school day? I mean... How about the winter fuel and things like that."

Mulcahey: "Right. That's right. Well, that's the purpose of the idea, is not necessarily to go to a four days school week, but the purpose... for the sake of doing that. But when you eliminate that fifth day, but still get the same number of hours to meet the requirements, of course, we do have... we do have those savings as far as fuel's concerned. We have the savings as far as transportation concerned, and so on, and so forth. That's basically the fundamental reason for it."

Hastert: "Question then,... take the month of January. Could school district decide not to attend school those twenty school days in the month of January?"

Mulcahey: "I'm sorry."

Hastert: "Could a school board at the beginning of the school year say, 'The month of January has been usually bad for weather and transportation, and we decide not to hold school for the twenty days in the month of January'."

Mulcahey: "No No."

Hastert: "Why not? Where is the safeguard there?"

Mulcahey: "Well, the safeguard is established at the beginning of the school year, when the 147 four days school year has been established."

Hastert: "That is what I just said. The beginning of the school year, can they decide not to have school in the month of January?"

Mulcahey: "To the best of my knowledge, no... no. I would have to answer no. I don't see why, I don't see what you're getting at. You have to establish a 147 days under this particular Bill. And those 147 days can be established along the lines which I just indicated, based on four days a week, set out at the beginning of the school year."

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Hastert: "Will you answer my question, exactly that? If it has to be four days a week? That's my question. If it has to be four days a week, not three days a week, some months and...?"

Mulcahey: "That's correct, it has to be four days."

Hastert: "Thank you."

Speaker Matijeovich: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, and Members, some of the questions raised about this Bill, I think, go the reverse of the actual way the Bill goes. The Amendment, in fact, did deal with the issue of counting kindergarten hours. That was the question I raised, excused me, on this particular Bill in Committee, because I had a very similar Bill. The Amendment, in fact, does convert the number of hours for kindergarten students. So it would be consistent in a four day week with what we now have for a five day weeks. The Bill provides an option to school districts to go to a four day week, who would be particularly affective, and would be cost affective as well in a large downstate rural areas that now have extremely high cost for transportation. Obviously, off the top if they opted for this, they could run the buses one day less each week. They could shut down or cut back upon the power plant and save considerably there too. Representative Mulcahey's Bill with the Amendments addressed all the issues that has been raised. The possible minor exception of the few people that may be inconvenienced by the Bill. But in fact, we already have people inconvenienced now, where kids have to go on Saturdays that has special programs. This particular Bill, I think, addresses as well as possible, the issue of trying to save some money in these larger downstate school districts that are extremely strapped by high cost of

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energy, and the high cost of transportation. That's all it does. It doesn't deal with the issue of how many hours if students should go more than they go now. The school districts can establish a longer calendar if it wants to on a five day week. That's in the law. Could establish a longer calendar then the minimum provided in this on a four day week. It could extend the school day in a four day week under this Bill. It can extend the five day school week hourly provision now. Nothing's changed about that. It doesn't go to that issue at all. Representative Mulcahey is absolutely right, in what he said about the cost saving aspects of the Bill, and the fact it's permissive. The other point is simply, you would want to put in place before the school year starts a calendar. People needs to know what that calendar is going to say. You don't want to let them pick and choose in the middle of the year. If you had had weather in January, you'd have the same situation you've got now. You still have to meet the day requirement minimums to get state aid. You'd have to come back whether you had a four or five day week to satisfy that at the end of the year. So, it's no different. The Bill should receive a 'yes' vote for the reasons Representative Mulcahey presented to you here today."

Speaker Matijevich: "The Gentleman from Madison, Representative Wolf."

Wolf: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "Representative Wolf moves the previous question. Those in favor say 'aye', those opposed 'nay'. The previous question prevails. The Gentleman from Winnebago to close, Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. I think this has been well debated. It's a good concept. It's something that we have

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been talking about for many years. We have a chance to do it right now. And as a matter of fact, this actually increases the number of school hours. It increases the total number of classroom hours, actually, from 108...180 to 882 hours. So, when you put it right down to action, you having more hours that way than it is right now. This is permissive legislation, Ladies and Gentlemen. It provides for local control, something we're always asking for, something we're always after. And I would urge you to please vote 'aye'."

Speaker Matijevich: "Representative Mulcahey moves for the passage of House Bill 477. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 104 'ayes', 7 'nays', one voting 'present', and House Bill 477 having received the Constitutional Majority, is hereby declared passed. House Bill 488, Representative Rea. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 488, a Bill for an Act to provide for the Metropolitan Exhibition Auditorium and Office Building Authorities. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Franklin, Representative Rea. On House Bill 488."

Rea: "Thank you, Mr. Speaker, and Members of the House. House Bill 488, amends a Metropolitan Civic Center Support Act. And it gives authorization and approval to promote Civic Centers in three counties, the same as we have done in past legislation. It grants powers to issue revenue bonds, and it makes these centers eligible for grants. It will not increase taxes. And it would be a great boost to those areas in need of a Civic Center. And I would certainly ask for a favorable Roll Call."

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Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 488. On that, the Lady from DuPage, Representative Karpiel."

Karpiel: "Yes. Will the Sponsor yield, please?"

Speaker Matijevich: "He indicates he will."

Karpiel: "Jim, there are presently 9 Civic Centers in the state, correct? And they all have to vie for grants from a certain... from a pool of money... that... Department of Commerce and Community Affairs, correct?"

Rea: "I think there is 10 centers, and there are monies... there is monies and bond principle. And as those monies are retired, then new ones can come in and be eligible for the grant monies."

Karpiel: "Well... correct. Do you happen to know whether any of them have retired all their bonds, the ones... the present ones?"

Rea: "I don't know exactly what the retirements is on them at the present time, but there should be some that are close to it."

Karpiel: "Do you have any idea what it will cost for the three that this Bill encompasses now, how much money that would take?"

Rea: "Well, on any one of these anytime you submit an application for the state support, you must include with that an economic feasibility study, a financial plan, and also, a master building plan. And naturally, not all of those steps has been taken, and would be at the time, whenever they would be eligible to make applications for those particular monies."

Karpiel: "Does the grant on these... that these grants, do they cover the entire bond indebtedness for these facilities?"

Rea: "No."

Karpiel: "I mean, I think that there's a maximum, correct? So,

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what if you had not paid up the debt on the bond and the Civic Center was not doing well, who then is responsible for the rest of that indebtedness, and how do you pay it off?"

Rea: "Well, there has already been enough preliminary studies made in terms of the feasibility of these centers to determine that... you know it's not in the complete plan, not in the master plan yet. But it would be economically feasible, and that they would be able to generate not only the support but the necessary monies at the local level to supplement the grant monies to carry out a program of this nature."

Karpiel: "Well, to the Bill. I'm..."

Speaker Matijevich: "Proceed."

Karpiel: "I reluctantly rise in opposition to the Bill. Because I know that Representative Rea is trying to do something good for his community. Except that, most of these Civic Centers that are now in operation, are in very bad financial straits and are not able, I understand, to pay up their bonded indebtedness. And if we add several more Civic Centers to this, I think that that is going to, of course, lessen the amount of money for those that are already in operation. In 1979, we passed a Bill to say that, no more authorities could be created after 1979, or if they were, they would not be eligible for grants from the state. This Bill reverses that, and says that, these and all further Civic Centers or Exhibition Centers will be able to be eligible for grants in the state. And I don't still think that we can afford it, nor can those Civic Centers that are already in existence."

Speaker Matijevich: "The Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

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Speaker Matijeich: "He indicates he will."

Dunn: "There is no money in this Bill. This just creates a board, doesn't it?"

Rea: "That is correct. It is not... and it does not increase taxes. It just makes them eligible for monies that's already there. And there happens to be 25 or 75,000,000 in a revolving bond fund. And currently, 67,000,000 is outstanding."

Dunn: "And if one of these is built, somebody back home is going to have to bite the bullet about picking up the cost of a local share, isn't that correct?"

Rea: "That is correct."

Dunn: "Mr. Speaker, and Ladies and Gentlemen, in support of this legislation, it seems to me that if the Gentlemen's Sponsor of this legislation wants to try to do something for the economic climate in the quality of life in his area back home that doesn't cost any money, in this particular legislation, we should support his legislation. At such time, which may never happen, but as such time as the people back home should decide that they may want to put up a building pursuant to the authority created by earlier legislation, then it would be a matter for this General Assembly to consider within the confines of all the Revenues available at that particular time, whether such legislation could be supported. This is a good Bill. We should support the Gentlemen's legislation, and put green votes up there in a hurry and move on to other Bills."

Speaker Matijeich: "The Gentleman from Livingston, Representative Ewing."

Ewing: "I move the previous question."

Speaker Matijeich: "Representative Ewing has moved the previous question. Those in favor say 'aye', those opposed 'nay'. The previous question prevails. And the Gentleman from...

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Where are you from, Jim? Jim Rea to close."

Rea: "That's Franklin County."

Speaker Matijevich: "Franklin County. How could I ever forget Franklin County, way down south. Proceed."

Rea: "Thank you, Mr. Speaker, and Members of the House. As was indicated by Representative John Dunn, this will be a great boost, economically and socially, and would help these areas greatly in terms of development. And I think this is one way that we can certainly support these areas that do need their help. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 488. Those in favor signify by voting 'aye', those opposed by voting 'nay'. The Gentleman... I thought someone wanted to explain their vote. Have all voted? Have voted who wish? The Clerk will take the record. On this question, there are 96 voting 'aye', 15 voting 'nay', one voting 'present'. House Bill 488, having received the Constitutional Majority, is hereby declared passed. House Bill 495, Bowman. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 495, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Woods Bowman on House Bill 495."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A couple of years ago we passed an Amendment to Child Care Act to provide for a day care agency to be formed. A day care agency was to be a day care center, which would be in powered by the state to license day care homes. The thought at that time was that, we would set up a system of a satellite home... centers in homes. And this would take some of the regulatory burden off of the state. Well, all this Bill does, is to provide that other entities



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besides day care centers could perform this licensing function. They would have to be licensed as a day care agency, be supervised as a day care agency by the state. But there are organizations throughout the state. I have one in my own district, something called the four C's, that stands for Community Coordinated Child Care. These agencies, and they exist in DeKalb and elsewhere. These agencies provide funding sources for day care centers in homes. They're like general contractors in the centers, and homes are like subcontractors. And it seems reasonable that these kinds of facilities or institutions, should be given day care agency status, even though they, themselves, are not day care homes, excuse me, day care centers. And that's the purpose for this Bill. It is supported by the department. And I know of no opposition."

Speaker Matijevich: "The Gentleman from Cook, Representative Woods Bowman has moved for the passage of House Bill 495. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will... the Clerk will take the record. On this question, there are 115 voting 'aye', 0 voting 'nay', and House Bill 495, having received the Constitutional Majority, is hereby declared passed. House Bill 507, Representative Pangle. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 507, a Bill for an Act to amend the Bingo License and Tax Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Kankakee, Representative Pangle on House Bill 507."

Pangle: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill defines labor association as labor organization, qualified qualifications for bingo, passed out of the House Revenue Committee, 13-0. And I know of no opposition."

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Speaker Matijevich: "Representative Pangle has moved for the passage of House Bill 507. If there is no debate, those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 98 voting 'aye', 9 voting 'no', 5 voting 'present'. House Bill 507, having received the Constitutional Majority, is hereby declared passed. House Bill 511, Representative Keane. The Clerk will read the Bill."

