

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

119th Legislative Day

May 16, 1984

Speaker McPike: "The House will come to order. The House will come to order. The Members will be in their seats. The Chaplain for today will be Reverend Harold Simpkins, Jr., Pastor of Nokomis United Methodist Church of Nokomis, Illinois. Reverend Simpkins is a guest of Representative Josephine Oblinger. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Simpkins: "Let us pray. Oh God, we pause to remember You as the Giver of all good gifts. For the gifts of service and caring, for the needs and well being of others, we give You thanks. Help us in the affairs of this day's activities from saying one thing with our words and another with our deeds. Keep us from criticizing others for their shortcomings when we allow these same weaknesses to prevail in ourselves. Keep us from demanding from others that which we ourselves make no honest effort to fulfill. Grant to us this day, Oh God, our Father, the humility which realizes its ignorance, admits its mistakes, accepts rebuke, welcomes advice and recognizes its need. Save us from pride in our knowledge as we think about the wisdom which You have yet for us to discern. Save us from pride in our achievements, and help us to remember all that we still have to do. And save us from pride in our performance and help us to remember how far short of perfection we must come in terms of our best efforts. Help us to be faithful to the tasks and the opportunities of service this day, for we pray in the name of Him who brings grace and blessings to one and all of His children, God, the loving One. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

Ropp - et al: "I pledge allegiance to the flag of the United

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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. 111 Members answering
the Roll Call, a quorum is present. Representative
Greiman. Representative Vinson, do you have any excused
absences? None. Thank you. Representative Greiman,
excused absences?"

Greiman: "Yes, thank you, Mr. Speaker. We're advised that
Representative Vitek is excused this morning."

Speaker McPike: "Thank you. Representative Matijevich."

Matijevich: "Yes. We need the Rules Committee in the Speaker's
Conference Room right away. We're trying to get a quorum,
and, Sam, if you could round a few just to make that
quorum, I'd appreciate it."

Speaker McPike: "Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if we could have your
attention. Mr Clerk, do you have a communication to be
read?"

Clerk O'Brien: "May 14, 1984. Honorable Michael Madigan, Speaker
of the House of Representatives, Springfield, Illinois.
'Dear Speaker Madigan, please accept my resignation from
the House of Representatives effective May 16, 1984. Harry
'Bus' Yourell.'"

Speaker Madigan: "Mr. Clerk, have you received the communication
from the Representative Committee in the 27th District?"

Clerk O'Brien: "Certificate of appointment to fill a vacancy in
Representative District Office. 'Whereas a vacancy has
occurred in the Office of Representative of the General
Assembly of the 27th Representative District of Illinois by
reason of resignation of Harry 'Bus' Yourell, the duly
elected officer of the Democrat Party of the 27th
Representative District of Illinois; and whereas,

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Representative Committee of the Democrat Party of the 27th Representative District has met and voted to fill a vacancy in said office as required by Section 25-6 of Chapter 46 of the Illinois revised statute 1983. Therefore, be it resolved by the Representative Committee of the Democrat Party of the 27th Representative District of Illinois hereby appoints John J. McNamara of 8815 South Mobile Avenue, Oak Lawn, Illinois, a Member of the Democrat Party to the Office of Representative of the General Assembly of the 27th Representative District of Illinois."

Speaker Madigan: "Pursuant to the action of the Representative Committee in the 27th Representative District, Mr. John J. McNamara will now be sworn in as a State Representative from that District. He shall be administered the Oath of Office by Judge Jean Scott of Sangamon County. So Mr. McNamara, if you would come to the podium, and the Chair will recognize Judge Scott of Sangamon County."

Judge Scott: "Would you raise your right hand and repeat? I, state your name, do solemnly swear..."

McNamara: "I, John McNamara, do solemnly swear..."

Judge Scott: "...that I will support the Constitution of the United States..."

McNamara: "...that I will support the Constitution of the United States..."

Judge Scott: "... and the Constitution of the State of Illinois... "

McNamara: "... and the Constitution of the State of Illinois... "

Judge Scott: "... and that I will faithfully discharge the duties... "

McNamara: "... and that I will faithfully discharge the duties...
"

Judge Scott: "... of Representative of the 27th District... "

McNamara: "... of Representative of the 27th District... "

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Judge Scott: "... of the State of Illinois..."

McNamara: "... of the State of Illinois..."

Judge Scott: "... to the best of my ability."

McNamara: "... to the best of my ability."

Speaker Madigan: "Let me introduce to the Body, Representative
John McNamara."

McNamara: "I'm very happy to be here, and I must say that I'm
very appreciative and have a deep respect for the work that
Harry 'Bus' Yourell has done in the past 18 years in this
House. He has represented his district well. He has done
very well for all of us. I only hope to do as good a job.
I will promise to work hard for all the residents of the
27th Representative District. Thank you."

Speaker Madigan: "Mr. Clerk.... For what purpose does
Representative Dwight Friedrich seek recognition?"

Friedrich: "On a point of personal privilege."

Speaker Madigan: "Proceed, Sir."

Friedrich: "Through the years I have complained, by the previous
Speakers, of never knowing when the Sessions were going to
be held, when they were called, when we were going to get
to home and everything else. So, Speaker Madigan, I want
to compliment you for putting this program into effect, and
I think it's worked well. I apologize to the Membership
for not being here at 9:00 this morning, but we have been
able to depend on your schedule, and I personally
appreciate that."

Speaker Madigan: "Thank you, Mr. Friedrich. Mr. Clerk, would you
go to the Order of the Consent Calendar on page 27?"

Clerk O'Brien: "Consent Calendar Third Reading, Second Day.
House Bill 2496, a Bill for an Act to amend the County Jail
Good Behavior Allowance Act. Third Reading of the Bill.
House Bill 2499, a Bill for an Act to amend the Religious
and Charitable Risk Pooling Trust Act. Third Reading of

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the Bill. House Bill 2500, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 2622, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 2784, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 2813, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill. House Bill 2896, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 2913, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 2917, a Bill for an Act to amend the Township Law. Third Reading of the Bill. House Bill 2936, a Bill for an Act to amend an Act in relation to the official reports and decisions of the Supreme Court and Appellate Courts. Third Reading of the Bill. House Bill 3061, a Bill for an Act to amend the Probate Act. Third Reading of the Bill. House Bill 3087, a Bill for an Act to amend an Act in relation to the financing of rail freight services in Illinois. Third Reading of the Bill. House Bill 3089, a Bill for an Act in relation to the reimbursement of counties for the salaries of assistant state's attorneys. Third Reading of the Bill. House Bill 3090, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 3120, a Bill for an Act to amend the Health Maintenance Organization Act. Third Reading of the Bill. House Bill 3263, a Bill for an Act concerning the Will County Forest Preserve District. Third Reading of the Bill."

Speaker Madigan: "The question is, 'Shall these Bills pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. This is a Third Reading Final Passage Roll Call on the Order of the Consent Calendar. This is final action. Third Reading on the Order of the

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Consent Calendar. Mr. McNamara, did you wish to cast your first vote? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 'ayes', no one voting 'no'. These Bills, having received a Constitutional Majority, are hereby declared passed. On page two of the Calendar, we have noticed the Members that there shall be a Special Order of Business today at 2:00 p.m., and the subject matter would be consideration of HJR 123. I wish to inform the Members that when we reach that time of the day, that that matter will be postponed until approximately 4:30 or 5:00 today. So, the Calendar tells you that we shall go to the Order of the Consideration of the Appointment of the Auditor General at 2:00. I wish to tell you that when we do reach the hour of 2:00, that matter will be postponed until later in the afternoon, maybe 4:00 or 5:00. And on the Order of House Bills Second Reading, Short Debate Calendar, there appears House Bill 877, Mr. Levin. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 877, a Bill for an Act relating to asbestos material in schools and amending Acts herein named. Second Reading of the Bill. No Committee Amendments. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 968, Mr. Stuffle. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 1528, Mr. O'Connell. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1528, a Bill for an Act in relationship

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to property tax homestead exemptions. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, O'Connell, amends House Bill 1528."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Mr. Speaker, could I take this out of the record in deference to Representative Stuffle?"

Speaker Madigan: "This Bill shall be temporarily taken out of the record. House Bill 1546, Mr. Jaffe. Is Mr. Jaffe in the chamber? House Bill 1726, Mr. Terzich. Is Mr. Terzich in the chamber? House Bill 2738, Mr. Richmond. Is Mr. Richmond in the chamber? House Bill 2761, Mr. Ewing. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2761, a Bill for an Act to amend the Soil and Water Conservation Districts Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Ewing, amends House Bill 2761."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment... Are we on Amendment 1 or 2? 2? Amendment #1 to this Act merely adds the word that the provisions of the Local Governmental and Governmental Employees Tort Immunity Act shall apply to all soil and water conservation districts. This is some security for the directors of these voluntary districts. They serve without pay and without any remuneration, and they would like to make it absolutely clear that they are covered under the Tort Immunity Act. And I would ask for the favorable approval of this Amendment."

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Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. The Chair recognizes Mr. Cullerton."

Cullerton: "Will the Sponsor yield? Is Amendment #1 identical to House Bill 2907, sponsored by Representative Vinson?"

Ewing: "Representative who?"

Cullerton: "Vinson."

Ewing: "I don't believe so."

Cullerton: "Our analysis indicated that."

Ewing: "I'm sorry. Yes, it was a Bill, but I don't know that that Bill was ever introduced."

Cullerton: "It was introduced, and it was not reported favorably out of the Rules Committee."

Ewing: "It was not reported as an emergency, but this is... this is the same provision... could be the same provision that was included in that Bill."

Cullerton: "So basically what the Amendment does is to say that the Local Government and Governmental Employees Tort Immunity Act would apply to... to whom?"

Ewing: "To the soil and water conservation districts. These directors of the soil and water conservation district normally are local farmers. Some of them are landowners, and they are concerned that the Act should specify that they are subject to the immunities so that if they are ever sued individually, that their own personal holdings will not be subject to liens if there is a judgment against them. They serve, as I said, without any remuneration or any pay, and they just want that security."

Cullerton: "Now, are you going to introduce other Amendments to this Bill, or is this the only one?"

Ewing: "There is the other Amendment, which I cleared with your staff."

Cullerton: "Right. Okay, fine. Thank you very much."

Ewing: "That's all."

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Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Ewing, amends House Bill 2761."

Speaker Madigan: "Mr. Ewing."

Ewing: "Amendment #2 is an Amendment which allows these directors of the soil and water conservation districts or these districts to borrow money which is deemed proper for the conduct of their business. There's a limitation on it in the amount that the funds which the directors can borrow cannot exceed that which they can reasonably anticipate. They will have the funds to repay. The soil and water conservation districts did not have a taxing power. They do have some fee money. They do have some money from the State Department of Agriculture, and they do have some support from county government. So whatever they might borrow would have to be within the limits that they could pay back from their current revenues. There's no additional taxing authority along with this power."

Speaker Madigan: "The Gentleman has moved for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Richmond? Mr. Richmond indicates he does not wish to call House Bill 2738. Is there leave that House Bill 2761 shall remain on the Order of Short Debate? Leave is granted. House Bill 2783, Mr. Capparelli. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2783, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee

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Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Yourell, amends House Bill 2783."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Mr. Speaker, Amendment #1, in drafting the Bill, they left out one line which does not change the intent of the Bill at all, and I ask to adopt Amendment #1."

Speaker Madigan: "The Gentleman moves for the adoption if Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2858, Mr. Homer. The Gentleman indicates he does not wish to call his Bill. Is there leave that House Bill 2783 remain on the Order of the Short Debate Calendar? Leave is granted. House Bill 2892, Mr. Steczo. The Gentleman indicates he does not wish to call his Bill. House Bill 2911, Mr. Byder. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2911, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2927, Mr. Hallock. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2927, a Bill for an Act to amend the Unified Code of Corrections."

Speaker Madigan: "Are there any Committee Amendments? Mr. Hallock... Mr. Hallock, the Bill is not in the well. The Bill, physically, is not in the well. However, the Bill will appear on the Order of the Consent Calendar tomorrow."

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So maybe we could just pass the Bill for now and that the Bill shall not be called. House Bill 2962, Mr. Keane. The Gentleman indicates he does not wish to call his Bill. House Bill 3067, Mr. Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3067, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Olson - Laurino, amends House Bill 3067."

Speaker Madigan: "Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is merely a redraft of a technically flawed Amendment #1, which was offered in Committee, and I move for its passage."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. For what purpose does Mr. Cullerton seek recognition?"

Cullerton: "I believe that the Gentleman should... There is no need for you to table #1, because #2 strikes everything."

Olson: "Yes."

Cullerton: "Okay, fine. Thank you."

Speaker Madigan: "The question is, 'Shall Amendment #2 be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3091, Mr. Ryder. Mr. Ryder. The Gentleman indicates he does not wish to call his Bill. Is there leave that House Bill 3067 remain on the Order of the Short Debate Calendar? Leave is

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granted. House Bill 3127, Mr. Hannig. The Gentleman indicates he does not wish to call this Bill. House Bill 3141, Mr. Kirkland. The Gentleman indicates he does not wish to call this Bill. House Bill 3192, Mr. Curran. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3192, a Bill for an Act in relationship to civil rights of hearing impaired individuals. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 3212, Mr. Cullerton. The Gentleman indicates he does not wish to call his Bill. On the Order of House Bills Second Reading, there appears House Bill 315, Mr. Yourell. Mr. Cullerton, do we wish to move this Bill to Third Reading? Mr. Cullerton, do we wish to move this Bill to Third Reading?"

Cullerton: "Yes, there is an Amendment offered by Representative Vinson; and, assuming he withdraws that Amendment, we should have no problem moving this Bill to Third."

Speaker Madigan: "Is Mr. Vinson on the floor? Mr. Cullerton, let's pass this Bill until Mr. Vinson is on the floor, and then we can return to it. House Bill 328, Mr. Hallock. Is Mr. Hallock on the floor? The Gentleman indicates he does not wish to call his Bill. House Bill 338, Mr. Stuffle. The Gentleman indicates he does not wish to call his Bill. House Bill 704, Representative Younge. The Lady indicates she does not wish to call her Bill. House Bill 713, Mr. Pierce. The Gentleman indicates he does not wish to call his Bill. House Bill 1004, Representative Younge. The Lady indicates she does not wish to call her Bill. House Bill 1210, Mr. LeFlore. Mr. LeFlore. Mr. LeFlore, did you wish to call this Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 1211, Mr. LeFlore.

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The Gentleman indicates he does not wish to call his Bill. House Bill 1216, Mr. McAuliffe. Is Mr. McAuliffe in the chamber? House Bill 1302, Mr. Hannig. Is Mr. Hannig in the chamber? The Gentleman indicates he does not wish to call his Bill. House Bill 1395, Mr. Keane. Is Mr. Keane in the chamber? House Bill 1535, Mr. Levin. The Gentleman indicates he does not wish to call his Bill. House Bill 1556, Representative Zwick. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1556, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments #2 and 3 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Zwick - Nelson, amends House Bill 1556."

Speaker Madigan: "Representative Zwick."

Zwick: "Thank you, Mr. Speaker and Members of the House. Amendment #4 is offered in reaction to a lot of the comments in Education Committee when this Bill was heard, requesting that I expand the new policy on sexual intimidation in public schools to private schools, also. So, what this does is simply add that the application would be not only to public schools but to private schools, when a policy is established discouraging sexual intimidation in education. And I would appreciate your favorable vote."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1658, Representative Braun. Representative Braun, do you wish to call your

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Bill? This is an Amendment to the Illinois Public Aid Code. The Lady indicates she does not wish to call her Bill. House Bill 1663, Representative Currie. The Lady indicates she does not wish to call her Bill. House Bill 1742, Mr. Levin. Mr. Levin."

Levin: "There is a fiscal note on the way over on that Bill as amended, if we could hold the Bill until the fiscal note comes over and then go with the Amendments and the fiscal note at the same time."

Speaker Madigan: "Fine."

Levin: "Thank you."

Speaker Madigan: "The Bill shall be held on the Order of Second Reading. House Bill 1800, Mr. Homer. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1800, a Bill for an Act in relationship to crimes. Second Reading of the Bill. Amendment #3 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Homer, amends House Bill 1800."

Speaker Madigan: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. Amendment #4 does two very simple things to the Bill. The Bill itself, it amends the Credit Card Act to include debit cards, as protected against fraud. Amendment #4 removes a definition of alter payment device which appeared in the Bill for the simple reason that no where else in the Bill does that term appear, so there's no need for a definition of such a term. Secondly, the Amendment clarifies the definition of 'debit card' to satisfy some objections raised by the Retail Merchants' Association. I would urge your approval of this Amendment."

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Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Vinson: "Representative, would you explain to me what a debit card is?"