Clerk O'Brien: House Bill 511, a Bill for an Act to amend Sections of the State Records Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Keane on House Bill 511."

Keane: "Thank you, Mr. Speaker. House Bill 511, amends the State Record Act to include state colleges and universities only in Section 3 of the Records Act. This is a Bill that is recommended by the Legislative Audit Commission. I'd be happy to answer any questions. I don't know of any opposition."

Speaker Matijevich: "Representative Keane has moved for the passage of House Bill 511. There is no debate. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'nay'. House Bill 511, having received the Constitutional Majority, is hereby declared passed. House Bill 514, Representative Steczo. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 514, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative

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Steczo on House Bill 514."

Steczo: "Thank you, Mr. Speaker, and Members of the House. House Bill 514, is a Bill to allow those pension systems that currently do not participate in the state board of investment to invest approximately 10% of their monies under the prudent person rule. When this Bill was first drafted, we had initially tried to expand the list of participating types of ventures that these pension systems could invest in to about 11 or 12 more than they're currently listed. However, it was the opinion of the Pension Laws Commission that since those types of arrangements are out dated so quickly, and it would behoove us to come in constantly to try to update that list and change that list, that we should just go 10% instead of the original 20 under prudent person. So, this Bill would allow approximately \$320,000,000 to be invested under the prudent person rule from those various pension systems. And I would appreciate the support of the House on House Bill 514."

Speaker Matijevich: "Representative Steczo has moved for the passage of House Bill 514. If there is no debate, the question is, 'Shall House Bill 514 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 103 voting 'aye', 6 voting 'nay', 2 voting 'present', and House Bill 514, having received the Constitutional Majority, is hereby declared passed. House Bill 517, DiPrima. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 517, a Bill for an Act to amend Sections of the Senior Citizens and Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

Speaker Matijevich: "Our senior citizen on his first Bill,

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Representative DiPrima. House Bill 517."

DiPrima: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, this Bill simply excludes veterans benefits or pensions from the calculation of annual household income and defines such income, as meaning any payment received as a pension, annuity or other benefits from the federal government by any person or their spouse, the surviving spouse, as a result of having served in the United States Armed Forces prior to receipt of such payment. Amendment #1, restricts application of the Bill to disabled veterans receiving disability benefits. This will considerably reduce the numbers of veterans who may become eligible."

Speaker Matijevich: "Representative DiPrima has moved for the passage of House Bill 517. On that, the Gentleman from Dewitt, Representative Vinson."

Vinson: "Representative, with the Amendment, what is the projected cost to the Bill?"

DiPrima: "A couple of million for the disabled veterans."

Vinson: "Representative, why is it that you have chosen just to limit the exclusion to benefits... veterans benefits received from the federal government? Don't they receive some state and government benefits too?"

DiPrima: "That's the way the veteran organization gave me the Bill."

Vinson: "Don't some veterans receive state veteran's pensions, and state veteran's benefits?"

DiPrima: "State pensions."

Vinson: "There aren't any state benefits that go to veterans?"

DiPrima: "No. I don't know about them. What I'm talking about is veterans. I ain't talking about members of the national guards."

Speaker Matijevich: "You can't beat that. Do you want to close, Larry? If not, the question is, 'Shall House Bill 517

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pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 89 voting 'aye', 18 voting 'nay', 8 voting 'present', and House Bill 517, having received the Constitutional Majority, is hereby declared passed. House Bill 519, Representative Stuffle. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 519, a Bill for an Act to amend the Illinois Pension Code and the State Mandates Act. Third Reading of the Bill."

Matijevich: "The Gentleman from Veruilion, Representative Stuffle on House Bill 519."

Stuffle: "Yes, Mr. Speaker and Members. House Bill 519 is an attempt to extend to the retirees of the Illinois Municipal Retirement Fund, the 3% annual cost of living adjustment for pension that is now provided to age retirees and all the other systems in the State of Illinois that are covered by state statutes. I realize there's opposition to this Bill from some quarters because of the cost aspects of the Bill. I would point out up front that we realize that. That those cost aspects are some \$12,000,000 statewide. But that \$12,000,000 would be born by over 2,000 participating instrumentalities that operate at the current time under IMRF. The Bill as I indicated, would grant the same existing benefit that all other systems have, Chicago, downstate, fire, police, state employees and so forth, to this final group of people that do not now have this particular benefit. It's a bipartisan effort as you will note. Hyphenated Sponsors include, two Republican Sponsors and three Democrats, Representative McMaster and McAuliffe, in addition to myself, and two Democrats. I want to make clear up front, we realize the cost implications, but we've

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extended this benefit to every other class of people covered by our statutes. And I would ask for an affirmative vote on this particular Bill."

Speaker Matijevich: "Alright... Representative Stuffle has moved for the passage of House Bill 519. The... Representative Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Friedrich: "Are these people that are being referred to on this Bill eligible for social security, also? I understand some other pension plans are not. But in this case, isn't it true that they would be eligible for social security in addition to their pension?"

Stuffle: "Representative Friedrich, some of them are, depending upon when they came in. Many of them, in fact, are. Some of the benefits they get, whether they're coordinated or reduced they receive both, others aren't. They're not the only system however, that gets the 3%, that has social security benefits. There are other systems that already get social security benefits too, and they already get the 3%. Teachers do not, however. Teachers are not covered by social security. State employees, for example, and some other local people that are covered, do get social security too."

Speaker Matijevich: "The Lady from DuPage, Representative Karpel."

Karpel: "Does the State Mandates Act apply?"

Stuffle: "Not the way the Bill is amended."

Karpel: "So the local governments will have to pick up the cost of the Bill? .."

Stuffle: "The Bill was amended that way, because all the other systems that received this benefit, policemen, firemen, Chicago, Cook County, all receive the benefit with the

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local payers paying the Bill. And we made it the same for these people."

Karpiel: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Matijevich: "He indicates that he will."

Harris: "Larry, what other systems are covered by social security?"

Stuffle: "The state employees are covered by social security as of July 1, 1969. And some people in some of the other systems are covered as well. But those systems in all cases, have the 3% benefit."

Harris: "Thank you."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle to close. And he's going to answer all my mail on this Bill. Right, Larry?"

Stuffle: "Yeah. I might indicate that this is a Bill, I'm sure, you received a few letters on. Again, to reiterate, it's an extension. We know it cost money. We're attempting to extend the same benefit to these people that everyone else has. Right now, you can work in a school district under IMBF, and get a different annual adjustment when you retire than a person who works right next door to you. The average benefit in this system is only \$212.00 a month. You're talking about \$6 a month instead of \$4 a month. You're talking about spreading it over 2,000 participating instrumentalities in Illinois and bring equity to this system along with all the others. For that reason, I would ask for an 'aye' vote."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle has moved for the passage of House Bill 519. Those in favor signify by voting 'aye', those opposed by voting

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'nay'. The... Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 91 voting 'aye', 22 voting 'no', 4 voting 'present'. House Bill 519, having received the Constitutional Majority, is hereby declared passed. House Bill 524, Representative Pierce. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 524, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook... from Lake, Representative Pierce on House Bill 524."

Pierce: "Thank you, Mr. Chair... Mr. Speaker. You're not rid of me yet... from Lake. House Bill 524 clarifies when taxes have to be paid before you can go to court on a specific objection. It passed unanimously out of the House Revenue Committee, and it's been endorsed by the Chicago Bar Association. There was some doubts before, whether someone who is a few days late with an installment, could file a payment of installment of taxes, could file an objection in court. This makes it clear that taxes must be paid prior to the collectors application for sale. And I ask the passing of House Bill 524."

Speaker Matijevich: "Representative Pierce has moved for the passage of House Bill 524. On that the Gentleman from Effingham, Representative Brummer."

Brummer: "Yes. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Brummer: "Representative Pierce, does this Bill in anyway relieve the tax payers of paying the penalties that are normally due as a result of the late payment of those taxes?"

Pierce: "No, it doesn't. Interest will run at 1 1/2% a month. Downstate is interesting, you don't have... you can go to the State Property Tax Appeal Board without even having paid your taxes even a year later. But of course,



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eventually, when you pay your taxes, the 1 1/2% a month will apply or if they're sold, the 18% each and every six months. So, it doesn't in anyway relieve anyone of paying interest or penalties on late payments of taxes. But it does give you..."

Brummer: "Okay. The second question is... The second question is, when is the date that the collector files the annual application for judgment and sales of the delinquent real property?"

Pierce: "Usually around November, following the second installment which is September 1st, and it'd usually be the end of November."

Brummer: "Thank you."

Speaker Matijevich: "If there is no further debate, do you want to close, Dan?"

Pierce: "Yes, I think the Bill clarifies when taxes have to be paid. It would affect primarily Cook County because downstate you go to State Property Tax Appeal Board and don't even have to pay your taxes when you do that. And no interest or penalties are waived by the Bill. And I urge the passage of House Bill 524."

Speaker Matijevich: "Representative Pierce has moved for the passage of House Bill 524. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 107 'ayes', 5 'nays', 1 voting 'present'. House Bill 524, having received the Constitutional Majority, is hereby declared passed. House Bill 528, Representative Steczko. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 528, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative

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Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. House Bill 528, is a Bill that deals with teacher dismissal. And I... have to indicate to the Members of the House that in comparison to the original version, it's been amended considerably. And all it simply says is that, 'Upon a written request within ten days after the receipt of a notice, and specific reasons for dismissal, the teacher either completing the second year or the third year probationary year, can by request, have a hearing before the school board. And only, if the dismissal is for a reason other than a reduction in force. So, what we are doing in House Bill 528, is requiring reasons for dismissal of the second or third year teacher, which is the time just before a teacher would go... receive tenure. We have suggested or amended the Bill to say, that if there is a reduction in force and that's the reason for dismissal, that this particular legislation does not apply. In addition to that, all we're saying is that the teacher if... if that teacher so chooses, should have a hearing before the board, but however, the board's decision is still final. And the legislation does not call for a right to appeal. All this is, is try to deal in basic fairness as to the teacher who is provided two, possible three, years service to his school board. And we feel that they should have some rights to have specific reasons as to their dismissal. And I would appreciate any... appreciate the support of the House on House Bill 528."

Speaker Matijevich: "Representative Steczo has moved for the passage of House Bill 528. On that the Lady from Dupage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. I do understand what Representative Steczo is trying to do in

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this Bill, which is to give rights to probationary teachers. But I would like to point out to you that there is a cost involved here to your local school board. A hearing for a teacher whether it's a second year teacher, or a third year teacher, is an expensive process. And if you vote 'yes' for House Bill 528, you are adding costs at the local level that I feel might better be used for instructional purposes. I would ask you to look very closely at House Bill 528. For myself, I intend to vote 'no'."

Speaker Matijevich: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker, and Members of the House. In response to the previous speaker, let me indicate, that this is not to provide for a regular hearing process. It only allows that teacher to appear before the school board. And that could be at a regular school board meeting so there would be no increased cost. In addition to that, there has been a fiscal not filed on House Bill 528 by the Illinois Office of Education. And they indicate that the... that any local direct cost to the school district would not be significant. So, we think we've tried to address the issue of cost, and address the issue of fairness. And I believe House Bill 528 does that, and should be supported."

Speaker Matijevich: "Representative Steczo has moved for the passage of House Bill 528. Those in favor signify by voting 'aye', opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 85 voting 'aye', 25 voting 'no', 5 voting 'present'. House Bill 528, having received the Constitutional Majority, is hereby declared passed. House Bill 537, Representative Hastert. The Clerk will read the Bill."

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Clerk O'Brien: "House Bill 537, a Bill for an Act in relation to Child Abuse Prevention Shelters and Child Protection Terms... Teams. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Kendall, Representative Hastert on House Bill 537."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is one of a package of two, Cosponsored by Representative Jaffe and myself. This Bill provides for funding for child abuse prevention. Both, for three areas, for shelters, for child abuse prevention before the fact, and child abuse prevention after the fact. And it also provides that those agencies that the child abuse funding goes to has to have a split as far as funding, as far as local contribution and in state contribution. It's an important aspect of the next two... the Bill that is coming up right after this. It provides funding for the child abuse teams also. Has a unique aspect to these package of Bills. And that the funding does not come from child... from the general revenue fund, but the funding comes out of a special checkoff on the state income tax."

Speaker Matijevich: "Representative Hastert has moved for the passage of House Bill 537. If there is no debate, the question is, 'Shall House Bill 537 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', 4 voting 'nay', and House Bill 537, having received the Constitutional Majority, is hereby declared passed. House Bill 538, Representative Jaffe. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 538, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. Third Reading of the Bill."

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Speaker Matijevich: "The Chairman of the Judiciary Committee, Representative Jaffe on House Bill 538."

Jaffe: "Yeah. Mr. Speaker and Members of the House, as Representative Hastert has indicated, House Bill 538 is a companion Bill to House Bill 537. That's basically what House Bill 538 does. It sets up five demonstrations of multidisciplinary teams to advise, review and monitor cases of child abuse, and neglect brought by the Department or any member of the team. And the Department determines the criteria by which certain cases of child abuse are brought to the multidisciplinary teams. And as I say, it's a companion Bill. I know of no opposition to it. The Department supports it. And I would urge an 'aye' vote on it."

Speaker Matijevich: "Representative Jaffe has moved for the passage of House Bill 538. On that the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Representative Jaffe, you proposed Amendment #2. I don't believe it got on the Bill, are you aware of that?"

Jaffe: "I am aware of it. I'm... yeah, we're just going to leave that off for the present time. We may put it on in the Senate."

Cullerton: "And what would the cost involve with this Bill?"

Jaffe: "Well, as Representative Hastert has indicated, it's not paid for through general revenue funds. It's paid for through a checkoff system on the income tax."

Cullerton: "Okay. Fine. Well, you don't have to tell me how much..."

Speaker Matijevich: "The... Representative Jaffe has moved for the passage of House Bill 538. On that, those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all voted who wish? The Clerk will

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take the record. On this question, there are 113 voting 'aye', 4 voting 'nay'. House Bill 538, having received the Constitutional Majority, is hereby declared passed. House Bill 552, Representative Stuffle. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 552, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentlemen from Vermilion, Representative Stuffle on House Bill 552."

Stuffle: "Yes. Mr. Speaker and Members, I know of no opposition to House Bill 552. It came out of Registration Regulation Committee on a 14 to 0 vote. As amended it merely provides that there be reasonable access to the books and records of Retail Liquor Distributors, bar owners, if you will. The current standard is, that you have to have them immediately available if somebody walks in your place of business. No other business proprietor that I know of, is subject to those limitations. This merely provides that they have to be available in the State of Illinois and can be secured upon notice. And I would ask for an affirmative vote on this Bill."

Speaker Matijevich: "Representative Stuffle has moved for the passage of House Bill 552. If there is no debate, those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted? Have all vote who wish? The Clerk will take the record. On this issue, there are 116 voting 'aye', 1 voting 'nay', and House Bill 552, having received the Constitutional Majority, is hereby declared passed. House Bill 553. Would Representative Reilly come here for just one second. House Bill 553, Representative Tate. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 553, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

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Speaker Matijevich: "Is... Out of the record, I guess. House Bill 555, Representative Hannig. The Clerk will read the Bill. Oh, wait! The Representative Vinson, for what purpose do arise?"

Vinson: "Mr. Speaker, it's been brought to my attention, that the record of the Committee Report of the Committee on Judiciary from 5-6-83, shows one Bill, House Bill 961 recorded as 'do pass'. And that Bill also shown, as being committed to the Interim Study Calendar. And I wonder if you could have the Clerk make a search... confer with the Committee Chairman, and determine what the proper disposition of that Bill should have been, so that we will not be inadequately dealt with and, so that if it should be on the Calendar, it will be placed on the Calendar at the appropriate time."

Speaker Matijevich: "The Clerk will take that under advisement, and he'll take a check. Would you give that number again."

Vinson: " Yes, it's the Committee Report from the Committee on Judiciary from 5-6-83, and it's House Bill 961, shown both 'do pass' and committed to the Interim Study Calendar in the Committee."

Speaker Matijevich: "The Clerk will read the Bill. House Bill 555."

Clerk O'Brien: "House Bill 555, a Bill for an Act to amend an Act relating to fire protection in certain areas. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Macoupin, Representative Hannig on House Bill 555."

Hannig: "Thank you, Mr. Speaker and Members of the House. This Bill recently passed out of the Cities and Villages Committee by a vote of 11 to 1. And I believe it's relatively uncontroversial. The Bill simply tries to change the way that rural fire protection districts collect

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and assess monies on certain areas that are assigned to them by the fire marshall. Under the current law, the fire marshall can assign areas to these rural fire districts for up to two years, renewable three times. And the fire districts can collect no monies unless there is a fire or they're called out. In which case, they are then eligible to charge a fee of \$500, which may or may not be a fair amount of money to charge. This Bill simply says, in those cases where an assignment is made, the amount of money that is charged is simply the... what they simply do is extend the tax rate as if they were a part of that fire district. So that if the property of a great value, it would be reflected in a Bill significant. If the property is of relatively minor value, they will be billed a relatively minor amount of money on an annual basis. So, the Bill came out 11 to 1. I think it does improve the overall system. And I'd appreciate your favorable vote."

Speaker Matijevich: "Representative Hannig has moved for the passage of House Bill 555. On that, Representative Johnson. The Gentleman from Knox, is it? Oh, that's Hawkinson, right? Are you... I thought Tim Johnson wanted to get up."

Hawkinson: "Will the Sponsor yield? Representative, as this Bill was originally presented, it would have permitted the fire marshall for the first time to assign these areas to municipalities. Has that been amended out of the Bill?"

Hannig: "Yes. The Bill originally met opposition in Committee for that very reason, because it would as originally introduced, allow the fire marshall to assign Municipal Fire Departments to these rural areas. The municipal League objected. We've amended that out of the Bill."

Hawkinson: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative



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Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Matijevich: "He indicates he will."

Cullerton: "The Bill seems to indicate, that a person who chooses to be covered in this fire district, is entitled to it for only two years. What happens at the end of the two years?"

Hannig: "Well, I believe that under the law, as currently exists, there are methods whereby they can petition to become a permanent part of this fire district. Under the current law, they are put into the district for two years. They may have an election voted down. They're put in for two more years, have another election voted down, put in for two more years. This goes on for a period of six years. This Bill would simply say, 'We put them in for two years'. If they believe that the service is proper, and adequate and reasonable, they can then petition and get into the fire district on a permanent basis."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes. Did I understand... Will the Gentleman yield for a question? Did I understand your response to Representative Hawkinson's question to be that a municipality can no longer be assigned to provide the fire protection coverage for this rural area?"

Hannig: "They cannot be compelled to do this, by the fire marshal. They can still at their own negotiate... they can still negotiate to cover such area if they so choose. Under the current law, they cannot be compelled. This law will not change that."

Vinson: "What does the law actually change then?"

Hannig: "It speaks to the area of fire districts as opposed to fire departments, which is the rural entities primarily versus the municipal type of fire department like we have

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here in Springfield."

Vinson: "So, a rural fire protection district can be assigned and compelled if you will, to cover some other rural area outside the district. Is that correct?"

Hannig: "That's... that is the current law, and that would also be the law in this Bill. The Bill itself only addresses the method that the fire district would collect fees, or collect revenues for providing this service. And it also..."

Vinson: "They would collect the revenues from the district, from the area that was benefiting from the service."

Hannig: "Correct. Under the current law, for example, if the fire marshall would assign your residents or your piece of business to that fire district, you would simply pay \$500 if you had a call. Now in many cases, if the relative value of the property is low, but you nevertheless feel it's important to have fire protection. That could in affect, be an over charge. What this Bill would say, it would simply be extended on your property taxes as if you were a part of that district."

Vinson: "Okay, and you would not require... I mean you would be able to compel that coverage for individual parcels of property. A specific personal property could be covered that way."

Hannig: "That's correct. The fire marshall does now and would still have the authority to to put that in... to assign that into a fire district."

Vinson: "Okay. Does...if the property owner doesn't want to be covered that way, is he compelled to be?"

Hannig: "Not under this Bill. The only way... the only way that I can see where he would be compelled is if... if there was a referendum and the whole area voted to come in, but this Bill does not give the fire marshal authority to put

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someone into the district that is opposed to it."

Vinson: "And what is the machinery set up for the collection of those taxes? How do you... how do you get that piece of property plugged into the property tax collection process?"

Hannig: "Basically, I believe that the... the county clerk can just simply extend and the county treasurer collect the same way that someone, who is a member of that district, pays his taxes currently."

Vinson: "The fire marshal notifies the county clerk?"

Hannig: "I believe that would be the best way, the proper way. Yes."

Vinson: "And that's covered... that's covered by the Bill?"

Hannig: "I'm not certain, but I would... will certainly address it, if it's not."

Vinson: "Would you... would you check into that aspect of the thing, so that... I'm not against your Bill..."

Hannig: "I understand..."

Vinson: "I think it's a good Bill, but I'm just concerned about the mechanics of it."

Hannig: "I think you raised a very good point. You raised a very good point, and I will certainly ensure that that is properly addressed."

Vinson: "Thank you."

Speaker Matijevich: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Yeah. Mr. Speaker, three quick 'yes' or 'no' questions to the Sponsor, please. Number one, this is voluntary as far as the person going into...?"

Hannig: "That's correct. You would have to ask the fire marshal to be put into the district."

Friedrich: "All right. Number two, a farmer has a set of buildings and a thousand acres of ground. Can he elect to have the buildings in and not the rest of the ground? I'm

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sure he'd want to, if he could."

Hannig: "I'm... I'm really not certain. I think that it's no different than... than the way it is now, but I'm not certain how it is now."

Friedrich: "Well, the buildings are assessed separately. If I... can I, as a farmer, elect to have my buildings in and not my ground? I want my buildings protected, but I don't want to be taxed on the ground. How do I come out on that?"

Hannig: "Well, the Bill basically says that the individual can ask the fire marshal to become part of the district in effect, and then he can feel that if it's proper that he would so assign. I would assume the fire marshall would assign the entire property to ensure that..."

Friedrich: "Even, whether or not or not it was contiguous?"

Hannig: "This is really a question that the fire marshal would have to address..."

Friedrich: "I believe you ought to take the Bill back and clean it up a little. I... I think you have a good Bill, but I... it sure needs a little cleaning up, I think, Gary."

Hannig: "Well, the Bill really... not designed to... to change the way that the current system is in... in the law now. It's simply designed to try to change the way the monies are collected. If there are any problems, we certainly can correct those in the Senate."