Homer: "Well, in simple laymen's terms, a debit card is the kind of card that is now commonly used at some of these money centers where you can go at any time of day or night and put your card into a computerized slot and receive cash. It's a technical definition, Representative Vinson. It actually appears on page three of the Amendment."

Vinson: "Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2211, Mr. Greiman. Do you wish to call your Bill? 2211? The Gentleman indicates he does not wish to call his Bill. House Bill 2215, Mr. Bowman. Mr. Bowman. Is Mr. Bowman in the chamber? House Bill 2278, Mr. Huff. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 2279, Mr. Greiman. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 2299, Mr. McPike and Representative Currie. Do you wish to call your Bill? The Lady indicates she does not wish to call her Bill. House Bill 2321, Representative Topinka. The Lady indicates she does not wish to call her Bill. House Bill 2323, Representative Braun. Representative Braun, 2323. It's an Amendment to the Code of Civil Procedure. The Lady indicates she does not wish to call her Bill. House Bill

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2334. Mr. Cullerton, do we wish to move that Bill? This Bill shall be held on the Order of Second Reading. House Bill 2350, Representative Currie. The Lady indicates she does not wish to call her Bill. For what purpose does Mr. Huff seek recognition?"

Huff: "Yes, Mr. Speaker. If you're interested in moving Bills, I have... if I have leave, I'll go to House Bill 3232 on page 10. I believe we can move that one."

Speaker Madigan: "Well, Mr. Huff, thank you for your suggestion. My plan was to come right down the Hills on the Order of Second Reading. So, in due time, we'll reach that Bill, if that meets with your agreement."

Huff: "Well, it's quite alright with me, Mr. Speaker. I was just making a mere suggestion."

Speaker Madigan: "And thank you very much. House Bill 2368. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2368, a Bill for an Act to amend the Regional Transportation Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2376, Mr. Daniels. This Bill... Mr. Daniels, did you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2376, a Bill for an Act to amend an Act relating to fees of county clerks. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2386, Mr. DiPrima. The Gentleman indicates he does not wish to call his Bill. House Bill 2401, Mr. Vinson. Mr. Vinson. Mr. Vinson. Your Bill that deals with the Illinois Education and Labor

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Relations Act. Did you wish to call that Bill? The Gentleman indicates he does not wish to call the Bill. House Bill 2416, Mr. Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2416, a Bill for an Act in relationship to occupation and use taxes on oil field equipment. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2417, Mr. Pangle. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2417, a Bill for an Act to amend an Act in relationship to fire protection districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Pangle, amends House Bill... "

Speaker Madigan: "Mr. Pangle."

Pangle: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 simply changes the language in which to provide the funds for the Bill."

Speaker Madigan: "Mr. Piel."

Piel: "Will the Gentleman yield for a question, please?"

Speaker Madigan: "The Sponsor indicates he will yield."

Piel: "Representative Pangle, you sort of mumbled through that, but you're taking... I noticed just by looking at the Amendment, you're taking from the Fire Protection Fund... or you're deleting that, and then you're inserting lieu thereof the General Revenue Fund. Now what... what type of an impact is this going to have on the General Revenue Fund?"

Pangle: "The total cost of the program to reimburse the volunteer

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fire protection districts throughout the state is... "

Piel: "Mr. Speaker, I'm sorry. I can't hear. The noise level is too high. I can't even hear what he is saying. Can we give a little tap? Thank you."

Speaker Madigan: "Would the Members please give their attention to Mr. Piel? Mr. Piel has some very profound questions to ask, relative to this Bill. Mr. Piel."

Piel: "He's heard my profound question. I'm trying to hear his profound answer."

Speaker Madigan: "Mr. Pangle."

Pangle: "There has been a financial statement filed. It's the... cost is \$220,000. The reason that we are changing the language is because the Fire Marshal's Office felt that they didn't have the funds available. What we intend to do is transfer from the General Revenue Fund that amount and then put a line item into the Fire Marshal's budget at a maximum of \$220,000."

Piel: "Why didn't you take the money and put it into the Fire Prevention Fund instead of putting it into the General Revenue Fund, and then you wouldn't need the Amendment?"

Pangle: "Because the Fire Marshal's Office thought this was the way that we should handle it. I have been talking to them and the fire protection districts and the State Fire Marshal's Office."

Piel: "Thank you. No further questions, Mr. Speaker."

Speaker Madigan: "Mr. Pangle moves for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2424, Mr. Nash. Is Mr. Nash in the chamber? House Bill 2426, Mr. Curran. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 2426, a Bill for an Act concerning the Department of Aging. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Christensen - Curran, amends House Bill 2426 on page one and so forth."

Speaker Madigan: "Mr. Curran, on Amendment #1."

Curran: "Thank you, Mr. Speaker. In light of the fact that Mr. Christensen has stepped off the floor for just a second, I'd like to take this Bill out of the record."

Speaker Madigan: "The Gentleman requests that this Bill be taken out of the record. The Bill shall be taken out of the record. Mr. Curran, did you wish to call this Bill on the Order of Second Reading today?"

Curran: "Yes."

Speaker Madigan: "So that... You'd like to come back to this?"

Curran: "Thank you."

Speaker Madigan: "Thank you. House Bill 2443, Mr. Woodyard. Is Mr. Woodyard in the chamber? Do you wish to call this Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2443, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Mautino, amends House Bill 2443... "

Speaker Madigan: "Mr. Mautino, on Amendment #1."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 very simply changes the service requirements for establishing eligibility to receive a fire service annuity from 12 months to seven months. The individual that this Amendment addresses was an employee of the State of Illinois in 1946, of which the seven month

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requirement was in at that time; and, since chances occurred later in the pension laws and moved that to 12, it eliminated her from that pension which was due her, after she went back into state employment. It affects only one individual, and I don't believe there's any opposition to the Bill... the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? Those in favor of the Amendment say 'aye', those opposed to the Amendment say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Mautino, we have received a request for a pension impact note as amended."

Mautino: "Mr. Speaker, there is no pension impact to this Amendment, as I have been informed, because it falls under the purview of the employee picking up total costs, and I think... and interest. I think the total is three dollars."

Speaker Madigan: "But Mr. Mautino, there's no need to convince me. I think the rules provide that if this is filed, then there must be a response. So the Bill shall be left on the Order of Second Reading. House Bill 2470, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2470, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nash, amends House Bill 2470 on page one and so forth."

Speaker Madigan: "Is Mr. Nash in the chamber? Mr. Clerk, are there any Cosponsors to that Amendment?"

Clerk Leone: "Nash, Bonan and Taylor."

Speaker Madigan: "Is Mr. Bonan in the chamber? Is Mr. Taylor in the chamber? Has this been reported to Mr. Vrdolyak? Representative Currie."

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Currie: "Thank you, Mr. Speaker. I move to table Amendment 1 to House Bill 2470."

Speaker Madigan: "Representative, as a courtesy to the Sponsors of the Amendment, would you wish to hold the Amendment until one of them is in the chamber?"

Currie: "I would... Since I'm going to oppose the Amendment if they do turn up in the chamber, I'd just as soon move to table Amendment 1 to House Bill 2470."

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

Piel: "On her Motion, Mr. Speaker. I would say that, you know, in the past we have offered the courtesy to these Sponsors. Obviously, you know, it's early in the day, and they will be here in a couple of minutes, and I would ask that you would take her... withdraw her Motion. Unfortunately, none of the Sponsors of the Amendment are out here. I'm not sure if I'm supportive or against the Amendment, but I think it's a situation that we've always offered this courtesy, and I would ask the people in the House to oppose her Motion."

Speaker Madigan: "Representative Currie, I would renew my suggestion that as a courtesy, we wait until one of the Cosponsors arrives at the chamber. It might relieve certain tensions."

Currie: "Could we limit the time that we wait? I mean, two minutes, for example? I'd be willing to go for two minutes."

Speaker Madigan: "Well, why don't we take this matter out of the record, and then, when we get to the end of Second Reading, we'll come back, and we'll go to all of the Bills where Sponsors were not in the chamber. There are five or six of them already. So, we'll return to this. We can have our fun later. This Bill shall be taken out of the record."

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House Bill 2545, Mr. Laurino. Is Mr. Laurino in the chamber? House Bill 2558, Mr. Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2558, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk Leone: "Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends House Bill 2558."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move for the adoption of Amendment #2. It makes technical changes, and it was proposed by the LRB."

Speaker Madigan: "Mr. Clerk, who was the Sponsor of the Amendment?"

Clerk Leone: "Representative Cullerton."

Speaker Madigan: "Mr. Cullerton on Amendment #2. Mr. Cullerton moves for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends House Bill...

"

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, this Amendment also is technical in nature. It adds the definition of 'under the influence of alcohol or drugs', which is identical to the Vehicle Code's definition of that term. It cross-references the Vehicle Code's definition into the Bill, and I would move for the adoption of the Amendment."

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Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2566, Representative Wojcik. The Lady indicates she does not wish to call her Bill. House Bill 2613, Mr. Rea. Do you wish to call your Bill? Mr. Rea? Is Mr. Rea in the chamber? House Bill 2620, Mr. Capparelli. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2620, a Bill for an Act to impose tax on jet aviation fuel and provide for its distribution. It's been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2671, Mr. Greiman. Do you wish to call your Bill? It's an Amendment to the Illinois Pension Code. The Gentleman indicates that he does not wish to call his Bill. House Bill 2674, Mr. Greiman. Do you wish to call your Bill? The Gentleman indicates that he does not wish to call his Bill. House Bill 2713, Mr. Giorgi. The Gentleman indicates he does not wish to call his Bill. House Bill 2726, Mr. Preston. Do you wish to call your Bill? The Gentleman indicates that he does not wish to call his Bill. House Bill 2740, Mr. Giorgi. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2740, a Bill for an Act to amend the County Home Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 743, Mr. Richmond.

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2743. The Gentleman indicates he does not wish to call his Bill. House Bill 2747, Mr. McAuliffe. Is Mr. McAuliffe in the chamber? House Bill 2762, Mr. Mautino. Is Mr. Mautino in the chamber? Mr. Leverenz indicates that Mr. Mautino does not wish to call the Bill. House Bill 2763, Mr. Cullerton. Do you wish to call the Bill? The Gentleman indicates he does not wish to call the Bill. House Bill 2775. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2775, a Bill for an Act to amend an Act concerning law enforcement agencies and locating lost, missing and runaway children. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Madigan - Capparelli - Karpel, amends House Bill 2775."

Speaker Madigan: "Mr. Capparelli, on the Amendment. Representative Karpel, did you wish to offer the Amendment? Representative Karpel, on Amendment #2. Mr. Capparelli indicates that he is prepared. Mr. Capparelli on Amendment #2."

Capparelli: "Was that Amendment... I'd like to table Amendment #2 to go to Amendment #3."

Speaker Madigan: "Mr. Capparelli requests leave to withdraw Amendment #2. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Madigan - Capparelli - Karpel, amends House Bill 2775."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Amendment #3 rewrites Section 6 in order to conform with certain procedures mandated by the Department of Law Enforcement and law enforcement agencies with their

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existing... existing technology capabilities, and I move for the adoption of Amendment #3."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Cullerton, amends House Bill 2775."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 clarifies that before any information concerning sexual crimes is disclosed, that it must require that there be a conviction for such crime before the information is disclosed. I move for the adoption of Amendment #4."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2812, Mr. Hoffman. The Gentleman indicates he does not wish to call his Bill. House Bill 2871, Mr. Kirkland. The Gentleman indicates he does not wish to call the Bill. House Bill 2877, Mr. LeFlore. Mr. Clerk, read the Bill. Ladies and Gentlemen, the noise level is beginning to rise. If we could give our attention to Mr. LeFlore. Mr. LeFlore."

Clerk Leone: "House Bill 2877... "

LeFlore: "Speaker, I would... I would like to take this Bill out of the record temporarily. I am awaiting an Amendment to be placed on this Bill."

Speaker Madigan: "Do you think that you'd want to call this Bill today?"

LeFlore: "Hopefully."

Speaker Madigan: "You would like to, if the Amendment is

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available?"

LeFlore: "I would."

Speaker Madigan: "Okay, fine. So, the Bill shall be taken out of the record temporarily. House Bill 2906, Mr. Jaffe. Mr. Jaffe, do you wish to call 2906? The Gentleman indicates that he does not wish to call the Bill. House Bill 2937, Mr. Tate. Mr. Tate, do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2937, a Bill for an Act to amend an Act in relationship to the Office of the Secretary of State. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Mr. Clerk, are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 2951, Mr. Steczo. The Gentleman indicates that he does not wish to call his Bill. House Bill 2987, Mr. Steczo. The Gentleman indicates that he does not wish to call his Bill. House Bill 2997, Mr. Preston. Do you wish to call your Bill? This is a... No. Mr. Preston indicates he does not wish to call the Bill. House Bill 3038, Representative Barnes. Is Representative Barnes on the floor? House Bill 3041, Mr. Keane. Mr. Keane, do you wish to call House Bill 3041? The Gentleman indicates he does not wish to call the Bill. House Bill 3044, Mr. Mautino. Mr. Leverenz indicates that Mr. Mautino does not wish to call the Bill. House Bill 3052, Representative Braun. Representative Braun. An Amendment to the School Code. 3052. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3052, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nelson, amends House Bill

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3052."

Speaker Madigan: "Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker and Members of the House. A... My Amendment to this Bill adds both the General Superintendent of Schools and the Board and says that the chief financial officer shall report to both of them, which I think is fair."

Speaker Madigan: "Could you repeat your explanation?"

Nelson: "Yes. Under the original Bill, the chief financial officer would report to the General Superintendent rather than the Board. And under my Amendment, the chief financial officer reports to both so that the reports go to both, and so they can both deal with that material."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3060, Mr. Marzuki. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 3062, Mr. Ewing. Is Mr. Ewing in the chamber? Mr. Ewing? House Bill 3073, Mr. Hicks. Do you wish to call this Bill? Mr. Cullerton? Mr. Cullerton, are we prepared to move this Bill? The Bill shall be held on the Order of Second Reading. House Bill 3074, Mr. Hicks. The Gentleman indicates that he does not wish to call his Bill. House Bill 3083, Mr. Vinson. Do you wish to call your Bill? The Gentleman indicates he does not wish to call this Bill. House Bill 3084, Mr. Vinson. The Gentleman indicates he does not wish to call this Bill. House Bill 3085. Mr. Vinson indicates he does not wish to call his Bill. House Bill 3097, Mr. Woodyard. Do you wish to call your Bill? The Gentleman indicates he does wish to call his Bill.

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House Bill 3100, Mr. Tate. Do you wish to call your Bill?
Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3100, a Bill for an Act relating to
professions and occupations. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Matijevich, amends House Bill
3100 on page two and so forth."

Speaker Madigan: "Mr. Matijevich. Mr. Tate, would you be willing
to take this out of the record to accommodate Mr.
Matijevich?"

Tate: "I certainly would, Mr. Speaker, as long as you would give
me some assurances that we could get back to this sometime
today."

Speaker Madigan: "Maybe you and I should talk about that
privately, Mr. Tate. But the Bill shall remain on the
Order of Second Reading. House Bill 3108, Mr. Cullerton.
The Bill shall not be called. House Bill 3123, Mr.
Cullerton. The Gentleman indicates he does not wish to
call his Bill. House Bill 3130, Mr. Giorgi. Is Mr. Giorgi
in the chamber? House Bill 3135, Mr. DiPrima. Mr. Clerk,
read the Bill."

Clerk Leone: "House Bill 3135, a Bill for an Act to amend the
Secretary of State Merit Employment Code. Second Reading
of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill
3135."

Speaker Madigan: "Mr. Vinson."

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Vinson: "Mr. Speaker, would you withdraw that Amendment, please?"

Speaker Madigan: "Is there leave to withdraw Amendment #2? Leave is granted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3138, Representative Currie. Representative Currie indicates that she does not wish to call House Bill 3138. And for what purpose does Mr. Vinson seek recognition?"

Vinson: "Mr. Speaker, on House Bill 3135, I believe a fiscal note had been filed, and I would also like to withdraw that so there's no cloud over the Bill, either."

Speaker Madigan: "Mr. Clerk, has there been a request for a fiscal note relative to House Bill 3135?"

Clerk Leone: "A fiscal note has been requested by Representative Vinson."

Speaker Madigan: "And Mr. Vinson has requested leave to withdraw the fiscal note request. Is there leave? Leave is granted, and the note request has been withdrawn, and House Bill 3135 shall be placed on the Order of Third Reading. House Bill 3146, Mr. Kirkland. The Gentleman indicates he does not wish to call this Bill. House Bill 3151, Representative Barnes. House Bill 3156, Mr. Hicks. The Gentleman indicates he does not wish to call this Bill. House Bill 3162, Mr. Bullock. Is Mr. Bullock in the chamber? House Bill 3174, Mr. Homer. Do you wish to call your Bill? The Gentleman indicates he does not wish to call this Bill. House Bill 3177, Mr. Keane. The Gentleman indicates he does not wish to call this Bill. House Bill 3181, Mr. Hicks. The Gentleman indicates that he would like to call his Bill. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3181, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

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Speaker Madigan: "Are there any Committee Amendments?"

Clerk Leone: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Olson, amends House Bill 3181 on page one."

Speaker Madigan: "Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 3181 merely puts into perspective the scope of the intent of the Bill, which is to permit precinct committeemen to go anywhere in a county to register voters. Amendment #1 provides that the same precinct committeeman may challenge voter registration in any county. And as a consequence, we would ask for your support of Amendment #1 to 3181."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Hicks, amends House Bill 3181."

Speaker Madigan: "Mr. Hicks."

Hicks: "Mr. Speaker, could I get on a Roll Call, please, on Amendment #1?"

Speaker Madigan: "Mr. Hicks, the Amendment has already been adopted."

Hicks: "Mr. Speaker, I'd like to move to reconsider Amendment #1."

Speaker Madigan: "Mr. Hicks, Amendment #1 was adopted on a verbal Roll Call. Therefore, it would be impossible for the Chair to determine if, in fact, you voted on the prevailing side of the Amendment. The rules provide that you would be in a position to move to table Amendment #1, if you wish. Mr. Hicks."

Hicks: "Mr. Speaker, could we take the Bill out of the record for a moment, then, and see if we can work out the problems

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with the Bill?"

Speaker Madigan: "You are the Bill Spncsor, and Mr. Hicks has requested to take the Bill out of the record, then the Bill shall be taken out of the record and left on the Order of Second Reading. House Bill 3189. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3189, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 3193, Representative Currie. Do you wish to call your Bill? The Lady indicates she does not wish to call her Bill. House Bill 3194, Representative Currie. The Lady indicates she does not wish to call her Bill. House Bill 3195, Representative Currie. The Lady indicates she does not wish to call her Bill. House Bill 3205, Mr. Woodyard. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3205, a Bill for an Act to amend the Fish Code. Second Reading of the Bill. Amendment #1 was adopted... no Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Woodyard, amends House Bill...

"

Speaker Madigan: "Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. Amendment #1 simply authorizes the Department of Conservation to establish, during an annual period, a four day period of time in which people would not have to have a valid fishing license. In other words, they can actually proclaim a week of... to promote fishing in the State of Illinois. It's supported and posed by the Department of Conservation and is

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supported by fish, and I ask your support for adoption of the Amendment."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Cullerton: "Did you say it was supported by the fish?"

Woodyard: "Yes."

Cullerton: "This will make it easier for people to go out and catch fish, right?"

Woodyard: "At least, the bat fish and the pigeon fish, it's supported by. Well now, the organization is the Fishermen Interested in Saving Habitat."

Cullerton: "I see. Now, what is the purpose of the Amendment to allow for a four day period without having to have a license?"

Woodyard: "What is the purpose of it? To promote fishing. To develop focus and attention on fishing... "

Cullerton: "What is the... Why don't we just eliminate the requirement that you have a license for the entire year? I assume that there might be a revenue impact if we did that, right?"

Woodyard: "Yes."

Cullerton: "So the purpose of having a license is to raise money for the state so that they can use that money to stock rivers and streams with fish."

Woodyard: "That's correct."

Cullerton: "So, what would the fiscal impact be of giving a four day period without having to have a license?"

Woodyard: "I have no idea, but I imagine it would be very minimal. Since most of our fishermen, resident and non-resident, do buy annual fishing licenses, there would be very little impact."

Cullerton: "Okay. Thank you."

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Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3206, Mr. Winchester. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3206, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Winchester, amends House Bill 3206."

Speaker Madigan: "Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Members of the House. Amendment #1 makes some technical changes in the Bill at the request of the Department of Conservation. It simply extends the hunting season for turkey and deer by one-half hour, and I would move the adoption of Amendment #1."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Would the Sponsor yield?"

Winchester: "Yes."

Speaker Madigan: "The Sponsor indicates he will yield."

Cullerton: "This is a... kind of a bad day for the animals."

Winchester: "Everybody except bats. Bats."

Cullerton: "Why... You want... You want to increase time where you can kill deer by a half-hour?"

Winchester: "Presently, the law says that season... daily season would end one-half hour before sunset. This eliminates the one-half hour and simply says that deer and turkey will begin one-half hour before sunrise to sunset."

Cullerton: "Well now, I think... I would think that the theory of having people stop shooting a half-hour before the sun

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actually goes down would be more related to safety than it would be to saving deer."

Winchester: "I think you're probably right."

Cullerton: "Now, a half-hour before sunset is still kind of dark out. If you allow people to shoot right up until the last second before the sun sets, wouldn't it be kind of unsafe to be out in the woods?"

Winchester: "No, I don't think so. I think, in most of the downstate areas where we have the turkey and deer hunting, that doesn't seem to be a problem. Perhaps is it, John, up in your area. I didn't know you had turkey and deer on Madison Street or the Gold Coast. But, the Department of Conservation feels that this is an important change, or they wouldn't have asked that the Amendment be offered. I would think that it would help prevent a lot of people from breaking the law who are breaking the law now by hunting to sunset. By having to quit hunting one-half hour before sunset, it probably is causing a lot of people to become criminals. I think Conservation doesn't want to make a lot of people criminals for something that's minor."

Cullerton: "Well, why don't we just have night hunting?"

Winchester: "Well, I think we do, but it's illegal."

Cullerton: "Well, why not make that legal, too, and not make them criminals. Why don't we just have all night hunting - all night deer hunting and turkey hunting?"

Winchester: "Well, you know, it might be a good idea, John. If you want to put a Bill in, I'll consider supporting it."

Cullerton: "Can I ask you a related question?"

Winchester: "Sure."

Cullerton: "In other states, they require that a certain type of equipment be worn when you're out hunting. I know, like in Minnesota, you have to have a orange hat... you have to wear an orange or an orange... markings on your body. Do

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we have a similar law in Illinois?"

Winchester: "Yes, we do."

Cullerton: "We do."

Winchester: "We have to wear florescent... either a florescent cap, either bright yellow or bright orange, and a florescent vest, either bright orange or bright yellow."

Cullerton: "And the purpose of that is to ensure the safety of the hunter."

Winchester: "Yes. It's certainly not... "

Cullerton: "So, that would be an example of the government making a regulation to protect the safety of its citizens."

Winchester: "Well, like the seat belt, yes, John."

Cullerton: "Thank you very much."

Winchester: "Okay."

Speaker Madigan: "Mr. Marzuki."

Marzuki: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Marzuki: "Does this have the backing of the Conservation Department?"

Winchester: "This Amendment was delivered to me yesterday by the legislative liaison for the Department of Conservation to file for the Department. It was something that was supposed to have been corrected last year, but they failed to make that correction, and they wanted to use this Bill to make the correction in the Wildlife Code."

Marzuki: "Does this have the... Does this have the support of any other organizations besides the Department?"

Winchester: "I... In all honesty, I don't know. Like I say, it was just delivered to me yesterday by the Department, and they asked that I put the Amendment on my Bill, so I... To me, as a deer hunter, I don't see anything wrong with changing that one-half hour before sunset to just sunset."

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As a matter of fact, I really do think it's a good idea, and I believe most people involved in deer hunting and turkey hunting would agree."

Marzuki: "To the Amendment."

Speaker Madigan: "Mr. Marzuki, to the Amendment."

Marzuki: "It would appear that this has come over without adequate reasoning from the Department of Conservation, as has been indicated by the questioning. Representative Cullerton, there are safety factors that may be involved here. I'd certainly like a great deal more clarification as to why this is necessary before we vote on it. A simple request from the Department ought to be accompanied by some kind of a rationale. I see no rationale for this. I may or may not support the Amendment. At this point, without the rationale, I'm going to have to vote against it and would urge everyone else to vote against it."

Speaker Madigan: "Mr. Richmond."

Richmond: "Thank you, Mr. Speaker. I rise in support of the Amendment, coming from an area where this issue is a rather large one. Certainly, the safety factor should be considered, but it's no darker at sunset than it is at sunrise, and we do... there's no problem in that regard. This is a good Amendment, and I support it."

Speaker Madigan: "Mr. Winchester has moved for the adoption of Amendment #1. Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 87 'ayes', 3 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Koehler - Winchester - Leverenz."

Speaker Madigan: "Representative Koehler."

Koehler: "Thank you... Thank you, Mr. Speaker and Ladies and

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Gentlemen of the House. I move to table Amendment #2 to House Bill 3206 because it is technically incorrect."

Speaker Madigan: "The Lady requests leave to withdraw Amendment #2. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3218, Mr. Greiman. Do you wish to call your Bill? Is Mr. Greiman on the floor? House Bill 3221, Mr. Hoffman. Do you wish to call your Bill? The Gentleman indicates that he does not wish to call this Bill. House Bill 3227, Mr. Turner. Mr. Turner. Is Mr. Turner in the chamber? House Bill 3229, Mr. Bullock. Is Mr. Bullock in the chamber? Mr. Turner, do you wish to call that Bill? The Gentleman indicates that he does not wish to call House Bill 3227. House Bill 3231, Mr. Cullerton. The Gentleman indicates that he does not wish to call the Bill. House Bill 3232, Mr. Huff. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3232, a Bill for an Act concerning federal weatherization programs. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Madigan: "Third Reading. House Bill 3243, Mr. Turner. Mr. Turner. House Bill 3253, Representative Braun. Is Representative Braun in the chamber? House Bill 3255, Representative Braun. Mr. Vinson... We shall now return to the Bills on the Order of House Bills Second Reading, Short Debate and House Bills Second Reading, to pick up the Bills where Sponsors were not in the chamber when the Bill was first called. Mr. Vinson. Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I believe, yesterday... I'm sorry. I'm talking about a Bill on Short Debate Third Reading, so

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I'll raise the question at a different time."

Speaker Madigan: "Thank you. Do you understand what I'm proposing now? Thank you. So on page two of the Calendar, House Bill 1528, Mr. O'Connell. Is Mr. O'Connell in the chamber? Are you prepared to move this Bill? Alright. So, House Bill 1528 shall not be called. House Bill 1546, Mr. Jaffe. The Gentleman indicates he does not wish to call his Bill. On page three of the Calendar, on the Order of House Bills Second Reading, House Bill 315. Mr. Cullerton, have we determined if we wish to move this Bill? Mr. Vinson, on page three of the Calendar on the Order of House Bills Second Reading, House Bill 315, I believe that you have filed an Amendment to the Bill. And there may be a desire on your part to withdraw the Amendment. House Bill 315 shall remain on the Order of Second Reading. House Bill 1216, Mr. McAuliffe. Do you wish to call your Bill? It's an Amendment to the Illinois Pension Code. The Gentleman indicates he does not wish to call his Bill. House Bill 1395, Mr. Keane. The Gentleman indicates he does not wish to call his Bill. House Bill 1742, Mr. Levin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1742, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Stuffle, amends House Bill 1742 as amended."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker and Members of the House, Amendment #2 provides that in the reimbursement formula for common school districts, that the existing depreciation schedule

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for those districts that purchase buses or operate under a lease purchase plan would be able to receive reimbursement utilizing a depreciation schedule of 20% per year over five years, rather than the current standard, which is 15% over six and two thirds years. The rationale for this is simply that those districts which contract figure in their depreciation costs across the board now without having an actual schedule in such a manner that they average five years in recovering their depreciation allowance on their reimbursement, some as few as three years. So we have taken the average of five years that exist for contracting districts, made it consistent for all districts in receiving reimbursement, so all are treated the same. There are many districts that have gone to lease purchase arrangements and purchase arrangements because of costs and lack of revenue. And we're merely attempting what we've done for the last eight years, here, which is to equalize the method of reimbursement for each type of district, whether it contracts, purchases or lease purchases its buses. I would ask for adoption of Amendment #1, which is supported by the Office of Education."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates he will yield."

Cullerton: "Just a point of clarification, Representative Stuffle.

This would apply to those school districts that own or... that own their own buses or at least purchase their own buses, right?"

Stuffle: "That's right."

Cullerton: "And this would affect their state income tax?"

Stuffle: "This would affect... It has nothing to do with the income tax. It's the reimbursement formula in the School Code."

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Cullerton: "I see. So, this would affect the transportation reimbursement formula."

Stuffle: "That's right."

Cullerton: "Presumably, to the advantage of those districts."

Stuffle: "It would be to the advantage of those who now don't have the same reimbursement provisions that those who contract do."

Cullerton: "Right. And this would apply to existing buses or only new... new purchases?"

Stuffle: "This would apply with regard to any of the buses they receive reimbursement for, beginning in the next fiscal year."

Cullerton: "So, let's say that there's a bus that's three years old. That means instead of having to wait for three and a half years to finish the depreciation... "

Stuffle: "All of them. All of them, because they'd already be in a depreciation schedule. Unless that bus was already fully depreciated, which is unlikely, that bus would still come under the schedule beginning next year. We make it effective next year because the reimbursement formula is an after-the-fact situation."

Cullerton: "Alright. Thank you."

Speaker Madigan: "Mr. Stuffle has moved for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Levin, amends House Bill 1742."

Speaker Madigan: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is a technical Amendment to the underlying Bill, which is actually Amendment #1, and it was drafted in conjunction with the state board to make the Bill a little easier to administer. I ask for its

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adoption."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Cullerton: "Perhaps, Representative Levin, you could tell me what the purpose of the Bill is."

Levin: "The purpose of the Bill is to begin to get some data on how much monies are spent on private school students by the public schools. And the technical problem with the first Amendment was the reference to Section 18-8. This refers to kindergarten students. I think that both the advocates of the public schools and the advocates of the private schools would like to get some information, and that information is generated by the local schools. It's just not currently available."

Cullerton: "You want to determine how much public money is spent on non-public schools?"

Levin: "Right. For example, dual enrollments, special education, this type of... vocational education - this type of thing - where the private school student comes to the public school for the services."

Cullerton: "And, what would be the purpose of gathering that data?"

Levin: "The purpose of the data is really for policy-making decisions in the future. The public school advocates believe that there is a tremendous amount of money that's going to the private school students. The private school advocates believe that they're being... the kids in the private schools are being shortchanged and are receiving very little money. Both are, at this point, interested in finding out what the real information is. This Bill was drafted in conjunction with the... the public school administrators, the unions, the State Board of Education,

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and others, to take advantage of information that is, in fact, generated locally but is not currently passed onto the state in any form of centralized form. So that, for the future, we will have a better idea. We'll be able to find out if the private school children are being underfunded, if the public schools are being taken advantage of, who's right, who's wrong, getting some... beginning to get some objective information."

Cullerton: "Fine. No further questions. Thank you."

Speaker Madigan: "Mr. Vinson. Vinson. Mr. Vinson. The Gentleman indicates that he does not seek recognition. Mr. Keane."

Keane: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Madigan: "The Sponsor indicates that he will yield."

Keane: "Have you... Did not the Illinois Catholic Conference have some objections and attempt to work them out with you on this Bill and the Amendment?"

Speaker Madigan: "Mr. Levin."

Levin: "Yes, we've been working with Dr. Charles Brady in connection with this... on this Bill, and we attempted to work with him in terms of his concerns. He wants, as do I, and I think as do the advocates on the other side for the public schools, objective data. And what we've attempted to do is come up with a proposal which will provide objective data without requiring the public schools to generate numbers and fill out massive numbers of forms that they're not now doing. So, what this would accomplish would be to allow for the phasing in of information. This specific Amendment provides for the publishing of a compilation of summary information. In addition to the summary information which would be published, the underlying data from each individual public school would be available at the state level to anybody that wanted it."

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And that information would cover how much money the... each public school spends, for example, for transportation, for textbooks, for special education, for the lunch and breakfast program and the number of students in that program."

Keane: "Thank you. Mr. Speaker, to the Bill. I just talked to Mr... Dr. Charles Brady of the Illinois Catholic Conference, and they object to this Amendment and to the basic Bill. And the reason that they object to it, and I agree with their objection, is that the Bill is vague. The language is vague. There's a lack of any attempt to assure that the information will be provided in an accurate and useful form. The Catholic Conference does not object to the aims of the Bill, and they... but they feel that the Bill... the language should be included that says that the report does not just give dollar amounts, but the report should list the type of services furnished and the amount of services provided. We also... The Catholic Conference also has a problem. They asked that there be a signoff on the report by the local private school administrator so that the private school administrator would have an opportunity to argue with whatever facts and figures that would be presented. This was not allowed. The reason that the Catholic Conference wanted that signoff by the private school administrator was to eliminate any kind of misunderstandings, disagreements and give both... both of the administrators, public and private, an opportunity to cooperate in planning for good education of the students. It's the same process that we follow in our auditing procedures. When we audit an agency, the Auditor General returns the audit for comments by that agency, to argue or to disagree with the findings of the auditors, and it's only... the only fair way to do it. In talking with the

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people from the Catholic Conference, they said until such Amendments are made, that they would oppose the Bill, and I would ask that you oppose this Amendment and the basic Bill. Thank you."