Speaker Matijevich: "Representative Hannig to close."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. What this Bill simply tries to do is make the system that the... that is now in the law a bit more fair, so that the fire marshal, when he does make these assignments as he currently can do by law, that the fire district can be assured that they will receive some type of city revenue. And that those people who receive those benefits will indeed pay the same rates... property tax rates that I or

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anyone else, who's a permanent member of that district, would indeed have to pay. It's simply a question of equity, and I believe it's a good Bill and would ask for your 'yes' vote."

Speaker Matijevich: "Representative Hannig has moved for the passage of House Bill 555. Those in favor signify by voting 'aye', those opposed by voting 'nay.' ... voted? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', no 'nays', and House Bill 555, having received a Constitutional Majority, is hereby declared passed. House Bill 558. Representative Ropp. Clerk will read the Bill."

Clerk O'Brien: "House Bill 558, a Bill for an Act relating to the taxation of mobile homes. Third Reading..."

Speaker Matijevich: "Representative Capparelli in the Chair."

Speaker Capparelli: "Out of the record. House Bill 573. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 573, a Bill for an Act to amend Sections of the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Capparelli: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, the Amendment #1 to House Bill 573 now becomes the Bill. In the simplest terms, what we have in the State of Illinois with this Amendment is to allow the drug Lasix to be used in thoroughbred and standardbred racing. This is the same drug that is used in California and Kentucky, New Jersey, Maryland, in the largest race states in this nation. Lasix is not a stimulant. I repeat, it is not a stimulant. It is a drug used to stop bleeding in horses after they run a race. It is a humane provision that we are im... im... impacting into the rules, regulations and statute as it pertains to the Racing Board.

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This Amendment specifies that Lasix cannot be used any sooner than 24 hours before a race, and of course, at least four hours prior to the post time, the use of furosemide, which is Lasix. This legislation in its present form is also being studied, and it's 99% authorized by the chemists and veterinarians and the Council from around the nation. It will be authorized very shortly a... by rule and regulation by most of the tracks in this nation. It allows the owner and the tracks to run horses more frequently than is under the current situation without the use of Lasix. When a horse bleeds after a race, it must then be held up and treated in detention, etcetera, for three to four weeks. It basically is a humane provision, as I view it, and I will be happy to answer any questions on the legislation."

Speaker Capparelli: "Is there any discussion? Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Capparelli: "Says he will."

Ropp: "A couple of questions. What is the current position of the Racing Board with this Bill?"

Mautino: "The current position of the racing board is that no drugs whatsoever should be used on horses racing in the State of Illinois; however, they inform me that the recent study by the chemists, veterinarians and drug experts now submit that, I believe in probably January, it will be adopted in rule by the Racing Board itself."

Ropp: "I think the... the concern that some people have is that Lasix is a depressant that may have some effect in clouding up whether or not stimulant drugs have been used or injected in the horse to induce that horse to run a little faster. And I think that's what some people are concerned with. For my own personal feelings about the whole

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situation, I think we have to view this as some sort of a life sustaining or life assistance to maintaining the health of the horse, because a bleeder could have his racing career shortened rather substantially if he loses a sizable amount of blood and could not run. That's a major concern. The thing that I think is important that you have already mentioned that the premier races of our nation, in terms of racing, is the Kentucky Derby, and they do allow Lasix in their racing program."

Mautino: "Yes. You're exactly right, Representative Ropp, except I would like to make the corrective statement for the record. Lasix in no way, shape or form is a depressant, nor is it a stimulant. It does not mask any drugs at all, because, of course, immediately after a race, the horses are checked through urine tests, and they are put in detention area. They do not mask any other drugs. It is not the intent to use Lasix as a mask. It is used to stop bleeding only."

Speaker Capparelli: "Any further discussion? If no further discussion, the Chair recognizes Representative Mautino to close."

Mautino: "I just seek an affirmative vote on House Bill 573."

Speaker Capparelli: "The question is, 'Shall House Bill 573 pass?' All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this question, there are 92 'ayes', 20 'nos', 3 voting 'present'. This Bill, getting the Constitutional Majority, is declared passed. House Bill 574. Clerk, read the Bill please."

Clerk O'Brien: "House Bill 574, a Bill for an Act to amend the Soil and Water Conservation District Act. Third Reading of the Bill."

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Speaker Capparelli: "Mr. Birkinbine."

Birkinbine: "Thank you... thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 574 deletes language dealing with the coastal zone management program that is presently obsolete, because the State of Illinois in debates four years back, six years back, chose never to get into the program. The language, as I say, has not been used, and it presently stands as something of a threat over the heads of those people who have anything to do with soil and water conservation in the state. I introduced this Bill, primarily, because of homeowners along... in my district, who have property along the lake. But in later discussions with people, as this Bill became known, I found that the Illinois Farm Bureau, and I mention these varied groups because I understand that the Democratic analysis does not include these groups, who back the Bill, but the Illinois Farm Bureau has come out in favor of the Bill, as has the Illinois Association of Realtors, the Chicago Association of Commerce and Industry, Northwestern University, and most everyone along the lake. I know of no opposition to the Bill and would ask for an 'aye' vote."

Speaker Capparelli: "Is there any discussion? Representative Cullerton."

Cullerton: "Yes. Representative Birkinbine, if I could just ask you if you could explain to us whether or not our analysis is correct. It does say that passage of this Bill might exclude Illinois from receiving funds and from administering a coastal zone management program in the future, since Congress is considering legislation, which would make funds available to states that have such programs. Could you address that issue please?"

Birkinbine: "Yes, I would. That question was raised in Committee by Representative Bullock, and I have with me a copy of the



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Environmental Reporter Monograph #30 of last fall, that said that the program was terminated in December of '78, when coastal zone legislation failed to pass. The state and OCZM staff reexamined the potential for reintroduction in the fall of '80, but the decision was negative. For any such funds to be used by the State of Illinois, an entire program would have to be passed by the Legis... by the Legislature. This language was put into the Code, but no program was ever put in with it. The Farm Bureau, and the Realtors, and the homeowners along the lake feel that while this is obsolete in not being used, it's none the less something of a, I guess, a sword over their head. We would have to pass an entire program for any such funds to be used, which would involve an..."

Cullerton: "One more time, then. What is the... the purpose then to... for abolishing this... this program."

Birkinbine: "Because it's useless, yet it's viewed by a number of people, including my constituents, and the Realtors, and Farm Bureau, as none the less, a threat. In talking to the... to explain one reason behind that, the Farm Bureau people said that it could adversely impact soil and erosion control programs, which are presently being run by the state EPA and the Department of Agriculture. They're working with soil and water conservation districts on the same kind of thing that this Bill originally intended to do."

Speaker Capparelli: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I rise in opposition to this legislation. According to our staff analysis, it appears that the Federal Congress is currently considering legislation, which would make funds collected from offshore oil drilling leases available to states administering coastal zone programs. I think it is not wise to repeal

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this legislation at this particular time. We could always come back in future years and repeal it if... if necessary, if it's cluttering up the books. I'm sure Representative Terzich's Law Revision Committee will... or Commission will introduce a Bill to... to wipe the slate clean. But I think until the... the Federal Congress has acted, we should leave this on the book, because we may need this legislation to take advantage of Federal funds which will be forthcoming. So I stand in opposition to the Bill."

Speaker Capparelli: "Any further discussion? Representative Birkinbine to close."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me reiterate. This language alone can not take advantage of any Federal funds, if... even if they were there and being offered to us now. We would have to enact a total comprehensive coastal zone management program. It's a program that was hotly debated in this Legislature for a period of six years, ending back in 1978. This Legislature chose not to take advantage of it, because our EPA and Soil and Water Conservation Districts are doing the same thing. The... the Farm Bureau felt it was unnecessary, as did the Realtors, as did the Chicago Association of Commerce and Industry. I realize that those, who like the idea of Federal intervention and land use planning, would love to see a soil and water conservation pl... I'm sorry, a coastal zone management plan put into effect, but we chose not to. This language can not do it by itself, and all those groups, who testified in favor of this Bill, agree. I would ask for an 'aye' vote."

Speaker Capparelli: "The question is, 'Shall House Bill 574 pass?' All in favor vote 'aye', all opposed 'nay'. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On House Bill 574, there are 92 'ayes', 21 'nays', zero 'present'. This Bill, getting the Constitutional Maj... Majority, is declared passed. House Bill 582. Representative Stuffle. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 582, a Bill for an Act to amend an Act regulating wages of laborers, mechanics, and other workers employed in any Public Works. Third Reading of the Bill."

Speaker Capparelli: "The Gentleman, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House. House Bill 582 provides for clarification as to the extension of the provisions of the prevailing wage law now in place in Illinois statutes, providing that it covers the two basic industrial revenue bond project procedures now in the statutes, to which units of local government expend bond revenue proceeds in the construction industry. This particular Bill is identical to an Amendment passed out of this House last Session by Representative John Dunn and myself and also codifies an Attorney General's opinion that's been in place for a number of years, that so states that, in fact, the prevailing wage does cover both of the two acts that this amends, those being the Industrial Project Revenue Bond Act of the mu... Municipal Code and the Industrial Building Revenue Act. And I would ask for an affirmative vote on this Bill."

Speaker Capparelli: "Is there any discussion? Representative Mays."

Mays: "Well, can't let anything pass. Representative Stuffle, these industrial revenue bonds are issued by local governments. Is that correct?"

Stuffle: "Yes."

Mays: "So this applies to local government industrial revenue bonds. Who has the responsibility for paying for these

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bonds?"

Stuffle: "The bonds are secured through the efforts of the municipalities, counties, airport districts, and so forth, in the support of construction, in the private sector, but the city, county, what have you holds title to them until they're payed off."

Mays: "So, indeed, these are not public works, so to speak. They could be a manufacturing firm locating in your district, or a MacDonald's building another branch in my district, or... or what not. Is that correct? It's..."

Stuffle: "I'm sorry. Go ahead."

Mays: "That... this... these are not public works like in the sense of school buildings or city councils or anything."

Stuffle: "That's... that's the whole question that we're at in this Bill. It's our contention and the contention of the opinion that I sighted, that in fact because those entities, that are in place providing for these bond issues, the fact that they actually, basically, hold title until such time as the payoff day comes, that indeed this is a public work project that is clothed by or ought to be clothed by this particular statute."

Mays: "Are local governments in any way liable for the payment of these revenue bonds should the company default?"

Stuffle: "To my knowledge, that hasn't happened. My opinion is that this is a different situation than some of the others. They may well be, because they hold the title until they're paid off."

Mays: "Well, thank you very much, Mr. Stuffle. To the Bill. What we see in this Bill is not a simple clarification of what a public works pro... pro... project is, but a vast expansion of public works into an area, generally where a private employer is totally liable for the bonds. I would suspect that should this Bill pass, we would rekindle the

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old question as to whether a revenue bond is indeed a general obligation to the state, should it be in default, or a general obligation of a local in case of default. I would urge your serious consideration of this measure, and I intend to vote "no" for the following reasons. It is an expansion of existing public works definition, and I don't think that we should be clarifying it in such a manner."