Speaker Madigan: "So, Mr. Keane, did you rise in support of the Amendment or in opposition to the Amendment?"

Keane: "I thought I gave a real good talk on why I was opposed to the Amendment."

Speaker Madigan: "You're opposed to the Amendment. Okay. Fine. Now, Mr. Levin, you've already spoken in debate, and I think that we are in a position now where you could close. You are the Sponsor of the Amendment, are you not?"

Levin: "Yeah. This... "

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

Levin: "Yeah, Mr. Speaker, this is the first I'm aware that... We have been working with Dr. Prady; and, if there are problems, we'd like to work them out, and what I'd like to do... Representative Keane? Representative? What I'd like to do is, you know, if there are problems with this Amendment, I'd be happy to withdraw this Amendment. We can move the Bill to Third and see if we can work out a subsequent Amendment which embodies some of what you're talking about, because I think the desire on the part of both the private school advocates and the public school advocates is to come up with some information which is going to be objective, which both sides can then rely upon, but which isn't going to break the bank, so to speak, by imposing undue hardship. So I would, at this point, ask to withdraw Amendment #3, and then I think there's a fiscal note that's been filed. We can move the Bill to Third, and then we can bring it back subsequently, after we've been able to resolve the problems with a new Amendment."

Speaker Madigan: "Alright. Mr. Levin has closed relative to

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Amendment #3. For what purpose does Mr. Keane seek recognition?"

Keane: "I think the Sponsor has withdrawn the Amendment, rather than closing."

Speaker Madigan: "Mr. Levin has requested leave to withdraw Amendment #3. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Vinson, on page two of the Calendar, House Bill 1528, Mr. O'Connell. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1528, a Bill for an Act in relationship to property tax homestead exemptions. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Madigan: "Is there a Motion relative to Amendment #1?"

Clerk Leone: "No Motion filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, O'Connell, amends House Bill 1528."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker. Amendment #2 deletes the language as to the State Mandates Act. Amendment #1 struck everything after the enacting clause and inserted a requirement that if a mortgagee receives notice of a homestead exemption, that that mortgagee would have to send written notice to the mortgagor. This was in lieu of the original Bill, which would raise the homestead exemptions up from 35... 3,000 to 3,500. That was done in the last Session of the Legislature, so the reason for that Bill was obviously mooted, and that is why the original Mandates Act, the language on there in the first place, so this merely takes that out. I'd ask for its favorable adoption."

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Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. I noticed that some people were diverting your attention on this particular Amendment. It is another Amendment that would seek to bypass the Local Government Mandate Act and impose a cost burden on our local governments, and I believe that, at the well now, there is a local government mandate note being filed in relationship to this Bill. I would just make the point that we ought not be doing this. We ought to have a Constitutional Amendment submitted to the voters to protect the voters from this, and I'm sure you agree, and that we ought to hold this Bill on Second Reading if this Amendment should be adopted."

Speaker Madigan: "The question is, 'Shall Amendment #2 be adopted?' Mr. O'Connell has moved for the adoption of Amendment #2. Do you wish to contest the Amendment, Mr. Vinson? Those in favor of the Amendment shall vote 'aye', those opposed shall vote 'no'. Have all voted who wish? Mr. O'Connell, to explain his vote."

O'Connell: "Mr. Speaker, this Bill has nothing to do with local government. The property homestead exemption increase was deleted. It was... It only applies to bank lenders or money lenders who received notice of a homestead exemption, availability to a homeowner that they have the requisite mandate that they have to notify the mortgagor or the bank customer. It has nothing to do with local government and; accordingly, the State Mandates Act is not applicable. I would suggest that this is a very logical step to take, and I would recommend that it be taken."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 52 'ayes', and 44 'nos'. The Amendment is adopted. Mr. Vinson has filed a request for a state

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mandates note. Mr. O'Connell, I think that it would expedite the proceeding if you would meet privately with Mr. Vinson. Possibly, the two of you can resolve your differences; but, for now, the Bill shall remain on the Order of Second Reading. Is there leave that the Bill shall remain on the Order of the Short Debate Calendar? Leave is granted. Page four of the Calendar, there appears House Bill 1216, Mr. McAuliffe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1216, a Bill for an Act to amend the Illinois Pension Code and the State Mandates Act. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Madigan: "Mr. Clerk, are there any Committee Amendments?"

Clerk O'Brien: "Amendment #1 was adopted previously."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "A Motion to table Amendment #1, by Representative Saltsman."

Speaker Madigan: "Mr. Saltsman."

Saltsman: "Yes, there's another Amendment that's going to be taking its place that clarifies the language, and that's why we asked this Amendment to be tabled."

Speaker Madigan: "Mr. Saltsman has filed a Motion that Amendment #1 to House Bill 1216 be tabled. Mr. Parliamentarian... Mr. Parliamentarian? Mr. Clerk, has Amendment #1 been adopted?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Madigan: "And now there is a Motion to table Amendment #1. Is that Motion in order? Fine. Mr. Saltsman moves to table Amendment #1. Is there leave? Leave is granted. Amendment #1 is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Saltsman."

Speaker Madigan: "Mr. Saltsman."

Saltsman: "Yes, we also want Floor Amendment #2 to be tabled... withdrawn... withdrawn."

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Speaker Madigan: "Mr. Saltsman requests leave to withdraw Amendment #2. Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, McAuliffe."

Speaker Madigan: "Mr. McAuliffe."

McAuliffe: "Mr. Speaker, I'd like to withdraw Amendment #3."

Speaker Madigan: "Mr. McAuliffe requests leave to withdraw Amendment #3. Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, McAuliffe."

McAuliffe: "I'd also like to withdraw Amendment #4."

Speaker Madigan: "Mr. McAuliffe requests leave to withdraw Amendment #4. Leave is granted. Are there any further Amendments?"

McAuliffe: "Floor Amendment #5, Terzich."

Speaker Madigan: "Mr. McAuliffe, on Amendment #5."

McAuliffe: "I move for the adoption of Amendment #5."

Speaker Madigan: "Mr. McAuliffe moves for the adoption of Amendment #5. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2215, Mr. Bowman. Is Mr. Bowman in the chamber? Mr. Bowman, do you wish to call House Bill 2215? The Gentleman indicates he does not wish to call his Bill. House Bill 2424, Mr. Nash. Is Mr. Nash in the chamber? House Bill 2426, Mr. Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2426, a Bill for an Act concerning the Department of Aging. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Mr. Clerk, are there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

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Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Christensen and Curran."

Speaker Madigan: "Mr. Curran."

Curran: "Thank you, Mr. Speaker. Representative Christensen has an Amendment to this Bill which establishes a pilot program for home health services."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 2545, Mr. Laurino. Is Mr. Laurino in the chamber? Mr. Rea, did you wish to call House Bill 2613? Mr. Clerk, read the Bill. House Bill 2613."

Clerk O'Brien: "House Bill 2613, a Bill for an Act in relation to traffic violation citations. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Rea, amends House Bill 2613 on page one by deleting 'our quota' and so forth."

Speaker Madigan: "Mr. Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. House Bill 2613 was voted out of Judiciary Committee 14-0 with the agreement to change it in two ways. One was to define 'quota', and this Amendment will take the word 'quota' completely out, and the second thing was to eliminate the affirmative defense. And this Amendment does both of those, and I would move for the adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Madigan: "Third Reading. House Bill 2747, Mr. McAuliffe.

Mr. McAuliffe. Is Mr. McAuliffe in the chamber? Do you wish to call 2747, that's an Amendment to the Illinois Pension Code? The Gentleman indicates that he does not wish to call the Bill. House Bill 2877, Mr. LeFlore. Is Mr. LeFlore in the chamber? Mr. LeFlore? Is Mr. LeFlore in the chamber? House Bill 3038, Representative Barnes. Is Representative Barnes in the chamber? House Bill 3062, Mr. Ewing. Is Mr. Ewing in the chamber? House Bill 3130, Mr. Giorgi. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 3151, Representative Barnes. House Bill 3162, Mr. Bullock. Is Mr. Bullock in the chamber? House Bill 3218, Mr. Greiman. Is Mr. Greiman in the chamber? Is Mr. Turner in the chamber? Mr. Vinson, there are some Bills on the Order of Third Reading where the Sponsors wish to return the Bill to Second for Amendment, and one of those Bills is House Bill 1573, which is on page 12 of the Calendar. The Chair recognizes Mr. Stuffie. House Bill 1573, Mr. Stuffie."

Stuffie: "Yes, I would like leave to return that Bill to Second Reading for the purposes of an Amendment."

Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "Amendment #2, Stuffie, amends House Bill 1573 as amended, on page two, line 18, by deleting 25... "

Speaker Madigan: "Mr. Stuffie."

Stuffie: "Mr. Speaker and Members of the House, the Amendment simply changes the reporting dates in the Bill regarding the report of certain ownership of farmland that will be made with the Secretary of State's Office. And changes the number of persons... natural persons that may be in a corporation, partnership or trust that constitutes an

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exempt family farm from 25 natural persons to 10, that being because of the fact that we allow in the Bill that a natural person consists of as much as three generations of individuals in a farm. We thought that 10 was a significant number with regard to family farm ownership. So the limitation is changed from 25 to 10. The reporting dates are changed, and I would... to conform to this year, as opposed to last, when the Bill was introduced, and I would ask for an affirmative vote on the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On page 15 of the Calendar, there appears House Bill 2553. Mr. Stuffle. Mr. Stuffle."

Stuffle: "Mr. Speaker, I again ask leave to return the Bill to Second Reading for the purposes of two Amendments."

Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "Amendment #1, Madigan - Stuffle, amends House Bill 2553."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Amendment #1 by Speaker Madigan and myself provides simply that the life of the existing interim Citizen Utility Board be extended by a period of months so that its operation can be in full effect before the elections are held to create the first permanent Board. It is an Amendment consistent with the Bill, and an Amendment supported by the interim Board, and I ask adoption of Amendment #1."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any other Amendments?"

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Clerk O'Brien: "Floor Amendment #2, Barger."

Speaker Madigan: "Mr. Barger. Mr. Barger."

Barger: "It's working. Amendment #2 is just a correction for a small item that they failed to put in the original Bill. And it requires the CUB Board to prepare and distribute nomination petitions to all of the public libraries in the state so that they may be available to candidates who want to run for the CUB Board of Directors."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3206 on page nine of the Calendar. Mr. Winchester."

Winchester: "Speaker... "

Speaker Madigan: "Mr. Winchester."

Winchester: "I... The Amendments... we've been filed, but I don't believe it's been circulated, so let's go on, bypass this Bill."

Speaker Madigan: "Mr. Clerk, have the Amendments been distributed? Alright. The Amendments have not yet been distributed. Therefore, the Bill shall be taken out of the record, and Mr. Winchester, we can return to the Bill when you have the Amendments distributed. On page 20 of the Calendar, there appears House Bill 2833, Mr. Slape."

Slape: "Yes, Mr. Speaker, I ask leave of the House to return House Bill 2833."

Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "Amendment #1, Pangle, amends House Bill 2833 on page one by deleting line one and two and so forth."

Speaker Madigan: "Mr. Slape. Mr. Pangle."

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Pangle: "Yes. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Pangle."

Pangle: "This Amendment would the... give the authority of the Conservation Department to lease the Kankakee Dam to the City of Kankakee on a 60 year lease. I move for its adoption."

Speaker Madigan: "Mr. Pangle moves for the adoption of Amendment #1. Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Cullerton: "Representative Pangle, what is the significance of saying that all the leased property is deemed to be part of the Kankakee's electric system?"

Pangle: "Hello. The City of Kankakee is going to make it a power dam area, you know, to provide electricity to the City."

Cullerton: "So, we have to say that the leased property is part of their electric system?"

Pangle: "Okay. Thank you. It makes sense."

Cullerton: "Yes."

Speaker Madigan: "Mr. Vinson."

Vinson: "Yes, Mr. Speaker. I believe that this would be desirable for the City of Kankakee, and I rise in support of the Amendment."

Speaker Madigan: "Mr. Pangle moves for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On page 11 of the Calendar appears House Bill 809, Mr. Greiman. Mr. Greiman."

Greiman: "Thank you, Mr. Speaker. I would ask leave to return House Bill 809 to the Order of Second Reading for the purpose of an Amendment."

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Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "There's Amendment #4, Greiman, amends House Bill 809 as amended, by deleting all of Section 10 and 11 and so forth."

Speaker Madigan: "Mr. Greiman."

Greiman: "Mr. Clerk, I believe there's an Amendment #3 that has been filed and distributed. I don't... I don't believe it's been adopted."

Speaker Madigan: "Mr. Clerk, tell us the status of the Amendments."

Clerk O'Brien: "There is an Amendment 3."

Speaker Madigan: "Mr. Clerk, tell us the history of the Amendments."

Clerk O'Brien: "Amendment #1 was tabled. Amendment #2 was adopted. We now have Floor Amendment #3 by Representative Greiman."

Speaker Madigan: "Mr. Greiman, on Amendment #3."

Greiman: "Thank you, Mr. Speaker. Amendment #3 provides for a... the office of... the Administrative Office of the Illinois Courts to supervise the Circuit Court Family Counseling Services Fund. These are funds that are raised through additions to the divorce filing fees, and it was imperative that there be some agency responsible to administer it. And I believe that the Administrative Office of the Illinois Courts would be the appropriate office and ask for the adoption of Amendment #3."

Speaker Madigan: "Those in favor of the Amendment will say 'aye', those opposed will say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Greiman."

Speaker Madigan: "Mr. Greiman."

Greiman: "When we adopted Amendment #2, the Reference Bureau

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neglected to strike marriage license fees as additional funding source, and this merely strikes marriage license fees as was originally intended in Amendment #2, and I would ask for the adoption of Amendment #4."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Vinson: "Mr. Speaker, I believe fiscal notes requests and mandates note requests have been filed on that Bill."

Speaker Madigan: "There are requests, Mr. Greiman, for a fiscal note and a state mandates note. So the Bill shall remain on the Order of Second Reading until those requests have been complied with. On page 22 of the Calendar, there appears House Bill 3031, Representative Currie."

Currie: "Thank you, Mr. Speaker. May I have leave to bring back House Bill 3031 to Second Reading for purposes of an Amendment?"

Speaker Madigan: "Is there leave? Leave is granted. Mr. Clerk, are there any further Amendments? Representative Currie."

Currie: "On Amendment 1... Amend... I believe it's Amendment 1. The board says 2."

Speaker Madigan: "Well, let us wait for the Clerk to get the file. Mr. Clerk, when you get the file, tell us the history of the Amendments."

Clerk O'Brien: "No Amendments have been adopted. Floor Amendment #1, Currie."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The Bill provides for hearings with respect to the distribution

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of Federal Job Training Partnership Act dollars in the State of Illinois. The Amendment was to justify the Department of Commerce and Community Affairs to clarify exactly how, where and when those hearings would take place."

Speaker Madigan: "The Lady moves for the adoption of Amendment #1. Mr. Vinson."

Vinson: "Yes, will the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates that she will yield."

Vinson: "Representative, do I take it that this funding comes to the State of Illinois from the Federal Government?"

Currie: "Yes, Representative Vinson."

Vinson: "And when, typically, in the cycle does the state receive the money?"

Currie: "I believe it receives the money shortly after the federal budget year begins. Some of the money is passed through to local units of government, some is directly administered by the Department of Commerce and Community Affairs."

Vinson: "Now the money that's directly administered by the Department of Commerce - is that appropriated on a line item basis, or is that appropriated in one... one line item to the Department?"

Currie: "I believe it's appropriated in one line item to the Department."

Vinson: "And what the Bill does is to require the Department to conduct hearings in determining how to allocate that money?"

Currie: "Really, two requirements in the Amendment, one with respect to the service delivery areas that are distributing the funds at the local level. One piece of the Amendment provides that there will be hearings at that level. The other hearing requirement is with respect to the dollars

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that are directly expended with discretion by our own Department of Commerce and Community Affairs."

Vinson: "And they have to have hearings under the Amendment, right?"

Currie: "Under the Amendment, in fact, under the Bill as originally drafted. The point of the Amendment is that the Department was comfortable with the requirement but felt that the wording needed to be changed in order to clarify where and when the hearings happen. So the Amendment is actually a proposal from the Department, which does support the Bill."

Vinson: "My... My only concern is, if this money flows to the Department, let's say in October, sometime in the fall, and if the Department then holds a series of hearings, I would not want to see the Department hamstrung in the appropriation language so that the money couldn't be spent after they went through this process."