Speaker Capparelli: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of House Bill 582. Industrial revenue bonds, in their widespread use, currently, come about because of tax breaks at the federal level. Those, who wish to expand in private industry, through the use of industrial revenue bonds, can attract the capital, which they need, by selling the bonds at a lower interest rate, if they are passed through the conduit of a governmental agency, instead of selling those bonds openly on the market where they have to pay the going rate, because industrial revenue bonds sell as tax exempt securities. When tax exempt securities are sold, it is the taxpayers who pay the difference between what those bonds would generate on the open market with interest subject to income taxes at both the state and federal level, and what those bonds generate in a tax exempt status free of income tax. This vehicle is not available unless the organization which wants the bonds comes to the governmental agency and seeks its authority to issue the industrial revenue bonds. They are revenue bonds, as has been indicated earlier, but they can not come into existence without the participation of a governmental agency. If we believe that the prevailing wages shall be paid where public works are being constructed, then we should say to those who seek to help a public agencies to sell the bonds to finance their own construction, "If you

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want that aid, you should pay the prevailing wage.' And if the prevailing wage is paid, it will be a great benefit to your community back home. The people, who do the work, who do the construction, will be pre... will be paid the prevailing wage. They can buy consumer goods. They can buy retail goods. They can circulate their money. They can multiply that effect. We all talk time and time again about the business climate, and what we want to do, and what we need to do here in the State of Illinois to make it a better place to work and live. Well, let's start right here with the prevailing wage. We've adopted that as a policy of long standing in the State of Illinois, and we should not back off from it, where taxpayer dollars are an active ingredient in the mechanism for the funding of these projects. Without the taxpayer dollars the projects could not be funded. The prevailing wage is a general policy of the State of Illinois, and it should be adopted in this occasion. I urge an 'aye' vote on House Bill 582."

Speaker Capparelli: "Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House. I think you have two facts to consider with this Bill. One, a philosophical fact, as it relates to the the general concept of Prevailing Wage Act. If you're in favor of that, I guess you vote for this. If you're opposed in general to the concept, the best vote would be in opposition. But I think it goes beyond that. I think local municipalities have an authority to exercise this prerogative now. I think, therefore, it's unneeded to put it in the state statute book. In addition to that, it's going to increase the work load, and the caseload of the Department of Labor. It's something that applies to both public and private projects. I don't think it's a needed Bill at all. I think the best vote is to vote in opposition to the Bill."

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Speaker Capparelli: "Representative Rea."

Rea: "Thank you, Mr. Speaker. I move the previous question."

Speaker Capparelli: "The question is the previous question. All in favor say 'aye', opposed... 'ayes' have it. Mr. Stuffle to close."

Stuffle: "Just briefly on the Bill. I think Representative Dunn made the most outstanding point that I tried to make, and he made it much better. If your going to take the advantage of having the local unit of government issue a lo... a bond in your favor to help you construct, to help your community, at a lower rate of interest, than you're going to have to accept or ought to have to accept the wage rate that's in place on all the other public works projects in this state. And from that spins off money that helps the local community, by paying these people a decent wage. I reiterate that this merely codifies clarifies an Attorney General's opinion issued some years ago, in support of the Bill, and I would ask for your affirmative vote on House Bill 582."

Speaker Capparelli: "The question is, 'Shall House Bill 582 pass?' All in favor 'aye', all opposed vote 'nay.' Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 71 'yes', 45 'no', zero voting 'present'. On this question... this Bill, receiving the Constitutional Majority, is here declared passed. House Bill 584. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 584, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Capparelli: "Representative Tate."

Tate: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 584 applies only to the property casualty insurance contracts held by insurance agents who represent companies

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on an independent contractor basis and not an employee. It does not apply to agents who work for exclusively one company such as All-State or State Farm Agents. This proposal basically seeks three objectives. The first, to avoid termination, the carrier is to provide in writing the problem areas and what the agency must do to avoid termination. If a rehabilitation plan can not be agreed on by an agent or a carrier, the contract may be terminated. Second, the carrier must provide a 180 day written notice prior to the termination of the agent's contract. Third, policies are to be renewed for one policy term or one year, whenever... or whenever which is sooner, by the carrier when the... with the terminated agent. The agent may not write or buy into any new coverage on behalf of the terminating carrier, unless specific written approval is provided. This Bill has been worked on and supported by the Independent Insurance Agents. It's generally a good management, a good business practice. It's supported by many... many of you, I know, have received letters from you const... from your district, and I would appreciate a favorable Roll Call."

Speaker Capparelli: "Is there any discussion? Representative Leverenz."

Leverenz: "Will the Gentleman yield for a question?"

Tate: "Surely..."

Leverenz: "Would he explain his statement just a few seconds ago, the part of which is, 'whenever which is sooner'? Let me... I'll... I'll restate that. In your presentation, where you renew for a year, you used the term, 'whenever which is sooner.' Could you explain that."

Tate: "Yes. What I was referring to, Representative Leverenz, was when, on a contract on 180 days, if they terminate prior to that, on the agent's behalf, or 180 days,



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whichever is the soonest."

Leverenz: "I... does State Farm have a position on this?"

Tate: "They are neutral. No position on it."

Leverenz: "They're my carrier. How about All-State?"

Tate: "No position."

Leverenz: "They're Representative Davis' carrier. How about the independents?"

Tate: "They are in favor of the Bill."

Leverenz: "Why would the big conglomerate be neutral and the independents be for it?"

Tate: "Well..."

Leverenz: "Are they looking for protection?"

Tate: "This only really deals with the agents. They..."

Leverenz: "Could I get you a cigar? Thank you."

Speaker Capparelli: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this Bill. Basically, what's happening is the independent agents are coming before the State Legislature and saying, 'We want you to try and set up the terms of the contract that we're going to have with individual companies.' You probably know that independent agents are suppose to be just that, independent. They can pick a variety of different companies, and they set up an agreement with that company, 'Let me sell your insurance.' And they have a host of them that they can choose on, but apparently they've had some problems with some companies. Rather than try and settle those problems, on a independent basis, they're coming to the Legislature and saying, 'We want you to do it.' It's basically a contractual problem that some people are having with some companies, and they're asking us to solve it for them. I don't think that's the role of the Legislature, and I would advise... or recommend that everybody here vote

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against it. Ask them to solve their own problems out of school. Thank you."

Speaker Capparelli: "Representative Sam Wolf."

Wolf: "Thank you, Mr. Speaker. Would the Sponsor yield to a question? Representative Tate, I... I understand, or I'm given the impression that this is a Bill that's designed to protect or to give some measure of protection to the independent insurance agent. Isn't that correct?"

Tate: "Yes, Representative. I will respond to that question. I will also respond to the last question. Is... is what the Representative from Cook was referring to, is there have been problems in the industry. There are thousands and thousands of agents out there in this state, that are presently have independent insurance agencies. They're small businesses. They need... they don't have the facilities or the wherewithall to... to deal with contract... contractual agreements that a large insurance company would do. And there's a variety of different contracts. What we're essentially doing in this legislation is trying to standardize, give one general policy, for all contractual agreements in the state. Many insurance companies that presently have exactly what's in this Legislation as a policy. We're... it's.. we're trying to implement a good business practice, good management practice."

Wolf: "Thank you. Getting back to a question I would like to propose, and that is, 'Is there anything in this Bill that would address a situation, let's say, where a company isn't... has signed contracts with indepen... independent agents to provide for the very thing that you're talking about, and yet they find a way to circumvent that contract simply by instituting rates for a particular area that are far in excess of what that independent agent can survive

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on?" Is there anything in your Bill that would address that particular situation?"

Tate: "Well, Representative, we really... we don't get into the rating question. That's not the issue here."

Wolf: "Thank you. Thank you, Representative. Mr. Speaker, to the Bill. I rise in support of the Bill, because I think the intent of the Bill is commendable. The only thing is, I don't think that the be... that the Bill goes far enough. I have witnessed and been a party to situations where companies have given the same guarantees that are contained in the Bill that's being proposed here, and yet when you're talking about independent agents, you're talking about agents that represent small communities for the most part. And some companies have an unscrupulous habit of increasing rates in a particular area to the degree that that individual agent cannot compete with agents in the area. I would support the Bill, but I would hope that it could be amended to address the situation that I refer to."

Speaker Capparelli: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I... I support this Bill. What it simply does is, it prevents a... the company from immediately terminating a agents contract. What is happening, if they do terminate the contract, the independent agent can not write any new business with them. They don't have sufficient time to service their customers or are advised that they are no longer writing that business. They don't have a chance to change the person's insurance, maybe to another carrier. Similar states have this type of coverage or a provision in their contract. There's approximately thirteen states that have already endorsed similar type legislation. The independent agent, if a insurance carrier does not want to give a contract to the agent, certainly, they don't have

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to, but this simply affords somewhat of a protection for the independent agent, and also the people that he represents, so that he could properly place the insurance. And it also states that he can not write any new business, so I would urge support of this Bill, House Bill 584."

Speaker Capparelli: "Representative Dwight Friedrich."

Friedrich: "Mr. Speaker, Members of the House, the only value of an insur... independent insurance agency are the renewals, and a company can come in and let an agent work his head off building up a book of business, cancel him out, and become a direct writer, and actually steal the business that this agent has worked up. I think that's the real important part of this Bill."

Speaker Capparelli: "Any further discussion? Representative Tate to close."

Tate: "Well, quite simply, thank you, Mr. Speaker. 584 is a good consumer piece of legislation. Under our present laws a company may directly contact an insured upon a renewal when the agent's contract has been terminated. Illinois has experience times when insurance was difficult to obtain, and the... easiest method for a company to reduce the number of policies written is to terminate agents contracted with. House Bill 584 provides a time for an agent to contact the policy holder, to place the coverage with another company, and protect the interests of the policy holder. I would encourage a fav... favorable Roll Call. Thank you."

Speaker Capparelli: "The question is, 'Shall House Bill 584 pass?' All in favor vote 'aye', all opposed 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 'ayes', 4 'no', 2 voting 'present'. This Bill, receiving the Constitutional Majority, is hereby declared passed. House

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Bill 596. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 596..."

Speaker Capparelli: "Take it out of the record. House Bill 599.  
Clerk, read the Bill."

Clerk O'Brien: "House Bill 599, a Bill for an Act creating the  
Urban Health Commission. Third Reading of..."

Speaker Capparelli: "Take that out of the record. She is not...  
House Bill 604. Representative Koehler. Clerk, read the  
Bill."

Clerk O'Brien: "House Bill 604, a Bill for an Act to amend  
Sections of the Illinois Library System Act. Third Reading  
of the Bill."

Speaker Capparelli: "Representative Koehler."

Koehler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 604, sponsored by Representative Yourell  
and myself, provides that a library system may issue  
interest bearing grant anticipation notes, if the General  
Assembly has appropriated funds for the grants to that  
system. It also provides that the notes shall mature  
within one year, and that the debt outstanding on such  
notes may not exceed 75% of the funds appropriated for  
grants to the system. Amendment #3 clarifies that the  
grant anticipation notes may be issued only after the  
Governor has signed the le... the appropriation Bill into  
law, and the Secretary of State, as state librarian, has  
certified the grants. Grants lag thirty to sixty days  
behind the library systems' fiscal year, which begins on  
July 1st. The Governor frequently does not sign the Bill  
until September. This creates a cash flow problem for  
library systems. This Bill would help correct that  
problem. It came out of Committee on a 13 to 0 vote. I  
would appreciate your favorable Roll Call."

Speaker Capparelli: "Is there any discussion? Representative

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Bowman."

Bowman: "The Lady yield for a question?"

Speaker Capparelli: "The Lady says she will."