Currie: "Neither would I, Representative Vinson, and I think the Bill, as originally drafted, might have created precisely that tangle. The Amendment drafted by the Department is intended to see to it that the problem that you're raising will not happen under this language, that the hearing would happen at the point in the process that would not, in any way, hamstring the Department in using those federal dollars."

Vinson: "Alright. In that event, I have no objection to the Amendment."

Currie: "Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Representative Currie, Mr. Vinson, while he

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was engaging you in discussion, filed a fiscal note request as amended. Therefore, the Bill shall remain on the Order of Second Reading. For what purpose does Mr. Vinson seek recognition?"

Vinson: "Well, I... Well, I think that tactic would be perfectly appropriate, and there's nothing wrong with it. After Representative Currie's elaborate explanation, which did satisfy my concerns about the thing, I would like to withdraw the fiscal note so that her Bill can move forward in an expeditious fashion."

Speaker Madigan: "Mr. Vinson has withdrawn his request for a fiscal note relative to House Bill 3031. Mr. Clerk, relative to House Bill 3031, are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Page 10 of the Calendar there appears the Order of House Bills Third Reading, Short Debate Calendar. On that Order, there appears House Bill 2481, Mr. Mautino. Do you wish to call your Bill? 2841, Mr. Mautino, is an Amendment to an Act in relation to state finance. The Gentleman indicates that he does not wish to call his Bill. House Bill 2567, Representative Younge. Is Representative Younge in the chamber? House Bill 2582, Mr. Capparelli. House Bill 2657, Representative Barnes. House Bill 2681, Mr. Vinson. Do you wish to call your Bill? It's on page 10 of the Calendar. It's an Act concerning the provision of notes on legislation authorizing the conveyance or lease of real estate owned by the state. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2681, a Bill for an Act concerning the provision for notes on legislation authorizing the conveyance or lease of real estate owned by the state. Third Reading of the Bill."

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Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This Bill, frankly, is a result of a process that I observed us going through last year. Several Members filed legislation which sought to convey real estate owned by the state to charitable groups or to local governments in their Legislative Districts. That Bill... Those Bills moved through the process. In at least a couple of occasions, they were amended by other Members who put other conveyances on them. In the course of the printing, in the course of the drafting of the Amendments, the result was that the real property descriptions contained in the Bills were reprinted with minor errors. The Bills were passed by both Houses of the Legislature, certified by the Presiding Officers and sent to the Governor. The Governor, in his Bill review, discovered those mistakes in the conveyance descriptions. The Governor had no alternative, under law and under advice from Chicago Title, other than to file amendatory vetoes of those Bills correcting the real property descriptions. The real... The amendatory vetoes were filed, were returned to the respective chambers and were ratified by the respective chambers. Now what that meant was that Members started on a process, sometimes in November of year one, passed a Bill in year two. The Bill was acted on by the Governor in the summer of year two, was sent back to the chambers for the approval of the amendatory vetoes late in year two, and the conveyances were not actually made until early in year three - a very long period for what was essentially a clerical error in the transcribing of those conveyance descriptions. Consequently, I felt that we ought to create a process by which those kinds of minor clerical errors could be remedied and so that we would not have to go

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through the extensive amendatory veto process. This Bill is the result of that. It has been reviewed by the Governor's staff, by the staff of the Department of Central Management Services, by Chicago Title, and it creates a new process which will avoid that. I respectfully submit it to you, suggest that it is a streamlining and housekeeping approach and solicit your 'aye' vote."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates he will yield."

Cullerton: "Representative Vinson, as I understand the Bill, it would require that a Bill that purports to convey state property, before it can be moved to Third Reading, would require a real estate description note to be filed. Is that correct?"

Vinson: "That is one of the alternatives, yes."

Cullerton: "And that real estate description note must contain the proper legal description of the property to be conveyed?"

Vinson: "That is correct."

Cullerton: "Well, my question is that if the Sponsor of the Bill has to get the legal description for the real estate note by Second Reading, why would he not or she not simply amend that legal description into the Bill, on Second Reading?"

Vinson: "That could be done, but everytime you go through a process of reducing one legal description in one document to another, you run the risk of creating a technical error which would then necessitate the amendatory veto process, Representative."

Cullerton: "Well what would be the effect of having a real estate description note on file that also inaccurately described the property?"

Vinson: "If the final note on file before the Bill were acted

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upon was inaccurate, then you would still have a problem, and you would have to go through the process; but, if that note were accurate, then you wouldn't have to go through that process."

Cullerton: "Well if the note were accurate, then presumably, the Amendment to be amended on to the Bill could also... would also be accurate, and I don't see where you have gained anything by having filed a note with the Clerk. Which... It suffers the same problem as if an Amendment to the Bill was... inaccurately described the property."

Speaker Madigan: "Is there any further discussion?"

Vinson: "Yes, Mr. Speaker."

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

Vinson: "Representative, I may have somewhat misled you. The situation is this. The note... The note is not part of the Bill. Because of that, the note does not have binding effect. The note is legislative intent, in a sense. And so if there is a minor technical inaccuracy in the note, the Bill would still have effect, and the Governor could still convey."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Would... Right now, do conveyances of property by the state, do they have to contain a legal description?"

Vinson: "There is nothing in the statutes that requires that, and there's nothing in the Constitution that requires that. The practice has been to do that."

Cullerton: "Okay. So, if we filed... If we had your Bill, and we filed this note, would you anticipate that the legislation itself would contain a legal... continue to contain a legal description?"

Vinson: "It either contains a description or it does not. If it does not it has to be accompanied by the note, and I would think that most Members would end up filing one that did

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not contain the description and would file the note and, because of that, would get away from this amendatory veto process on correcting the descriptions. They would have to come back and file a subsequent report explaining why there was a change between the note that was filed and the actual conveyance."

Cullerton: "So that you think that the conveyance could still go forward even though the note was inaccurate."

Vinson: "It explicitly states that."

Cullerton: "Okay, thank you."

Vinson: "And that's at the request of Chicago Title."

Speaker Madigan: "Gentlemen, are we prepared to go to Roll Call? Fine. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading final action Roll Call. This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question, there are 103 'ayes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2735, Mr. Panayotovich. House Bill 2837, Mr. Ronan. House Bill 2900, Mr. Kulas. Do you wish to call your Bill? The Gentleman indicates that he does not wish to call his Bill. House Bill 2924, Mr. Farley. Is Mr. Farley in the chamber? House Bill 3026, Mr. Terzich. House Bill 3029, Mr. Rea. Do you wish to call your Bill? Mr. Rea. House Bill 3092, Mr. Mays. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. Mr. Rea, would you like to call House Bill 3029? The Gentleman indicates he does not wish to call his Bill. House Bill 3094, Representative Oblinger. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3094, a Bill for an Act to amend

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Sections of the Civil Administrative Code of Illinois.
Third Reading of the Bill."

Speaker Madigan: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, this would allow a deduction from pre-tax dollars rather than post-tax dollars and would amount to about \$300 saved by our state employees. We would lose some money from state income tax, but we would gain it through the amount of money that the employer has to give to Social Security. I think it would be a good Bill for all of our employees, particularly since we can't give them the raises that they would like to have, and I would ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3106, Mr. Hoffman. Is Mr. Hoffman in the chamber? House Bill 3110, Mr. Greiman. Is Mr. Greiman in the chamber? Mr. Greiman? Do you wish to call 3110? The Gentleman indicates he does not wish to call the Bill. House Bill 3161, Mr. Keane. Mr. Keane. Is Mr. Keane in the chamber? On the Order of House Bills Third Reading, nonappropriation, there appears House Bill 15, Mr. O'Connell. Mr. O'Connell, do you wish to call House Bill 15? The Gentleman indicates he does not wish to call the Bill. House Bill 239, Mr. Mautino. The Gentleman indicates he does not wish to call the Bill. House Bill 243, Mr. Saltsman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 243, a Bill for an Act to amend certain Acts in relation to group health insurance for

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certain retired or disabled firemen. Third Reading of the Bill."

Speaker Madigan: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill, the Amendment is strictly... revamps the whole Bill from what it... original form was. It only... Its intent is to get self-insured communities that are self-insured on hospitalization to also be included. It was... Last Session, it was House Bill 242. This is just to clarify the language, and it's not opposed by the Pension Laws Commission."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very... Thank you very much, Mr. Speaker. Never mind."

Speaker Madigan: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question, there are 107 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 569, Representative Braun. Is Representative Braun in the chamber? House Bill 809 is on the Order of Second Reading. For what purpose does Mr. Fowman seek recognition?"

Bowman: "Well... With respect to 569, I just wondered... I understand Representative Braun is on her way upstairs. Perhaps we could have leave to come back to it if she chooses."

Speaker Madigan: "There is a possibility that we might get back to the Bill."

Bowman: "Thank you."

Speaker Madigan: "Thank you. House Bill 809 is on the Order of Second Reading. House Bill 1063, Mr. Fierce. House Bill

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1186, Mr. Steczko. The Gentleman indicates he does not wish to call his Bill. House Bill 1188, Mr. Steczko. The Gentleman indicates he does not wish to call his Bill. House Bill 1190, Mr... For what purpose does Mr. Steczko seek recognition?"

Steczko: "Thank you, Mr. Speaker. I would like to call House Bill 1190 today. However, my file is across the street, so if we could come back to this Bill in a few moments."

Speaker Madigan: "Well, Mr. Steczko, we're moving down the Calendar, and it would be a possibility that we would come back to it. We are moving numerically down the Calendar."

Steczko: "Okay. Thank you, Mr. Speaker."

Speaker Madigan: "House Bill 1334, Mr. Terzich. House Bill 1335, Mr. Brummer. Is Mr. Brummer in the chamber? Mr. Brummer. House Bill 1348, Mr. Brummer. House Bill 1448, Mr. Terzich. House Bill 1474, Mr. Steczko. The Gentleman indicates he does not wish to call his Bill. House Bill 1522, Mr. Steczko. The Gentleman indicates he does not wish to call his Bill. House Bill 1563, Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1563, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 1563 is requiring the filing in regards to the assessor's office, that by January the 15th, the assessor shall cause to be published in a newspaper the general circulation notices, and this assessment must be published. It was... House Bill 1563 was refined by its Amendment, and it does just as I stated, and I'd ask for its acceptance."

Speaker Madigan: "Is there any discussion? The question is... For what purpose does Mr. Jaffe seek recognition?"

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Jaffe: "I just wanted to ask a question if I may, Mr. Speaker.
Andy, why do we need this Bill?"

McGann: "This has been requested by the County Assessor of Cook
County."

Jaffe: "Okay, but you're saying that, where you have
not-for-profit..."

McGann: "Pardon me?"

Jaffe: "Is it not-for-profit property? Is that what you're
talking about?"

McGann: "No, no."

Jaffe: "What kind of property is it?"

McGann: "We're talking here in regards to... This is
owner-resident property..."

Jaffe: "Well, don't you..."

McGann: "And they have to... It's a failure to file the
certificates to constitute the cause, and it's just that it
has to be published in the newspaper."

Jaffe: "Alright..."

McGann: "I will read the... If you'll look at the Amendment,
Representative Jaffe."

Jaffe: "Okay, I'm looking at..."

McGann: "The Amendment is truly the Bill."

Jaffe: "It says it requires annual publication by assessor of a
notice that owners of property exempt from taxation are
required to file a certificate as to the current status of
property or such exempt status can be terminated."

McGann: "That is correct..."

Jaffe: "But the people that are... are exempt from taxation are
usually either not-for-profit religious organizations and
so on and so forth."

McGann: "That is correct."

Jaffe: "So are you then requiring all religious organizations to
file each year a certificate with the assessor? It seems

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to me, you know, somewhat of a burden to have every church and temple file a certificate with the assessor to tell them again that they're exempt. I don't understand why we need that."

McGann: "That may be... That may be so, Representative; but, in the case where they have gone off of that status, time has elapsed and the county assessor is not familiar with that change. And this way here they'll have a more accurate accounting of it - of exactly the properties that are on exempt status and those that are not."

Jaffe: "Okay."

Speaker Madigan: "Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a question? Representative, this Bill affects the entire state, does it not?"

McGann: "That is... I believe so."

Hawkinson: "Does it require a new or additional publication not now required by the assessor's office?"

McGann: "No, I... I don't think that it's requiring much more, except the fact that it has to be published in a newspaper. That might be the additive."

Hawkinson: "Does... Is there any provision in this legislation to exempt this legislation from the State Mandates Act?"

McGann: "You bring up a good point. I don't believe it has."

Hawkinson: "So if it has no such provision, then any new additional costs incurred by the assessor will be paid by the state. Is that correct?"

McGann: "I would say you're correct, Representative."

Hawkinson: "Do you have any idea what that additional cost to the state will be?"

McGann: "I think it will be very nominal, if any at all, because of the size of the notice is very small and it's being placed in the newspaper."

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Hawkinson: "So this doesn't... "

McGann: "I don't think it will be any... actually, Representative, I don't think you're going to have any additional costs, more than you have right now, on the part of the exempt people... persons."

Hawkinson: "So this notice only requires a reminder that the certificates must be filed and does not require a listing of previously exempt properties in any way?"

McGann: "No, it's just that if there's a change in the owner status, then that has to be in there also."

Hawkinson: "In the notice?"

McGann: "In the notice."

Hawkinson: "So it will list individual properties in the notice if there's been a change."

McGann: "I would... I would tend to agree with you there, yes."

Hawkinson: "Alright. Thank you very much."

Speaker Madigan: "Mr. Keane."

Keane: "It's my under... Thank you very much, Mr. Speaker. It's my understanding we already have in the law a requirement that tax-exempt property be reported on a regular basis so that in the event it goes off of tax-exempt use, it would be put on the rolls. What this Bill does is it requires the assessor to publish a notice that owners of property exempt from taxation are required to file a certificate. It only says what... Amendment #1, that part of the Bill which has been under discussion, all it says is that the assessor will publish a notice - not notices of different properties, but just a notice - that if... in a publication, that if you are associated with a tax... someone... an association that owns property that is tax-exempt for purposes of real estate, that... that's all, that you must file it. If you haven't filed it, it's your duty to. So it just goes to the publication of a notice to

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those people. It doesn't mean that he publishes notice of all the tax-exempt properties. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 'ayes', 4 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 6 of the Calendar on the Order of House Bills Second Reading, appears House Bill 2470. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2470, a Bill for an Act to amend the Election Code. Second Reading of the Bill. This has been read a second time previously. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Nash - Ronan and Taylor."

Speaker Madigan: "Mr. Nash."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, I move to withdraw Amendment #1."

Speaker Madigan: "Mr. Nash requests leave to withdraw Amendment #1. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Krska, amends House Bill 2470 in Section 7-10 by deleting all of Subsection (i) and so forth."

Speaker Madigan: "Mr. Ronan."

Ronan: "Mr. Speaker, we wish to withdraw Amendment #2."

Speaker Madigan: "Is there leave to withdraw Amendment #2? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On page 12 of the Calendar on the Order of House Bills Third Reading, there appears House

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Bill 1335, Mr. Brummer. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1335, a Bill for an Act concerning real estate and real estate brokers. Third Reading of the Bill."

Speaker Madigan: "Mr. Brummer."

Brummer: "Yes, thank you, Mr. Speaker, Members of the Assembly. House Bill 1335 amends the Mechanics' Lien Law to provide that those who manage real estate shall be entitled to a mechanics' lien with regard to the property that they manage. It was introduced at the request of the Illinois Realtors' Association, and I don't recall the vote in Committee, but there was a substantial vote in Committee. It's a very simple Bill. It provides that the manager shall be entitled to a mechanics' lien with regard to the... his functions involved in management of the property. The problem is, at times that these individuals may not be paid by the owner of that property. This provides that they would have a lien similar to material men or architects or surveyors and other individuals that have a lien under the Mechanics' Lien Law of Illinois."

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

Levin: "Will the Gentleman yield?"

Speaker Matijevich: "Proceed."

Levin: "Representative, it's my understanding that there are some technical problems with the Bill and that those problems are going to be dealt with in the Senate. Is that correct?"

Brummer: "Well, I'm not really sure if there are any technical problems with the Bill; but, if there are, we would certainly be willing to address those in the Senate."

Levin: "Okay. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative

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Aaron Jaffe."

Jaffe: "Yes, Mr. Speaker, Members of the House, as Representative Brummer knows, I have a problem with the concept of this Bill. And the problem that I have is that this really goes contrary to the whole concept of lien law from the beginning of time till now. In the past, liens were essentially given to people who were working on improvements of property, and I think what we're doing in this particular case is we're really breaking away, and we're giving liens to people have really not improved the property. What you're talking about is you're now giving liens to real estate brokers and to managers for performance in a management of that property. I think what you may come into, I think, is you're going to come into a situation where it becomes almost impossible to transfer a title without having an objection from some real estate broker or from some real estate manager. I understand the Gentleman's motives in going forward with the Bill. I understand the problems that they may or may not be having in this area, but I do think that we should not think that this is just a minor change. I think it is a major change, a major breakaway from lien law as it has existed for hundreds of years... "

Brummer: "Mr. Speaker... "

Jaffe: "... And so I would urge a 'no' vote on this Bill."

Speaker Matijevich: "One moment. Representative Brummer, for what purpose do you seek recognition?"

Brummer: "Yes, I just examined the Calendar, and the Speaker might address the question to the Clerk as to whether or not there are... there is an Amendment on this Bill. There was an Amendment offered in Committee with regard to this Bill that was adopted, but it just was called to my attention that there does not appear to be... on the

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Calendar, at least, any Amendment with regard to this Bill."

Speaker Matijevich: "The... According to the Clerk, the Bill is unamended."

Brummer: "Could you take this out of the record, please?"

Speaker Matijevich: "Yes. Out of the record. House Bill 1348. Representative Brummer, do you want to proceed on that Bill? Out of the record. House Bill 1591, Hensel. Is he ready? Out of the record. House Bill 1839, Doyle. Out of the record. 1859, Carol Braun. Read the Bill."

Clerk O'Brien: "House Bill 1859, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Carol Braun."

Braun: "Mr. Speaker, I'd like this... to have this held. I'd like this out of the record, please."

Speaker Matijevich: "Alright. Out of the record. House Bill 2141, Representative Tom McMaster. Is he ready? Read the Bill."

Clerk O'Brien: "House Bill 2141, a Bill for an Act to provide for the election of the commissioners of airport authorities. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Knox, Representative Tom McMaster. House Bill 2141."

McMaster: "Thank you, Mr. Speaker. A Mandates Act note was requested on this, and it has been filed. So we have no problem with that. This would... Bill would provide, as amended, for the election of airport authority members in those airport authorities that cover 25,000 or less population. It provides for the staggered terms and the proper election. I would request a 'yes' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Larry Bullock."

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Bullock: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Bullock: "First of all, Mr. McMaster, has this Bill been amended?"

McMaster: "Yes, I said it had been amended, Larry, to affect only those authorities of 25,000 or less population."

Bullock: "Well, Mr. Speaker, I'd like to address the Bill and a couple of questions in the process, if you... "

Speaker Matijevich: "Proceed."

Bullock: "I think that the Sponsor, a distinguished individual, has great intentions, but I think that perhaps what the Members of this Assembly ought to consider when voting on this legislation is what cost this will impose upon municipalities if we decide at this point that we want to elect members of this authority. At present, members are appointed, and I don't know what the fiscal impact note indicates. The Sponsor did not give us that figure. There certainly must be some fiscal impact on your units of local government if this legislation is to take effect, because what the Sponsor is attempting to do is to elect individuals on the airport authority, and I'm certain that those of you on the Republican side of the aisle would want to take a look at this Bill before you cast an 'aye' or a 'nay' vote on it. The Members on this side of the aisle - one Amendment addressed some of our concerns by restricting its effect, but, Mr. McMaster, I think perhaps this Bill is one that got by without a lot of attention and a lot of debate; and, unfortunately, if we don't stop it in the House we're going to have to contact our colleagues in the Senate and take a real close look at this legislation. I, for one, am not supportive of having individuals on those authorities elected - number one, because it's going to

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increase the cost to local governments, but more importantly, I don't know what qualification you'd look for when electing individuals to these positions. And so, Mr. McMaster, who I have the greatest respect for, I'm going to respectfully disagree with you in this endeavor, and I'm going to urge a 'no' vote on the proposition."

Speaker Matijevich: "The Lady from Marshall, Representative Judy Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A question of the Sponsor, please?"

Speaker Matijevich: "Proceed."

Koehler: "Representative McMaster, I see that this amends the Municipal Airport Authority Act. Does this have any affect at all upon county airport authorities?"

McMaster: "Yes, it would."

Koehler: "This would also require the election of county airport authority boards, also?"

McMaster: "No, just the municipal, I am told by my staff."

Koehler: "Alright, just municipal. It would have no affect, then, upon county airport authorities. They would still be appointed."

McMaster: "I believe so, yes."

Koehler: "Thank you."

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

Dunn, J.: "Question of the Sponsor."

Speaker Matijevich: "Proceed."

Dunn, J.: "In our area the airport is part of the park district and is administered through elected park district commissioners. What impact does this legislation have upon that situation?"

McMaster: "I don't see how it would have any affect on park districts."

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Dunn, J.: "Well, I don't have all the information here that I need. I see the word 'municipality' mentioned. I don't know whether municipality in this legislation is a park district or not. And did you say... Did I hear you say that the... that the legislation applies only to facilities where the population is... in the district is 25,000 or less?"

McMaster: "Yes, Mr. Dunn."

Dunn, J.: "Thank you."

Speaker Matijeich: "Representative Mautino. The Gentleman from Bureau, Representative Rich Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Matijeich: "Yes. Proceed."

Mautino: "Representative McMaster, I have two concerns with the Bill. The first is a question concerning the appointment process now. Is it not true that in a municipal airport authority, the appointments are made by the mayors, with the advice and consent of the councils?"

McMaster: "In the municipalities concerned, yes."

Mautino: "Now, if, in fact... If, in fact, you have a port authority that covers more than one municipality, would that port authority fall in the purview of elected members, or would they still be appointed under the current aspect by the Governor of the state, as it pertains to port authorities?"

McMaster: "We're talking about airport authorities, Dick, and I would say that, yes, if they contain more than one municipality and the total aggregate number is 25,000 or under, they would be elected, yes."

Mautino: "Well, I agree with you, yes, it does affect port authorities. For example, in the Illinois valley area, we have an Illinois Valley Port Authority covering the cities of LaSalle, Peru, Princeton, other areas where they now are

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involved in the process of building an airport, and they've done it under the auspices of one of the cities - the City of Peru. Under this proposal, those individuals operating the airport authority would have to be elected as opposed to appointed. And if that is the case, I would have to stand in opposition to your legislation, mainly because we would be stopping something that's 80% completed purchase of property and everything under the authority of the port district. And it seems to me that this would cause a great problem for central Illinois."

McMaster: "I really don't think, Dick, that it would affect your situation."

Speaker Mautino: "The Gentleman from Will, Representative Van Dwyne. Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. Whether I'm for the Bill or against the Bill, I would like to try to shed a little light on this situation. This Bill was handled by Representative McMaster in Counties and Townships, and the Bill emanates from a problem in a smaller county - by the way, you want to remember that it only affects counties of 25,000 or less - wherein the airport was... lies geographically, in one township which had no members on the airport authority. The people who represented the township in Committee, their opinion was that they should have some type of representative on the airport authority, in that the airport and its operation was inside their township. That's the whole genesis of the Bill. They felt that the only way that they could be guaranteed some type of representation on the airport and the doings of the airport would be to have them elected. That is the genesis of the Bill. It only applies to very few counties in the state who have populations of under 25,000. It surely... It surely doesn't apply to my county. Our county is 235,000.

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So I don't know whether that helps anybody or not."

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

Brummer: "Yes, will the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Brummer: "I... For what appears to be a rather innocuous Bill, I certainly received a number of letters regarding this, all in opposition to this Bill, and I guess I don't understand it completely. Does this apply... I heard the question asked awhile ago, and I did not understand the answer. Does this apply to county airport commissions?"

McMaster: "Not to county airport commissions."

Brummer: "Only to municipal airport commissions."

McMaster: "Airport authorities, yes."

Brummer: "Airport authorities. I'm sorry. Is there a county airport authority also? Maybe I asked the wrong question."

McMaster: "I think that would come under a different part of the statutes, Rich."

Brummer: "So, this is not applicable to a county airport authority. Is that... "

McMaster: "I would not consider it to be, no."

Brummer: "Well, I... You're the Sponsor. I haven't had a chance to read through each of the 18 pages here. Within these 18 pages of the Amendment, does it apply to a county airport authority?"

McMaster: "I said no, Rich. It applies airport authorities... municipal airport authorities... "

Brummer: "Okay."

McMaster: "... with populations less than 25,000."

Brummer: "Okay. Thank you. Does the Illinois Municipal League have any position on this?"

McMaster: "I have not seen any position. I do not believe they have, Rich."

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Brummer: "Okay. And there are some city/county airport authorities. Would this be applicable to them?"

McMaster: "It would depend upon how they're formed. If they're formed under the Municipal Airport Authority, yes."

Brummer: "Representative Van Duyn, who's harassing me by my mike here - maybe the Speaker could address him - seems to indicate there aren't many counties that are a population of under 25,000. Most of mine in my district are, and so it is applicable with regard to all the counties, I think, in my district, all seven counties except one of them. And I've received letters of opposition to this from various individuals within that district. One of the letters, I recall, indicated that the... an individual had retired to this community who had a great deal of background and experience in general aviation and in commercial aviation. He has served on the airport authority there, and I think... I'm not even sure if those individuals are salaried or not. As I recall, they are non-salaried, and he was willing to donate his time. The letter pointed out that this individual would probably never get involved in an elected position, if he ran. Because he was a stranger to the community, he probably would not be elected, but yet, because of his whole career spent in general aviation and in commercial aviation, he was able to render a great deal of assistance and advice to the airport authority. And generally, I guess, what we have, if you will, is merit selection of airport authority commissioners under the existing law, and this would abolish the authority of the appointing authority to select highly qualified individuals. For that reason, I think the rural areas are opposed to this, and it's only applicable... Maybe not all the rural areas are opposed. Obviously, Representative McMaster has somebody that's in favor of it, but the

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individuals that contacted me throughout my district are opposed to this. And I suspect that's the case of much of rural Illinois, and those are the only areas that are affected by this. I think this is a proposal whose time has not yet come, hopefully."

Speaker Matijevich: "The Gentleman from Peoria, Representative Don Saltsman."

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

Speaker Matijevich: "He indicates he will. Proceed."

Saltsman: "Yes, Representative McMaster, do you have any idea what type of a financial impact that this will have for this new type of authority versus the non-paid people that we have in these authorities now?"

McMaster: "No impact whatsoever. Let me explain one thing, Mr. Saltsman, and I think for the benefit of Representative Bullock, also. This will cause no extra expense, as far as elections are concerned, because the elections occur the same time as other elections - the regular consolidated election schedule. It is not any extra expense, and this does affect only airport authorities with a total population of 25,000 or less. And it's no extra expense to elect them versus appointing them."

Saltsman: "Thank you."

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

Cullerton: "Yes, will the Spncsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Cullerton: "As I understand the statute right now, commissioners have to come from certain municipalities."

McMaster: "Yes."

Cullerton: "Now, how would... "

McMaster: "This would not change that."

Cullerton: "Well, right... right now, they're appointed. You're

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suggesting that they be elected."

McMaster: "Yes."

Cullerton: "How can they be elected from individual municipalities?"

McMaster: "I think, Mr. Cullerton, you are aware that, for instance, in school board law, there are requirements that you cannot elect more than X number of school board members from a specific township, for instance, and this would work in the same way. In other words, there could be no more than X number of members of that authority from a specific area within the authority."

Cullerton: "Well, then, how would the ballot look? For example... Give me an example. Let's say you have an authority that encompasses 10 municipalities."

McMaster: "It wouldn't be that big, John, in the first place."

Cullerton: "Alright. How many... Give me an example of... "

McMaster: "Let's say... "

Cullerton: "Two or three?"

McMaster: "Three townships, let's say."

Cullerton: "Okay."

McMaster: "With the total population within that area of 25,000 or less."

Cullerton: "Or less. And Section 3-1 of the Code now says that... something to the effect that you must have at least one from each township, so... "

McMaster: "One from each municipality having 5,000 or more."

Cullerton: "Okay. So, let's say we have three municipalities, each with 7,000."

McMaster: "One from each of them."

Cullerton: "Okay. Now how then... How would the ballot appear? In other words, if you have... The election is throughout the entire authority. How do you guarantee that, let's say, three... the top three winners all come from the same

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township? Would the... What if there's no candidates from one of the municipalities? How do you address those concerns?"

McMaster: "John, it's the same with school board elections."

Cullerton: "Well, I'm not... "

McMaster: "And they handle it there, and I can't describe the ballot to you. It would be a rather complicated thing to explain."

Cullerton: "I agree, it would be a complicated ballot."

McMaster: "But I do not think it's considered to be complicated as far as school board elections are concerned, and I see no reason why it would be more complicated as far as airport authorities are concerned."

Cullerton: "Well, maybe you can explain then, how it would work. The example I gave you - there's three municipalities, each having 7,000 people in it. They are all in an airport authority. There is 21,000 people in the authority, and we elect three commissioners."

McMaster: "And you're saying that they're all elected from the same town."

Cullerton: "Let's assume that there's six people on the ballot, two from each city, and the top three vote-getters are all from the same ballot. Now, how do you accomplish... How do you fulfill Section 3-1 of the Code, that each municipality shall have a commissioner? Do you say that the top vote-getter from each municipality shall win, regardless of the order of finish?"

McMaster: "I believe, John... It's difficult to explain this, to make you understand it, John, but I think there are... is language on the ballot saying that no more than one can be elected from a specific town. And the language is on the ballot."

Cullerton: "Okay. It seems like it's kind of a complicated

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process, and maybe you could just restate briefly what the purpose of this is, given the complications involved with the actual election."

McMaster: "The purpose of it is, in the case of the county where this originated, John, to allow the township that has the airport within its boundaries to elect a representative to that airport board of commissioners."

Cullerton: "Well, right now this law says that the one has to be appoint... Under the appointive system, one has to come from that township."

McMaster: "No. No, because there are two municipalities within the airport authority, and there has to be at least one from each municipality, but it does not concern townships."

Cullerton: "Alright. Fine. Alright, thank you."

Speaker Matijevich: "Alright. Let's kind of wind this up. Representative Leverenz, the Gentleman from Cook."

Leverenz: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Leverenz: "You earlier indicated that being elected, there would be no cost. It wouldn't cost anything to be elected? How do you come to that conclusion?"

McMaster: "No extra cost, Teddy. No extra cost, because the election is held at the same time as your regular scheduled elections under the Election Law."

Leverenz: "Would you have any difficulty having these people come forward and want to campaign for this spot, rather than leaving it the way it is now?"

McMaster: "I don't quite fully understand your question, Teddy."

Leverenz: "Well, they'd end up having to raise money. I'm sure you're... not as familiar with that as I am, but, you know, we have to go through a lot of expense and... "

McMaster: "Teddy, I've run for more elections than you have."

Leverenz: "Well, you got a year or two on me, but certainly it

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has to cost money to someone there just to have them on the ballot, even."

McMaster: "Well, it's not the taxpayers that are concerned as far as raising money for candidates occurs, Teddy. If a candidate wants to spend money, I suppose he could. If he doesn't want to, he wouldn't have to. I, quite frankly, would not see this as generating a lot of controversy, as far as candidates competing for the position."

Leverenz: "What worthwhile organization came forward and asked for the Bill to be introduced."

McMaster: "A very worthwhile county in my district, Carroll County."

Leverenz: "Explain to them that because I don't fly in there, that I'll vote 'no'."

McMaster: "That's your privilege, Teddy."

Speaker Matijeich: "The Gentleman from Knox, Representative McMaster, to close."

McMaster: "Thank you, Mr. Speaker. This Bill has taken longer than I had expected. I do not mind having questions in regard to legislation that I am sponsoring. Personally, I feel that anyone should be very happy to run for an elective office. We all do. I think that it's a privilege to be a candidate. I... I am a little bit concerned that those who are afraid of being candidates and do not want to run on a ballot and would rather be appointed. I have always felt that it was the right of the people to have a voice and to elect people to represent them no matter what type of a board it might be on. I think that this is good legislation. It will affect only the smaller airport authorities; although, I will say that while some of you have had opposition in the way of letters from your home districts, I have had a lot of mail in support of it and even mail requesting that I amended it to consider larger

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areas for the elective process. And I think it's good legislation, and I would urge your vote 'yes'."

Speaker Matijevich: "Representative Bullock has indicated to the Chair that if this Bill gets the requisite number of votes, that he will ask for a verification. Representative McMaster has moved for the passage of House Bill 2141. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 50 'ayes', 49 'nays', 3 answering 'present', and House Bill 2141... And the Gentleman from Knox, Representative McMaster, asks that this Bill..."

McMaster: "Poll of the Absentees."

Speaker Matijevich: "No. A Poll of the Absentees. The Clerk will poll the absentees."

Clerk O'Brien: "Barger. Barnes. Countryman. DiPrima. Domico. Ewing. Flinn. Hastert. Hoffman. Huff. Keane. Kulas. Taylor. Vitek. White and Younger."