Bowman: "Representative, it seemed to me that you were saying that the cash flow problem arises from the fact that the appropriation Bill passes in June, and the Governor doesn't sign the Bill until September, and yet you say that these grant anticipation notes can't be issued until the Governor signs the Bill. How can that help alleviate the cash flow problem?"

Koehler: "There is a certain amount of time there. There would be about thirty to sixty days there when they could draw on this grant anticipation note."

Bowman: "Thirty to sixty days between the time the Governor signs the Bill and the paper..."

Koehler: "Yes, and the funds... funds are released."

Bowman: "Okay. On the other hand, let me ask one further question. Back in December when the Legislature passed the Budget Impalement Act, or whatever we called it, that gave the Governor the authority to withhold or reserve money from grant line items, were the libraries affected by that... granting the Governor that authority?"

Koehler: "Representative Bowman, I... I can not answer that with... I can not answer that."

Bowman: "Okay. Well, Representative and I guess to the Bill, Mr. Speaker. My concern with this is simply that I am afraid that the Governor might withhold monies even though he has signed the appropriation Bill. We have seen this sort of thing happen in the past, and when necessary, he has come to the Legislature and asked for legislation to permit it. And I'm afraid that some of the libraries may be left holding the bag, if they issue these grant anticipation notes, and then..."

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Koehler: "Representative... you have a valid concern there; however, they can only draw up to 75% of the anticipated funds. Therefore, with the... for example, if it were a 2% that they had to withhold, this would not affect them, because they can only draw up to 75% of those funds anyway, and it is to be hoped that they would not have to draw... that they would not have to do this in reality. But this just gives them a tool to deal with a problem that they have had with their cash flow."

Bowman: "And you are absolutely persuaded that under no circumstances the Governor would reserve more than 25% of the library grants."

Koehler: "I am persuaded to that effect, Representative."

Bowman: "And you're trying to persuade us to that. I see."

Koehler: "That is correct."

Bowman: "So we... we should have faith in the Governor. Thank you very much."

Speaker Capparelli: "Representative Yourell."

Yourell: "Just a moment to arise in support of this legislation. I think there are safeguards written into the Bill. And Representative Bowman indicated that he was concerned as to whether the Governor had the right or did in fact indeed use the reserve legislation that we gave to him. But this is not the case with the library system, because the Secretary of State would be the agency that would have had their funds reserved and not the state library. That money eventually comes to them, but I'm convinced that this is good legislation. I've talked with the library people. I've talked with other people, and... and I would hope that you would cast a favorable vote for House Bill 604."

Speaker Capparelli: "Representative Koehler to close."

Koehler: "Thank you very much, Ladies and Gentlemen. I think that we have aired the Bill fav... quite clearly, and I

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would appreciate your favorable vote."

Speaker Capparelli: "The question is, 'Shall House Bill 604 pass?' All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 'ayes', 1 'no', 1 voting 'present'. This Bill, receiving the Constitutional Majority, is here declared passed. House Bill 605. Representative Breslin. Clerk, read the Bill."

Clerk O'Brien: "House Bill 605, a Bill for an Act to amend the Illinois Library System Act. Third Reading of the Bill."

Speaker Capparelli: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 605 allows county libraries systems to qualify for state library grants. At the present time all public library systems qualify for the grant, if they levy at .13%. Unfortunately, county libraries, of which there are only two in the state, are required by law not to levy over .8% (sic - .08%). As a consequence, this legislation allows them to qualify for the state library grant if they levy at .07%, which is, quite frankly, a fair proportion... 07%...07% is a fair proportion to .08%, as .13% is to .15%. 15% is the maximum for all the other public library systems. Happy to answer any questions."

Speaker Capparelli: "Is there any discussion? Representative Ewing. Ewing. Yes, Sir, I recognize you."

Ewing: "Will the Sponsor yield for a question? Now, you say this is a tax increase without a referendum?"

Breslin: "I did not say that, Representative. Referendums are absolutely required for county library systems to... to go to a 7% (sic - .07%) or an 8% (sic - .08%) qualifying factor. And... and not the backdoor... well, let's say it might be a backdoor referendum."



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Ewing: "Well, normally you're... normally I thought you..."

Breslin: "... subject to a backdoor referendum."

Ewing: "I thought normally you used to promote all those Bills without referendums. This is different this time. This does have a referendum. Is that right, Representative?"

Breslin: "Absolutely."

Ewing: "Okay. Thank you."

Breslin: "And that is current law."

Ewing: "Thank you very much."

Speaker Capparelli: "Representative Vinson."

Vinson: "Will the Sponsor... will the Sponsor yield?"

Breslin: "Yes."

Speaker Capparelli: "She indicates she will."

Vinson: "Does this mean that the other library systems... how many other libraries are there in the state that get these grants?"

Breslin: "I have no idea. Hundreds I..."

Vinson: "Will those other libraries get smaller grants, or will more money be appropriated for... for grants totally?"

Breslin: "At the present time, the Secretary of State is requesting \$577,000 for this grant. And it is anticipated that \$480,000 will be needed, so it's expected that the amount of money that these two small rural county library systems would qualify for it would have no affect on any of the other library systems. This.. the..."

Vinson: "So their not taking money away from the other libraries."

Breslin: "Correct. The amount of money to... to my county library system is \$3,000.00. That's how much they would qualify for."

Vinson: "What are the two counties that have county libraries?"

Breslin: "Putnam and Warren."

Vinson: "Putnam and Warren?"

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Breslin: "Correct."

Vinson: "Thank you."

Speaker Capparelli: "Any further discussions? Representative Breslin to close."

Breslin: "I'd appreciate a favorable Roll Call. Thank you."

Speaker Capparelli: "The question is, 'Shall House Bill 605 pass?' All in favor vote 'aye', all opposed 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 'yes', no 'nos', no voting 'present'. This Bill, receiving the Constitutional Majority, is declared passed. House Bill 606. Representative Jaffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 606, a Bill for an Act to create the offense of sex... criminal sexual assault, Third Reading of the Bill."

Speaker Capparelli: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House. House Bill 606 is the product of years of studies of sex offense statutes in Illinois, and it's being presented as a cooperative project of the Illinois House Rape Study Committee, the Illinois Coalition of Women Against Rape, and the Illinois National Organization for Women. House Bill 606 repeals nine sex offense statutes in Illinois and consolidates all types of sexual assault into four gender neutral crimes. The Bill is intended to create statutes which reflect information learned in past decades about the nature of sexual assault and to resolve conflicting case law on this issue. The purpose of the Bill is to increase convictions of sex offenders by creating uniform statutory elements and prov... by providing flexibility in sentencing, and to define sexual assault in the terms of the defendants behavior, rather than the state of mind of the victim. We have repealed nine sex crime statutes and

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created one comprehensive law, which acknowledges that rape encompasses all types of sexual assault committed by both sexes against victims of both sexes and all ages. Sexual assault can not become part... by traditional definitions of rape, devious sexual assault, and incest, as under our current system of nine laws. Although the word rape is no longer a legal term, rape will remain part of our language. If the wor... word rape is used by a party, a witness, or a court official in a trial, it should not be considered an error in trial. Instead of the current confusing array of statutes, this Bill creates a coherent classification system of sex related crimes. The two most serious crimes, the Class X and Class 1 crimes, specifically and exclusively, pertain to sexual penetration, as defined in the Bill. The two other crimes are Class A misdemeanor and Class 2 felony for sexual conduct, which involves only touching or fondling, not sexual penetration or attempted sexual penetration. The sexual conduct crimes are not lesser crimes included in crimes of sexual penetration crimes. For each of the category of crimes, the greater penalty pertains to situations in which aggravating circumstances existed. Aggravating circumstances take into account the dangerousness of the defendant and the vulnerability of the victim. The chief element that the state must prove is that the sexual penetration or sexual conduct was committed by force or threat of force. Force can include physical force, threats to the victim or someone else, such as the victim's child or coercion. Coercion is defined as force, because an accused may use power in intimidation and in some case, his or her position of authority to cause a victim to submit to a sexual assault. One of the purposes of the Bill is to make prosecutions for sexual assault parallel with those for

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other crimes. With all other crimes, the credibility of the victim is not based on whether or not the victim resisted or did not resist the attack of the criminal. The Bill spe... specifically states that resistance by a victim, either physically or verbally, is not required to prove force or threst... or threat of force. Because we recognize the pressure on victims, who prosecute a family member, and the burden on the victim, that burden that the victim carries when the person is perceived as the only remedy to stop the abuse, House Bill 606 allows the court to assess on a case by case basis, whether prison or probation is appropriate. It is our intent that probation should be given only under conditions which insure the safety and protection of the victim assaulted or abused by family members. If the conditions of probation are not followed, the court should impose a prison sentence. I would be happy to answer any questions with regard to this Bill."

Speaker Capparelli: "Is there any discussion? Representative Birkinbine was first."

Birkinbine: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Capparelli: "He says he will."

Birkinbine: "Representative Jaffe, I understood from some of the newspaper articles I read about this Bill, that if a husband were to be charged with spousal rape, by his wife, that the husband would be placed in the position of having to prove his innocence as opposed to the wife having to prove his guilt, and..."

Jaffe: "That's completely and totally false. In all criminal cases, the state must prove the burden beyond reasonable doubt."

Birkinbine: "So that, all those aspects of the Bill that I read

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about were wrong then?"

Jaffe: "Absolutely wrong."

Birkinbine: "Thank you."

Speaker Capparelli: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the major changes of current law in this Bill is to eliminate the requirement in the state's case that they show that the intercourse was against the will of the defendant, of the victim that is. Under the current definition, in the current law, a defendant can raise the defense of consent, and the way he does it is by cross-examining the victim on direct examination... that is on cross-examination. But in the state's case, as to whether or not the intercourse was against the will and questions concerning that issue of consent, certainly, can be asked, because they are within the scope of cross-examination. A proper scope of cross-examination would be defined as the subject matter of direct examination and matters effecting credibility. Now one of the problems, then, when you eliminate this requirement is what happens to the defense of consent. The reason for eliminating, by the way, is to try to wipe out a... some bad case law, in effect, where some judges have construed the requirement to kind of put the burden on the victim to disprove the rape. So I'm in favor of the concept of trying to shift that... that problem that a victim of rape would have. But what we've done, in this Bill, is to define a defense, and we say that a defense is whenever consent is raised as a defense to a charge, either through direct or cross-examination, it can be raised. Now, it's very important for the defendant to have the ability to raise the defense of consent on cross-examination of the victim, and I... it's my understanding that this Bill does

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allow that, even though a court may have to stretch the definition of the proper scope of cross-examination. Because, if the defendant doesn't have the chance to prove his defense of consent on cross-examination, then we are in effect forcing him to testify, and him... he or she to testify. If that person has a previous conviction, what it really means is that the defendant will be found guilty almost automatically, since generally speaking, juries and judges tend to give too much weight to a previous conviction. So I... I hope that it's the understanding of the Sponsors of this Bill, by putting in a... a Section called Defenses, that we are really not trying to change the current law all that much. We're... we're saying that the... the case law, with regard to the current term against the will, is not applicable, and yet, we are at the same time saying that a defendant can raise on cross-examination of the victim, his defense of consent. In general, I would say that this is an excellent Bill. The people, who have supported the Bill, have worked many long hours to clear up problems. It is, in general, a very, very excellent piece of legislation, in that it will allow more flexibility in sentencing, and it will certainly result in fair verdicts. It will result in, perhaps, a... more convictions, and I think, in general, it is an excellent Bill. There is one Amendment that I would hope to be added in the Senate, with regard to the competency of people to testify, who are under age, and I anticipate that that will be added. With that addition, I think it will be a very fine Bill."

Speaker Capparelli: "Representative Vinson."

Vinson: "Will the Sponsor yield?"

Speaker Capparelli: "Says he will."

Vinson: "Representative, under your Bill is the current crime,

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incest, abolished and dealt with in some other fashion in the Bill?"

Jaffe: "Ye... yes, it is... yes, it is abolished, and it's dealt under a statute of the Bill that... you know, what we do is we abolish a lot of different titles, Sam. We abolish the title, rape. We abolish the title, incest, and we feel that with that type of situation, as I've indicated in my preparatory remarks, in an entirely different fashion. We rec... we recognize the dynamics of the interfamilial sexual assault and special pre... pressures on child victims, and this Bill provides for greater flexibility in sentencing, in cases of criminal sexual assault or criminal sexual assault with aggravating circumstances, which is committed by a family member."

Vinson: "Where in the Bill is the... the... what we traditionally think of the offense of incest located?"

Jaffe: "You want... you want... you want to know the line number. I'll get it for you in one moment. Well, actually, the Class 1 felony is the incest, Sam. I will... I can find you the exact place in the Bill, but as you know the Bill is rather thick."

Vinson: "Well, here's my... here is what the question that I really want to get to and I... I really want an answer on this before I vote. But my concern is that you adopted Amendment #8, I believe, to the Bill, and I suspect that the way in which Amendment #8 worked on the definition of a family member, that it may impact on the elements of incest."

Jaffe: "Okay. Let me just explain to you that Amendment #8 was offered at the suggestion of Representative Breslin, because we wanted to tighten up the language with regard to family member, and that specifically said that a person who holds a family relationship with a child is a family

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member, to require that person to have resided in the household of the child continuously for one year. We didn't want other people taking advantage of that particular situation. In other words if... if an individual was living with someone else for a period of a week or two weeks, we certainly didn't want them to get the probation. So what we're talking about is the family member, and we've defined it and tightened it up in Amendment #8."

Vinson: "Okay. Let me ask... let me ask the question this way. Under your Bill, as amended, if a parent has sex with a minor dependent child, is that parent guilty of the crime of incest or whatever you replaced the title with..."

Jaffe: "Well, we've replaced the title with..."

Vinson: "... even... even if they haven't live continuously in the house for a year?"

Jaffe: "Oh, absolutely, absolutely. No question about it. That..."

Vinson: "Okay. That Amendment #8 did not affect that."

Jaffe: "That did not affect that at all."

Vinson: "Okay."

Speaker Capparelli: "Are you through Mr. Vinson? Just wanted to... Representative Dwight Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Capparelli: "I beg your pardon Sir?"

Friedrich: "Would the Sponsor yield?"

Speaker Capparelli: "Yes, he will."

Friedrich: "This is really a serious matter that... and it's really difficult for some of us, who did not hear the Bill in Committee, and it... both the Bill and the anal... analysis is lengthy, but there's a statement in my analysis I'd like to have you respond to. It says, 'The inclusion of spousal criminal liability is not just for rape type



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conduct, but can involve even a fondling. If a husband; however, clumsily wishes to make up by forcing a hugging on his wife, he can be guilty of criminal sexual abuse.' Have we gone that far?"

Jaffe: "Well..."

Friedrich: "Is that your statement?"

Jaffe: "... I didn't... I couldn't hear your statement. Could you repeat it?"

Friedrich: "Well, my state was if a husband even clumsily or otherwise forces a hugging on his wife, he could be guilty of a criminal sexual abuse."

Jaffe: "No, no. That... that's... that is not correct. You know, there has to be... there has to be an intent. There has to be force. There has to be another of other things that are involved here, Dwight. I think that your... there has to be penetration, as far..."

Friedrich: "This says that even by a man hugging his wife, forcing... trying to make up that he can be actually guilty of sex abuse."

Jaffe: "No, no. You're... you're really stretching it. No, that can't be the case."

Friedrich: "Well, I'm... I'm reading the analysis. I'm not... I'm serious, Senator..."

Jaffe: "I know that you are, but I think that your analysis is... is far wrong, and in addition I would tell you that we offered a number of Amendments, which tighten up the language. So I don't think that's the case."

Friedrich: "Okay. Well, on... on the Bill. I... I think forcible rape is a most despicable crime that could be committed, but I would not like to make the solution so open that all somebody has to do is point their finger at somebody and ruin their life. And I think you've opened it up to the point where there is absolutely no defense, if

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someone says that you force your attentions on them. Now I... I... I know what... your motives are good, but I... I believe that you've gone so far that you will ruin a lot of people's life because some unethical person, vicious person possibly in some cases, deliberately set out to ruin a man's life."

Speaker Capparelli: "Represent... Representative Van Duyne."

Van Duyne: "I move the previous question."

Speaker Capparelli: "Gentleman had moved the previous question. All in favor say 'aye', opposed... 'ayes' have it. Mr. Jaffe to close."

Jaffe: "Yeah, Mr. Speaker, I would just like to say in response to the last speaker, that I think that he's wrong in... in what he's saying. This Bill has been tightened up by going through the... through the various state's attorneys organizations. We've worked with them. We have worked with the State Bar Association. We've worked with a number of people. I think at the present time the Bill is in excellent shape and deserves and 'aye' vote, and I would urge one."

Speaker Capparelli: "On this... on House Bill 606, the question is, 'Shall House Bill 606 pass?' All in favor vote 'aye', opposed 'nay'. Representative Wojcik to explain her vote."

Wojcik: "Mr. Speaker and Members of the House, I do have to explain my vote. I reluctantly vote 'yes', because of my concern regarding spousal rape. My feeling in today's society is that we are too quick to claim rape, with our husbands or wives because of the freedom that we're facing. I would certainly of liked to have seen an Amendment or to see the spouse face a battery charge. If a man is accused of raping his wife, he's going to be behind bars for six years. If he had battery, it would not be as severe. I do not believe that once you take the marriage bond that a

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wife can claim rape. Thank you."

Speaker Capparelli: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 'ayes', 4 'nos', 2 votes of 'pres... 2 voting 'present'. This Bill, receiving the Constitutional Majority, is declared passed." House Bill 607. Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "House Bill 607, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Capparelli: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 607 is a result of last year's Public Act 82-107, which requires a school, a public school employer, when voluntarily recognizing an exclusive bargaining representative, to send written notices of the recognition to the regional superintendent for certification. Now the re... regional superintendent of cer... of schools is responsible for conducting..."

Speaker Capparelli: "Mr. Yourell in the chair."

Giorgi: "... for col... for conducting collective bargaining elections. I urge the support of this Bill."

Speaker Yourell: "Yourell in the chair. Is there discussion? Being no discussion, the question is, 'Shall House Bill 607 pass?' All those in favor will signify by the usual sign of 'aye', opposed will be voting 'no'. Have all voted who wish? Have all voted who wish? Okay. On this question, there are 112 'ayes', 5 voting 'no', and the Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order... on the Calendar on the Order of Third Reading is House Bill 609. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 609, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Yourell: "Mr. Davis."

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Davis: "Well, thank you, Mr. Speaker. House Bill 609 some years ago, Members of the House, this General Assembly put into the resource equalizer formula distribution mechanism a 35% maximum gain in any one given year. This Bill simply repeals that, since it's... it's become somewhat if not an outright anachronism. It's no longer necessary. In the some thousand odd school districts now, there are only five currently that we can find that would be effected by this 35% limitation in gain. One of them happens to be in my district. That's where the Bill came from. One is in Representative Richmond's, Representative Hick's, Representative Wolf's, and Representative Flinn's district. What happens, occasionally now, and I don't expect it will be often, and in my district let me just explain that to you very quickly, is that there were immigration... the United States Immigration Service relocated some 60 Laotian children into a very small school district in Crest Hill, Illinois. There is no way that that school district, under the ABA formula will ever be able to recapture in any given year, the impact of that... that large number of students coming into a small district with some 300 members. And when a plant leaves a district or some dramatic change in assessed valuation occur, the same thing happens, and that's with Representative Hick's district. So IOE is in favor of this Bill, the School Problems Commission is in favor of this Bill. I don't think anybody really opposes it, and it will alleviate some of the problems of impaction in only five school districts of the some one thousand odd that are currently in the state. And I would move for its passage, Sir."

Speaker Yourell: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. Just to confirm Representative Davis' statement, there is no need for the 35% limitation in the formula anymore. It was put in originally when we phased it in over four years to limit the amount of gain any one district could make, and I concur with the Sponsor of this legislation and will vote 'yes'."

Speaker Yourell: "Is there further discussion? If not the Gentleman from Will, Mr. Davis to close. I'm sorry, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Yourell: "Sponsor indicates he'll yield."

Dunn: "I'm a downstater. What's this do to my school district?"

Davis: "There should be no impact, Representative Dunn."

Dunn: "Thank you very much."

Speaker Yourell: "Do you wish to close Representative Davis?"

Davis: "No."

Speaker Yourell: "Somebody else. The Gentleman... the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I think the response to a question was very inaccurate. Obviously, whatever amount there is in the distributive aid formula has to be divided among all of the districts in the state. When one district qualifies for more, the other districts qualify for less. I don't think that we can deny that. To say that this Bill will have no effect on Representative Dunn's District or any other district in the state is absolutely false. It has to have an effect on every district, other than the ones who benefit by this elimination of a 35% increase."

Speaker Yourell: "The Gentleman from Fulton, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Yourell: "He indicates he'll yield."

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Homer: "Representative Davis, are you familiar with House Bill 818, which previously passed through the House? This is the Bill that would allow any school district to assess valuation drop more than 20% to rely upon the pre.. the..."

Speaker Yourell: "Excuse me, for a moment, Representative Homer. Does Representative Barger wish to be recognized? Continue Representative Homer."

Homer: "Thank you."

Speaker Yourell: "Continue Representative Homer."

Homer: "Thank you. Is the Sponsor aware the provision of House Bill 818?"

Davis: "No. No."

Homer: "All right. To... to the Bill. I rise in support of this Bill. This Legislature, two weeks ago, passed out House Bill 818, 818, which would al... which would provide relief to school districts who lost more that 20% of their assessed valuation in any one year. In order for that Bill to be fully implemented, we must simply also have this Bill adopted, which fully compliments a previous act of this Legislature. Without this Bill, then we would frustrate the intent of House Bill 818, and I think that the school districts that have experienced plant closings, the school districts that suffered from the implementation of the Farm Land Assessment Bill, to the extent that their assessed valuation dropped by more than 20%, simply must have the relief that's afforded in this Bill, and I would urge a favorable passage of House Bill 609."

Speaker Yourell: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Mr. Speaker, Members of the House, House Bill 609 does affect a community, my community specifically. To give you an example, we have an industry that their assessed valuation was protested and changed that assessed

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valuation from \$11,000,000.00 to \$5,000,000.00. A direct effect upon a small school in my community is basically going to put them out of business. \$100,000.00 they lost this year. That's the why... that's why the need for this effects only a few schools but is needed, and I would ask for an 'aye' vote."

Speaker Yourell: "Is there further discussion? If not Representative Davis to close."