Speaker Matijevich: "On this question, there are 50 'ayes', 49 'nays', and the Gentleman from Knox, Representative McMaster, asks leave that this Bill be placed on Postponed Consideration. Leave, and House Bill 2141 is on Postponed Consideration. Representative Tim Johnson from Champaign - is he in the chamber? Committee Reports."

Clerk O'Brien: "Corrected Committee Report from Representative Jaffe, Chairman of the Judiciary Committee, to which the following Bill was referred, action taken May 2, 1984, reported the same back with the following recommendation: 'do pass as amended' House Bill 1335. And the Committee on Rules met pursuant to Rule 29(c)-3. The following Bill has been ruled exempt on May 16, 1984: Senate Bill 1585."

Speaker Matijevich: "I'd like to introduce our colleague, Tim Johnson from Champaign County, for a brief ceremony."

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Johnson: "Today, I'm from Vermilion County. I'm privileged to introduce Brenda Jo Masengale, who's the 1984 Miss Illinois National Teenager Contest winner. The contest was held April 20th through April 22nd in Decatur, at Millikin University, with, I think, 130 participants, and our area, east central Illinois, Vermilion County, my district and the districts that was represented by Senator Coffee and Senator Weaver and Representative Stuffle and Representative Woodyard are privileged that someone of the... not only of the physical attributes, but of the academic and general qualifications of Brenda, was named winner. Just very briefly, in going over her incredible resume, she has been a National Honor Society recipient, cheerleader... I guess, is a captain of the cheerleading team. Is that right? President of the student council, has participated and works actively in special education with the mentally handicapped and so forth. It's just an incredible resume, not only in terms of academic achievements and otherwise, but also in terms of community service. So not only our area, but the whole State of Illinois, Brenda, are pleased and proud that you are going to be representing us in the national competition, I think, in Florida. And we wish you the very best there, and we congratulate you on your honor so far. And if you'd like to say anything to the Members of the House, we'd be glad to hear from you."

Brenda Masengale: "I want to thank you for giving me the opportunity to speak before you today. I will be representing the State of Illinois at the national competition in August. I am very proud to say that I come from Illinois, because I know that it is the best state of the Union. For example, I am a member of the Student Advisory Council to the Illinois State Board of Education.

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I get to give direct input to the State Board of the student concerns on the educational system. Not too many states allow their young adults to do that type of thing. I am really anxiously awaiting the national competition, and I am very ready to do my very best to represent the state, and thank you again."

Johnson: "I'd also like to introduce, on the podium with us, Ms. Martha Smith, who is the State Director of the Miss National Teenager Pageant, who resides in Danville, also in Vermillion County, and Brenda Jo's mother, Linda Masengale, who is here with her for the day. So, I would appreciate you all giving her a Springfield welcome, and thank you very much."

Speaker Matijevich: "Thank you, Tim Johnson and Larry Stuffle and 'Babe' Woodyard, the queen and Mrs. Masengale and Ms. Johnson (sic - Smith). Good luck to all. Next Bill, House Bill 2175. The Lady from Cook, Representative Pullen. Penny Pullen. Out of the record. House Bill 2186, Carol Braun. Is that out of the record? Out of the record. 2192, Barb Currie. 2192? Read the Bill."

Clerk O'Brien: "House Bill 2192, a Bill for an Act to amend Sec... "

Speaker Matijevich: "One moment, please. We would take that out of the record for a moment. Out of the record. House Bill 2208, Yvetter Younge. Is Yvetter in the chamber? I don't see her. Out of the record. House Bill 2213, Ethel Alexander. Out of the record. 2296, Representative Hallock. Read the Bill."

Clerk O'Brien: "House Bill 2296, a Bill for an Act creating the Illinois County Historic Preservation Act and amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Winnebago, Representative John Hallock on House Bill 2296."

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Hallock: "Thank you, Mr. Speaker and Members of the House. 2296 establishes the Illinois County Historic Preservation Act. What that would do is allow counties to establish within their own confines, state historic preservation districts. The cities have allowed to do this since 1963. This would extend that responsibility to counties as well. I believe it's very important if we really want to enhance the future; that we have to preserve the best parts of our past. This Bill would allow that to be done at the county level, and I'd ask for your support. Thank you."

Speaker Matijevich: "Representative Hallock has moved for the passage of House Bill 2296. Is there any discussion? The Gentleman from Macon, Representative John Dunn."

Dunn, J.: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Dunn, J.: "At the Committee hearing, were there any opponents?"

Hallock: "No. It passed Committee 14 to 0. There was no opponents. There were some proponents."

Dunn, J.: "Thank you."

Speaker Matijevich: "Question is, 'Shall House Bill 2296 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 102 'ayes', 1 'nay', and House Bill... Mays 'aye'... 229... Slape 'aye'... 2296, having received the Constitutional Majority, is hereby declared passed. House Bill 2307, Levin. The Clerk will read the Bill. 2307."

Clerk O'Brien: "House Bill 2307, a Bill for an Act to amend Sections of the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Levin, on House Bill 2307."

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Levin: "Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On behalf of myself and Representative Nash, I'm pleased to present House Bill 2307, which amends the Illinois Human Rights Act. There have, unfortunately, been a number of conflicting interpretations with respect to the Illinois Human Rights Act as to whether or not an employer may accommodate an employee's religious beliefs. The intent of this legislation is to clarify that by putting into the Human Rights Act the language which currently exists in Title VII of the U. S. Civil Rights Act, with respect to religious accommodation. The Bill is supported by the Department. It really does not make a change in law since everybody is currently covered by the federal law, but it does affect the kind of interpretations that will be placed on the state law. And for that reason, I think it's an important Bill. It's an important Bill to a number of the religious communities and I ask for your support."

Speaker Matijevich: "Representative Levin has moved for the passage of House Bill 2307. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, perhaps, Representative Levin, could you answer a question for me? What affect would this have with regard to employment? Would this require that employers accommodate certain religious observances and practices so as to require that they give religious holidays off?"

Levin: "What the Bill does is to pick up the language which is in Title VII of the U. S. Civil Rights Act, which requires accommodation of religious beliefs unless an employer demonstrates that he is unable to reasonably accommodate an employee... employee's or prospective employee's religious observation."

Cullerton: "Well, actually, I think... I think that the standard is that the employer must show undue hardship on the

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conduct of the employer's business. And I... And I think..."

Levin: "That's correct. That's the... That's the rest of the language I was just..."

Cullerton: "Right, and what I'm wondering is... is this... what is the... What is behind this Bill? Is the purpose of the Bill to... Was there an instance when an employer would not allow someone off for a religious holiday and this... the purpose of the Bill is to require that they let them off?"

Levin: "Yes, there was a situation in the City of Chicago where the City administration... previous City administration gave time off to its Greek Orthodox and Jewish employees in the police department, and there was an interpretation based on the then existing Illinois Human Rights Act that that was illegal under the Human Rights Act. The intent of this legislation is to put into the statute something that does not exist right now. That is the concept of religious accommodation. It does exist in the federal law. Everybody is covered by it, but the affect of not having it in the state law is that the state law can be used to prohibit acts... attempts at religious accommodation. So by putting this language in, the intent is to make clear that it is proper under the state law for an employer to accommodate the religious beliefs of an employee."

Cullerton: "Since we are putting... Since we're putting it into state law, would you think that the Mandates Act would apply and that any loss in availability of employers... of employees to the employer - let's say it's a city or school district - would... they would have to be reimbursed for that loss by the state?"

Levin: "The intent of this legislation is to deal with the purely voluntary type of situations. As I said, everybody is currently covered by the federal law. So as far as

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anything that is required now, they are acting to do it. The situation that existed in Chicago was a situation where the City attempted to voluntarily accommodate religious employees beyond what the federal law provided, and the State Human Rights Act was interpreted to prohibit that voluntary act on the part of the employer. There has been a similar problem that has come up in the State of Ohio, and the intention here is to provide the flexibility which does not now exist under the state law so there can be religious accommodation."

Cullerton: "Thank you."

Speaker Matijeich: "The Lady from Cook, Representative Judy Topinka."

Topinka: "Yes, if I might ask the Sponsor a question."

Speaker Matijeich: "Proceed."

Topinka: "If I were a practicing witch, would this apply to me? Could I get a paid holiday since that is a form of religious observance? I'll let you play with that one for a while and get back to me."

Speaker Matijeich: "You don't have to practice."

Topinka: "I'll get you on Halloween, John."

Speaker Matijeich: "Okay. Levin, to touch that."

Topinka: "No, but could I get a paid a holiday for that if I could make a case for that, because, you know, that is a religion as such?"

Levin: "Okay, as I said, this... the intention here is... as far as the federal law that currently covers everybody, this obviously doesn't make any change. What is mandatory is what is in the federal law; but, since under the state law we don't deal with the issue of religious accommodation, if an employer wishes to go beyond what's required under the federal law, he can't do it now as a result of this interpretation involving the City of Chicago with the

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police officers. So what this does is this provides flexibility for accommodating employees' religious beliefs so that you cannot use the State Human Rights Act to say that you cannot accommodate a person's religious beliefs."

Topinka: "I understand what you are saying and I see what you are trying to get at and I think that's, you know, a noteworthy purpose, but I don't know that you are necessarily answering my question. Could I get a paid holiday if I were a practicing witch and could make a case for that as that being my religion or at least something that I observe?"

Levin: "The definition of religion is as it is in the, you know, the federal law, which is all aspects of religious observation and practice, as well as belief except that which, with respect... you know, that's the definition. I don't render... you know, I don't feel that I'm in a position to render an opinion as to what is a religion. It may be. It may not be. You know, I really can't say that I am that familiar..."

Topinka: "So, conceivably, I could get a paid holiday for this?"

Levin: "If the, you know, employer wanted to voluntarily do it, conceivably. I... you know, as I say, I really don't feel qualified to give you any kind of answer in terms of the example you gave."

Topinka: "Okay. Thank you."

Speaker Matijevich: "Gentleman from DuPage, Representative McCracken."

McCracken: "Would the Sponsor yield?"

Speaker Matijevich: "Proceed."

McCracken: "Representative, is it your intent in including observance and practice to allow an employer to give paid holidays where he cannot do so now?"

Levin: "Yes, where..."

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McCracken: "Does this Bill..."

Levin: "... On a purely voluntary basis and there are other constraints that would exist. Those constraints are basically two. One is the interpretations of the... this language in the federal Act. There is a body of law. There are rules and regulations. And so, for example, under the federal interpretation, a regular accommodation - I'm thinking of the 'Hardison versus TWA' case - is considered to be onerous. That's every... every Sabbath; whereas, an occasional accommodation is not. That distinction is made. So, what we are doing is we are taking away the restraint that exists under the state law, the ability to use the state law to prohibit something. Whatever limitations exist under the federal law would continue and, in addition - I said there were two limitations - one is the interpretation of the federal law. The second potential limitation is any constitutional problems that might exist. So, for example, there may in fact, be a constitutional limitation on the part of a government taking a particular action with its employees."

McCracken: "Okay. Would this, then, be something that would subject to collective bargaining if your Bill were passed, making it permissive?"

Levin: "Yes."

McCracken: "Okay. To the Bill."

Speaker Matijevich: "Proceed."

McCracken: "You know, if collective bargaining or if this can be used as a tool in our recently enacted collective bargaining rights requiring paid holidays, the paid holidays would probably have to be given to all persons of all persuasions, and I think that that could very well wreak havoc on city budgets. I understand the intent. I understand it's permissive, but I think it's going to be

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used in the context of collective bargaining, and I think that makes it a problem."

Speaker Matijevich: "Representative Levin, to close."

Levin: "I... In response to the last concern, I would say that there is a body of law out there which might very well prohibit municipalities from giving paid holidays because of the constitutional questions in terms of state action. My intention, in terms of this legislation, is to deal really with the private employer who right now may be subject to liability given some of the conflicting interpretations if he accommodates the religious beliefs of his employee. This is legislation which is of great concern to a number of religious communities, particularly the Greek Orthodox community, the Jewish community, communities that ... whose high holidays - and that's really what we are talking about here - are not public holidays. And we do have the federal law which is what imposes the obligations, but we also have some of the conflicting interpretations under the State Human Rights Act which throw in the question whether or not an employer, on a voluntary basis, may accommodate his employees' religious beliefs. The intent of this legislation is simply to take that federal law, put it in the state law so that the state law cannot be used as a bar to such voluntary actions. And I would urge your support of this Bill."

Speaker Matijevich: "Representative Levin has moved for the passage of House Bill 2307. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 71 'ayes', 24 'nays', 7 answering 'present'. House Bill 2307, having received the Constitutional Majority, is hereby declared passed."

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House Bill 2332, Gentleman from Cook, Representative Woods
Bowman. Read the Bill."

Clerk O'Brien: "House Bill 2332, a Bill for an Act to amend
Sections of the Illinois Public Aid Code. Third Reading of
the Bill."

Speaker Matijevich: "Representative Woods Bowman, on House Bill
2332."

Bowman: "Mr. Speaker, I'd like to make an inquiry of the Chair.
Has Amendment #3 been printed and distributed yet?"

Speaker Matijevich: "Amendment #3 been printed and distributed?
No, it has not."

Bowman: "What I would like, then, would be the... to ask leave of
the Body to bring this back to Second Reading and we will
leave it on Second until the Amendment is available."

Speaker Matijevich: "Leave to return House Bill 2332 back to the
Order of Second Reading. Leave. The Bill is on Second
Reading."

Bowman: "And I just wanted to verify that the Bill has been read
a third time."

Speaker Matijevich: "It has been read a third time."

Bowman: "Thank you."

Speaker Matijevich: "House Bill 2337, Representative Zeke Giorgi.
Giorgi. The Regulatory Agency Sunset Act. Out of the
record. Not one of your biggies. 2347, Hicks. Read the
Bill."

Clerk O'Brien: "House Bill 2347, a Bill for an Act to amend the
Herrin and Mount Vernon Civic Center Act. Third Reading of
the Bill."

Speaker Matijevich: "Gentleman from Jefferson, Representative
Hicks, on House Bill 2347."

Hicks: "Yes, Mr. Speaker. We'd like leave of the House to take
the Bill back to Second Reading for the purpose of an
Amendment."

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Speaker Matijevich: "Gentleman asks leave to return House Bill 2347 back to the Order of Second Reading for the purpose of an Amendment. Does he have leave? Leave, and the Bill is on Second Reading. Are there any Amendments?"

Clerk O'Brien: "Amendment #1, Leverenz, amends House Bill 2347 by deleting the title and so forth."

Speaker Matijevich: "The Gentleman from Cook, Representative Leverenz, on Amendment #1."

Leverenz: "I thank you, Mr. Speaker. The Amendment would allow, in this Bill, the creation of the River Forest Metropolitan Exposition Auditorium and Office Building Authority, and I would move for the adoption of the Amendment."

Speaker Matijevich: "Representative Leverenz moves for the adoption of Amendment #1. No discussion. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Hicks."

Hicks: "Yes, Mr. Speaker. I'd like leave to have the Bill called for immediate consideration."

Speaker Matijevich: "Gentleman asks leave that... for the immediate consideration of House Bill 2347. Does he have leave? Leave. Clerk will read the Bill."

Clerk O'Brien: "House Bill 2347, a Bill for an Act... A Bill for an Act relating to the Metropolitan Exhibition Auditorium and Office Building Authorities. Third Reading of the Bill."

Speaker Matijevich: "Representative Larry Hicks, on 2347."

Hicks: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2347 is the name change Bill on the Herrin and the Jefferson County Civic Center Authority. It is added on with Amendment #1, which would add Representative Leverenz's Amendment to the Bill, which

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would create the River Forest Metropolitan Exposition Auditorium and Office Building Authority. I would be happy to answer any questions. It's a similar Bill we have seen several times. The original part was simply the name change on the Mount Vernon to the Jefferson County Authority. I'd ask for passage."

Speaker Matijeovich: "Representative Hicks has moved for the passage of House Bill 2347. On that, the Gentleman from Peoria, Representative Tuerk, Fred Tuerk."

Tuerk: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Matijeovich: "Indicates he will. Proceed."

Tuerk: "What would be the amount of state funds that you would qualify for under this Act?"

Hicks: "Yes, we would qualify under the... the 1975 valuation... assessed valuation of 3.6 million."

Tuerk: "And the Amendment that was just adopted moments ago, how much state funds would that Authority qualify?"

Hicks: "I'm sorry. I don't know the assessed valuation on that area, and I can't answer that question."

Tuerk: "How much is in the Fund now for additional civic centers throughout the state?"

Hicks: "I believe there's an annual appropriation of somewhere in the neighborhood of five million dollars."

Tuerk: "No, how much is in the Fund now that is eligible for other civic centers throughout the state?"

Hicks: "I... I think what you are asking is how much is available every year. Is that what you are asking?"