Davis: "Well, thank you, Mr. Speaker. I apologize to Representative Dunn, and thank Representative Satterthwaite. Obviously there is some negligible impact. The impact is less than two hundredths of one percent throughout the state. There is a ripple effect, obviously, and I was, perhaps, I erred in saying that there was no impact. The impact is negligible. With that, I simply believe this to be the time to do this. I think that everyone will agree in reflection, and I ask for your 'aye' vote."

Yourell: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', those opposed will be voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 'ayes', 3 voting 'no'. The Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar, on the Order of Third Reading, appears House Bill 610. The Chair recognizes Representative Matijevich."

Clerk O'Brien: "House Bill 610, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Matijevich: "Speaker, Ladies and Gentlemen, House Bill 610 increases the minimum number of unused days of sick leave school employees are allowed to accumulate, 90 to 100 days. Most school districts presently allow sick leave accumulation well above the 90 day minimum the statutes

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guarantee, and many allow either 180 days and some allow unlimited accumulation. Employees most harmed by the statutory limit are those employed in districts that refuse to collectively bargain. The employees, under House Bill 610, would have the additional protection of sick leave, if ever necessary. This Bill was proposed by the Illinois Education Association, and I would appreciate your favorable support."

Speaker Yourell: "Is there discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Yourell: "He indicates he'll yield."

Cullerton: "What... does this mean that we're going from three months or two and one half months to five months? John, 180 days would that be five months? Six months?"

Matijevich: "Six months."

Cullerton: "Half a year?"

Matijevich: "Yeah. But that really doesn't mean anything if we don't pass the Pension Bill, you know, that's the one that is a companion Bill, and that's in Interim Study. This just allows to make sure that someone, if they have those days accumulated, they could at least have those days, if they ever become sick. And also, the way it is now, once someone reaches that number of 90 days, they may just go out and be sick, when they're really not sick. So this is that protection to the school district too."

Cullerton: "Oh... they have to show that they... they have to bring a note from their doctor to show that..."

Matijevich: "Oh, yeah."

Cullerton: "They have to sign an affidavit saying that they're sick?"

Matijevich: "Oh, sure. We always do that in school. Remember? Teacher, I'm sick."



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Cullerton: "Does this refer to work days or calendar days?"

Matijevich: "I'm not sure, but I believe they're work days,  
John."

Cullerton: "Work days, so that would be like a whole year. So if  
you've accumulated over the period of time, working as a  
teacher, if you've accumulated 180 days, then you could  
take a whole year off with pay, in effect?"

Matijevich: "Well, right now..."

Cullerton: "If you were sick."

Matijevich: "Right now we've got a 90 day, as you know,  
limitation."

Cullerton: "Well, if you're not in favor of the 90 days, then you  
wouldn't be in favor of the 180 days."

Matijevich: "I'm... I'm in favor of this one."

Cullerton: "Okay. I understand that Chicago teachers..."

Matijevich: "Chicago is not included, as you know."

Cullerton: "Chicago teachers get even more than this. Isn't that  
right?"

Matijevich: "I... I don't know. I asked the IAA, and they  
weren't certain. I'm sure that's... I'm sure that's why  
they didn't want to be included in the Bill."

Cullerton: "And this is... this is... the purpose of this is to  
make teachers competitive with private industry."

Matijevich: "Oh, sure."

Cullerton: "Okay. Thank you very much."

Speaker Yourell: "The Gentleman from Kendall, Mr. Hastert."

Hastert: "Mr. Speaker and Ladies and Gentlemen of the House, just  
to clarify this Bill. I was a teacher for a lot of years,  
didn't take any sick days, and at the end of twelve years,  
we turned ten days back every year. Okay. All this would  
say that if I was ill, it really rewards teachers who don't  
take sick days. If I was ill, a prolonged illness in bed,  
couldn't work, that this would cover that period of time

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also, and I could apply that to a time of prolonged illness. It wouldn't be taking any vacation."

Speaker Yourell: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, one question. Why is Chicago excluded?"

Speaker Yourell: "The Gentleman indicates he'll yield."

Matijevich: "I... I think Chicago is excluded because they even get more than that. I'm not positive, but I think that's probably the case."

Brummer: "Well, this legislation does not limit the number of days, does it? It... it... it requires that they be allowed to accumulate up to that many. With a collective bargaining agreement, the school district could agree to accumulate more than this amount."

Matijevich: "Yeah, I think Chicago's through their collective bargaining agreement is probably... they may have an unlimited accumulation. As I said, I'm not sure, but since they are not, did not want to get included in this Bill, I just presume that's probably the case."

Brummer: "Thank you."

Speaker Yourell: "The Lady from DuPage, Ne... Representative Nelson."

Nelson: "Thank you. I have a question for the Sponsor."

Speaker Yourell: "The Gentleman indicates he'll yield."

Nelson: "Some of my other questions were asked by previous Representatives, but I wanted to clear up one point. Would it not be possible for a school district, Representative Matijevich, to save money because older teachers, who would be hired up on the salary scale, might retire earlier, those teachers, who had accumulated sick leave?"

Matijevich: "I think the school districts could actually save in that way, plus the fact, as I said, because someone would really have the protection of accumulating days, then would

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not just take days off, and then the school district have to hire substitute teachers. So in both those instances, the one you have just said, I think you're right, that some of the older teachers would take an early retirement."

Nelson: "Thank you. And is it your companion Bill that would actually cost the state money?"

Matijevich: "The companion Bill is in Interim Study. That did have some cost implications that..."

Nelson: "Thank you."

Matijevich: "Couldn't pass it."

Speaker Yourell: "The Gentleman from McLean, Representative Ropp."

Ropp: "Would the Sponsor yield please?"

Speaker Yourell: "The Gentleman indicates he'll yield."

Ropp: "Yes, Mr. Speaker, to the Sponsor. Does this in any way take away some responsibility by local school boards? Or... this is not permissive, is it?"

Matijevich: "No, this would... this would mandate by statute what most of them are doing right now. But it is giving the protection by statute that those districts, many of which are small districts, and don't... don't have somebody to collectively bargain for them. So it... it is a statutory protection that other districts already have through their collective bargaining agreements."

Ropp: "Okay. If collective bargaining becomes a reality in this state, will this law have any effect on that or will this be a mute Bill?"

Matijevich: "Well, the law would be on the books. It may be mu... mute because I'm sure that collectively... collective bargaining will put everything on the table then, and it will pass, by the way, this House anyway."

Speaker Yourell: "The Gentleman from DuPage, Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 610 changes the minimum that school districts are required to provide for a sick leave from 90 days to 180 days. Now, under present law, all school districts must allow an accumulation to 90 days, and anything beyond that is negotiated locally. In effect, what is taking place here, in this Bill is that the General Assembly is being used by those people who would negotiate for employees covered by the school code to move from 90 days to 180 days, if they don't have it. And so in effect, what... what you're being asked to do is to make decisions that local school boards, for one reason or another, have chosen not to make locally. Now, this only allows for accumulation of sick leave. It doesn't provide for anything else other than simply to be allowed to accumulate from 90 days to 180 days. I've been in the teaching business for over a quarter of a century, and when you add the accumulation of... of ten days, I've taken very few days of sick leave, but the matter of the fact is sick leave is intended for people who are sick. It is not intended to be used for other purposes. And I think the key to this particular Bill is the fact that we in effect, as the Sponsor admitted, are being asked as a Body to make a decision, which has been made in many school districts through the negotiation process, and this is one item that we've been asked as a legislative Body, in effect, to negotiate for, on behalf of the employees of school districts. I, for one, don't think that ought to be our function, to the degree that it has been, and for that reason, and that reason alone, I'm going to vote 'no'."

Speaker Yourell: "The Gentleman from Madison, Representative Wolf."

Wolf: "Mr. Speaker, I move the previous question."

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Speaker Yourell: "Previous... previous question is moved. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. The previous question is moved. The Chair recognizes Representative Matijevich to close."

Matijevich: "Speaker, the fact is, and I live right near the Great Lakes Naval Training Center, and if you have a limit, and you tell em... public employees that they are going to lose their sick leave days, I don't care who they are, where they're teachers or whom, they're going to say, 'I'm not going to lose something, even though we know that the reason for it, is for being sick.' They're going to find a way of being sick. You and I know that. So I think this affords that protection, and in fact will keep people working. And I think it is a policy that we ought to write into our law. Many now, as I said, have either this minimum or unlimited accumulation to collective bargaining agreements; and therefore, I believe the rest ought to have that type of policy. And I ask for your support."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 84 voting 'aye', 24 voting 'no'. This Bill having...Record Representative Oblinger as 'aye'. 85 voting 'aye', 25 voting 'no'. This Bill, having received a Constitutional Majority, hereby declared passed. The Chair is preparing to wind down now, and are there any announcements? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. House Appropriations II Committee will meet tomorrow morning at 9 o'clock instead of the posted hour of 8 o'clock. We will be meeting at 9 o'clock in Room 118. Thank you."

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Speaker Yourell: "The Gentleman from Cook, Representative Leverenz.

Leverenz: "Purpose of announcement. The Appropriations Committee, Appropriations I, will meet at 8 a.m. 8 o'clock, Member Bills, 114. We will not be on the House floor. Thank you.

Speaker Yourell: "The Gentleman from Dupage, Representative Barger.

Barger: "I'd just like to take the opportunity to state that at least one of my cohorts has very good taste. Thank you."

Speaker Yourell: "I agree with that. The Gentleman from Madison, Representative McPike."

McPike: "Mr. Clerk, do you need any time? Allowing the Clerk five minutes Perfunctory, I move that the House stands adjourned until tomorrow at the hour of 11 a.m."

Speaker Yourell: "All those in favor signify by saying 'aye', opposed, 'no'. The 'ayes' have it. The House is adjourned til 11?"

McPike: "11 a.m., 11."

Speaker Yourell: "11 a.m. tomorrow.

Clerk O'Brien: "Corrected Committee Reports. Representative Domico, Chairman of the Committee on Registration and Regulation, to which the following Bills were referred, action taken May 4, 1983, reported the same back with the following recommendation: 'Interim Study Calendars' House Bill 1258, 937...937, 508 and 66 to 'Interim Study'. Representative Domico, Chairman of the Committee on Registration and Regulation, to which the following Bill was referred, action taken April 27, 1983, reported the same back with the following recommendation: 'do pass as amended, Short Debate' House Bill 1090. Representative Domico, Chairman from the Committee on Registration and Regulation, to which the following Bill was referred,

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action taken May 4, 1983, reported the same back with the following recommendation: 'Interim Study Calendar' House Bill 1168. Representative Giglio, Chairman of the Committee on Cities and Villages, to which the following Bills were referred, action taken May 5, 1983, reported the same back with the following recommendation: 'Interim Study Calendar' House Bill 2226. Representative Van Duyne, Chairman of the Committee on Energy, Environment and Natural Resources, to which the following Bills were referred, action taken May 6, 1983, reported the same back with the following recommendation: 'Interim Study Calendar' House Bill 850. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bill was referred, action taken May 5, 1983, reported the same back with the following recommendation: 'Interim Study Calendar' House Bill 1801. Representative Mulcahey, Chairman of the Committee on Elementary and Secondary Education, to which the following Bills were...Bill was referred, action taken May 5, 1983, reported the same back with the following recommendation: 'Tabled pursuant to Rule 26D' House Bill 287. No further business, the House now stands adjourned.

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