Tuerk: "Well, originally, since I happened to be the Sponsor of the original legislation, there was 75 million in the Fund for building of civic centers throughout the State of Illinois. And at that time it was... that was the maximum amount, and, you see, that's been drawn down. And all I want to know is how much money has been reestablished in

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the Fund and, therefore, available for additional civic centers."

Hicks: "I really don't know how much has been drawn down. I understand that a former Representative of this House runs that Department. I'm sure she can answer that question for you."

Tuerk: "Okay, you don't know really how much..."

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

Tuerk: "Thank you. Well, Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Tuerk: "I have no strong feelings as to the amount of civic centers throughout the state; however, it appears to me that in the last couple of three terms now there has been a proliferation of civic centers throughout the State of Illinois. And, therefore, I don't know how many dollars are available for the building of these civic centers, nor do I know the extreme need throughout the state for civic centers other than what has been established by original legislation some eight to ten years ago. I think in drawing attention to this Bill, I would further draw attention to other Bills of similar character that are still on the floor and; therefore, I think the Members should think through this thing pretty seriously before casting their votes. Thank you."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Sam Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I rise in opposition to House Bill 2347. I rise in opposition to it for three reasons. Number one, the Bill is going to cost some two, three, four million dollars. Number two, if you spend two, three, four million dollars on a civic center in Herrin and a civic center in River Forest, that's money you can't spend educating boys

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and girls in the primary and secondary school system throughout the State of Illinois. And that's our real priority down here, or at least it really ought to be our priority down here. And number three, I'd make the point that we've already this Session talked about creating a civic center in Oak Lawn, a civic center in Schaumburg, civic centers in DuPage. All of these are right around that civic center in River Forest. That's going to be the most civic-centered, convention-centered spot in the State of Illinois, probably in the entire North American Continent, and it... they just don't need that many civic centers. You know, you've got McCormick Place sitting out there with a legitimate need that we've got to come to grips with. Pretty soon we are just going to have the entire population of the State of Illinois living across the street from one civic center or another, and it's just going too far, especially when we can't afford to educate boys and girls in the State of Illinois. That's where the money ought to be put. That's what we ought to be doing. I would urge a 'no' vote and request a verification should it appear to get the requisite number."

Speaker Matijevich: "Representative Hicks, to close."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Bill was a Bill that we passed out last year, was signed by the Governor. This is a simple name change on the Mount Vernon and the Jefferson County Authority. We are adding into it the River Forest Metropolitan Center, which is an addition, but it is a good Bill. If you look at any map with the current civic centers in the State of Illinois, there is nothing south of Springfield, Illinois, nothing in downstate for civic centers, not the first one. I think it's time we take a look at what is going on in downstate. If we are going to spend some of the dollars we have been

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spending up north, we ought to spend some down south too.
I'd ask for your positive vote."

Speaker Matijevich: "Representative Hicks has moved for the passage of House Bill 2437. Those in favor signify by voting 'aye', those opposed... and there is a request for a verification, so make sure you hit your own switch... those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this question there are 61 'ayes', 42 'nays', and Representative Vinson has asked for a verification, and Representative Hicks asks for a Poll of the Absentees. Clerk will read off the absentees."

Clerk O'Brien: "Barnes. Bullock. Capparelli. Countryman. Ewing. Hensel. Huff. Krska. Taylor. Terzich. Vitek. White. Younge. Mr. Speaker."

Speaker Matijevich: "The Clerk will now read off the affirmative vote. When your name is called, be in your seat and raise your arm, one of them."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunner."

Speaker Matijevich: "Madigan 'aye'. Madigan 'aye'. Leave for Madigan to be verified for the Speaker. He nods yes. One moment, Mr. Clerk. Wyvetter Younge 'aye'. Wyvetter Younge 'aye', and Representative Keane asks leave to be verified. Leave. And Bullock, Larry Bullock 'aye'. Bullock 'aye'. Proceed with the affirmative vote."

Clerk O'Brien: "Brunsvold. Bullock. Christensen. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico."

Speaker Matijevich: "One moment. Marzuki asks leave to be verified. Leave. Marzuki. Proceed."

Clerk O'Brien: "Domico. Doyle. John Dunn. Ralph Dunn. Farley. Flinn. Dwight Friedrich. Giglio. Giorgi. Greiman. Hannig. Hicks. Homer. Jaffe. Keane. Kulas. Laurino.

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LeFlore. Leverenz. Levin. Markette. Marzuki.
Matijevich. McGann. McPike. Nash. O'Connell.
Panayotovitch. W. Peterson. Pierce. Preston. Rea. Rhen.
Rice. Richmond. Ronan. Saltsman. Shaw."

Speaker Matijevich: "Ronan asks leave to be verified. Leave.
Proceed."

Clerk O'Brien: "Shaw. Slape. Steczo. Stuffle. Turner. Van
Duyne. Winchester. Wojcik. Wolf. Younge. McNamara.
And Mr. Speaker."

Speaker Matijevich: "Questions of the affirmative vote.
Representative Vinson."

Vinson: "Representative Braun."

Speaker Matijevich: "She is in the center aisle."

Vinson: "Representative Cullerton."

Speaker Matijevich: "I don't see Representative Cullerton. How
is he recorded?"

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

Speaker Matijevich: "Cullerton is over here and let the record
show Representative Capparelli voting 'aye'. Add
Capparelli 'aye'. Proceed."

Vinson: "Representative Domico."

Speaker Matijevich: "Is Representative Domico in the chamber? I
don't see him. How is he recorded?"

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

Speaker Matijevich: "Remove him from the Roll Call. Proceed."

Vinson: "Mr. Farley."

Speaker Matijevich: "'Slim' Farley. I don't see Representative
Farley here. How is he recorded?"

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

Speaker Matijevich: "Remove him."

Vinson: "Mr. Wolf."

Speaker Matijevich: "Representative Wolf is in the back."

Vinson: "Mr. Turner."

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Speaker Matijevich: "I don't see Representative Turner in the back. How is he recorded?"

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

Speaker Matijevich: "Remove him."

Vinson: "Representative Shaw."

Speaker Matijevich: "Representative Shaw. I don't see him back there either. How's he... Oh, there he is. Yes, he is. He's in his seat."

Vinson: "Mr. Preston."

Speaker Matijevich: "How's Representative Preston recorded?"

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

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

Vinson: "Representative Levin."

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

Vinson: "Mr. Laurino."

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

Vinson: "Mr. Giglio."

Speaker Matijevich: "Giglio. How's Representative Giglio recorded?"

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

Speaker Matijevich: "Remove him from the Roll."

Vinson: "Mr. DeJaegher."

Speaker Matijevich: "He's in his seat. No, he's in the aisle. Here he is."

Vinson: "Mr. Curran."

Speaker Matijevich: "Representative Curran is way in the back."

Vinson: "Mr. Leverenz."

Speaker Matijevich: "He's near his seat."

Vinson: "Mr. Hicks."

Speaker Matijevich: "He's right there."

Vinson: "Mr. Christensen."

Speaker Matijevich: "He's in his seat. Are these the targets too?"

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Vinson: "Nah, this is a somewhat different list."

Speaker Matijevich: "Proceed."

Vinson: "Mr. Bullock."

Speaker Matijevich: "Representative Bullock is in the front here.
Got any more, Sam?"

Vinson: "Yes, Mr. Peterson."

Speaker Matijevich: "Mr. Peterson. He's in the back."

Vinson: "No further questions."

Speaker Matijevich: "No further questions. The Clerk will give the Chair the count. There are 60 'ayes', 42 'nos', 1 'present', and House Bill 2347, having received the Constitutional Majority, is hereby declared passed. House Bill 2364, Pangle. Out of the record. House Bill 2379, Woods Bowman. Read the Bill. No, out of the record. Out of the record. House Bill 2381, Fannig. Clerk will read... out of the record. 2384, out of the record. 2400, how does that sound, Bowman? Woods Bowman, 2400. Read the Bill."

Clerk O'Brien: "House Bill 2400, a Bill for an Act to amend Sections and to repeal Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Woods Bowman, on House Bill 2400."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There has been a growing and acute concern over the quality of education and the performance of our students. It may come as a surprise to many that we do not, at the present time, have an active program in the State of Illinois that recognizes academic achievement. We do have an academic Scholarship Program on the books which has not been funded for a number of years. This Bill is an attempt to rewrite that Program. I think the intent of that Program was good, but I believe that the way it was written

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has contributed to a lack of support that I hope that we can regain with this piece of legislation. House Bill 2400 identifies students in the top five percent of their high school graduating classes as deserving special recognition. Now, this is every high school in the state, public as well as private. Students are selected on the basis of academic performance in their own community, and every high school in every district would be represented. This would be a true cross-section of the state's population. Each of these students who attends an Illinois college university, public or private, would be eligible for a need-based scholarship of up to \$1000 in addition to any monetary award grant which they now receive. This project has four goals. One is to recognize scholarship. The other is to promote excellence in our entire educational system by encouraging and rewarding the student performance. The third is to retain more of our best students in state. Currently, 49 percent of the state's scholars leave Illinois for their college education. And, lastly, it is to enable these students to get the best education they can. The award would apply to about 4,200 persons potentially. Of those, about one third would get no grant because they would not have any need. About another one third would get money that... who are currently not eligible for awards under the current Monetary Award Program. The remaining third would get something that would be in addition to their current Monetary Award Program. And students at the University of Illinois, for example, who currently receive an award only up to the extent of their tuition and fees would be able to qualify for additional support for books and room and board. The program would cost 2.2 million in the first year and 4.4 in the second year and a level funding thereafter. We did put

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an Amendment on that would protect the monetary award program. I did not want the funding for this program to come out of that... that important line item. And so this is something that is new. It is something that is timely, and I urge the House to give it its favorable consideration."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 2400. There being any... no dis... Representative Hoffman. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Hoffman: "In your remarks, Representative Bowman, you made reference to 49 percent of the... is that merit scholars, leave the state to pursue higher education? Is one to assume from that statement that they are receiving scholarship aid that encourages them to leave the state?"

Speaker Matijevich: "Representative Bowman."

Bowman: "Thank you. First of all, I referred to state scholars, which is..."

Hoffman: "Alright, state scholars..."

Bowman: "...different animal from the merit scholar. But they do represent the top ten percent of the students in the State of Illinois. The... of course, they leave the state for many, many reasons, but we have some high quality institutions in the State of Illinois, and institutions that I think would be more attractive to them if they were to receive more attractive financing. And many of the schools that they go to are on the eastern seaboard and on the west coast, which have very fancy endowments and are able to offer very attractive aid packages."

Hoffman: "I assume that you have reference to the Ivy League

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schools on the east coast plus the Stanfords, et al, on the west coast."

Bowman: "Yes, yes, Sir."

Hoffman: "Alright. Thank you very much. I wanted to make clear that we were not suggesting that these people were leaving the state necessarily for pecuniary reasons but were leaving the state because of the prestigious institutions that they have an opportunity to attend. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill."

Speaker Matijevich: "Proceed."

Hoffman: "There is no question but what the Sponsor is well intentioned and has been perseverance... persevering on this particular piece of legislation. However, as I indicated in a discussion with him early on, we find that as we look at the statistics, that there are very few students in this category, this upper ten percent, who do not go onto higher education. And in most of those cases, it is not on the basis... it is not because of financial need. The fact of the matter is that we have, and I believe this is correct, one of the largest, if not the largest, in dollar amount, scholarship program currently in place for students on the basis of... which is allocated on the basis of need, and it is given to private universities and public universities as well taking into account their tuition costs. Again, we are looking at a 2.2 million expenditure which is not in the budget and an escalation of that up to double that amount in the first of the out years. And it seems to me that in the precarious financial condition that we find ourselves in and in our effort in conjunction with the Sponsor of this, by the way, to improve the funding for elementary and secondary ed, that this may not be the most appropriate time to pass this particular piece of legislation. And, therefore, Mr.

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Speaker, Ladies and Gentlemen of the House, I reluctantly rise in opposition to House Bill 2400."

Speaker Matijevich: "Gentleman from Cook, Representative Shaw. Robert Shaw."

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will."

Shaw: "Representative, on the... Why are we giving up the \$250? Can you answer that question?"

Speaker Matijevich: "Representative Bowman."

Bowman: "Representative Shaw, I believe you are referring to an earlier version of this legislation. The current Bill that we are voting on right now does not have that provision in it. The only awards made under this legislation are based on need. One third of the students who are in the top five percent of their class who go to Illinois schools will not get any money because their family resources are more than adequate. But we do not have that provision in there."

Shaw: "Why do we... Why do we need this when we already have the MAP funds? Is this special legislation primarily for Northwestern University?"

Bowman: "Well, Representative Shaw, I believe that everybody on the floor of this House is concerned about what has happened to student performance in high schools over the last decade. Everyone has been reading articles about how the SAT scores and the ACT scores have fallen over the last decade. Now, this represents an attempt to reward those students who do well. And I stress that they do... that we are using as a frame of reference a student's own environment. So we are looking at the high school in which the student attends. The top five percent of every high school graduating class, every graduating class in your district, Representative Shaw, five percent of all those

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high school graduates will be eligible for this award. The... Look, we give scholarships to guys who are good at putting round balls through hoops in the sky and who can move an elliptical shaped ball down a field and put it between two goal posts. It seems to me that we ought to reward kids who are good students. What are we... What are we all about here if we set up a higher education system and then we don't reward students who perform as students?"

Shaw: "I think they should be awarded. Does this apply to the high school student that's graduating from the parochial school or private school as well?"

Bowman: "Yes, it does. The money goes to the student. It does not go to the school. I think a student who goes to a private school ought to have an equal shot at this award."

Shaw: "To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Bowman: "Who... By the way, Representative Shaw, they also get an equal shot at the present MAP award. If you graduate from a parochial school in this state, you do get a monetary award if you have need."

Speaker Matijevich: "Representative Shaw."

Shaw: "To the Bill. I know that I was not here the day that the Amendment came up. Representative Braun had introduced an Amendment and someone had pushed my switch for the Amendment, voting for the... voting against the Amendment. And I think that was unfortunate, but I, from the very outset, I have always been against this Bill. I think what we are doing here today, if we pass this Bill, is cutting out the very people that the scholarship funds were set up to take care of. It seems as though to me that in 2400, this Bill is set up and these funds are set up to take care of people with students who make \$60, 70 and \$100,000 a year. This is special interest legislation. It's against

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the poor people of this state, and I don't think that the taxpayers of this state should pay for the... this type of money whether it be for a one year program or a two year program to finance the wealthy people of this state who can well afford to go to any university in this state. No matter what guise it come under, they take about excellence in education. That's just a term. That's not what it's about. It's about helping that millionaire finance his child's education, and I don't think the state should help millionaires finance their children's education. I know that... I have talked to the Sponsor many times about this legislation, and what I'm doing, I'm asking all of the people and the Members of this House to defeat this Bill. The money could be better served. If they want to put additional money into the MAP funds, let them put it into the MAP fund, but don't let them come through the back door and raid the MAP funds years later... or two years later. I think that this Bill should be defeated, and I urge a 'no' vote on this Bill."

Speaker Matijevich: "Gentleman from DeWitt, Representative Vinson."

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

Speaker Matijevich: "He indicates he will. Proceed."

Vinson: "Representative, I just have one question, and it regards something you said about... in discussion of the Bill. You indicated that we give scholarships for basketball players and football players. At least, I assume that when you were referring to elliptical objects you were talking about footballs."

Bowman: "Right."

Vinson: "Would you explain to me what program it is that we fund that does that?"

Bowman: "I'm sorry, the University of Illinois Foundation would

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fund that. The General Assembly does not."

Vinson: "There's not tax money in there?"

Bowman: "The Foundation is what's known in the trade as a corporate outgrowth of the university."

Vinson: "And it's not appropriated money from the State of Illinois that does that?"

Bowman: "No, that's correct."

Vinson: "Thank you."

Bowman: "It is audited, however."

Speaker Matijevich: "Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker, Members of the House, normally I have risen and opposed Bills that did things that were detrimental to the Monetary Award Program and the need-based funding of scholarships in this state. This Bill does not do that. This Bill has a threshold built into it that says that there must be X amount of money appropriated each year before this program can kick in. I know as I sat here yesterday and looked at literally two or three hundred applications for our General Assembly awards, that almost everyone of those students who wrote me had A's and straight A averages. And, likewise, every one of those students were barely over the level of income for their family that would qualify them for any monetary award in this state. Thirteen-hundred and some people, students in the upper five percent of the high school classes in this state that receive nothing now, would receive some award under this. Those people are going out of state. They aren't, however, just going to the large Ivy League schools and to Stanford. If they were to stay in this state, they would not just be going to Northwestern. They're students from my district and your districts who would stay here with a small incentive and who would stay here after they

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graduated. They are the best academic students in the state, and they deserve some recognition. And they deserve some help. And this Bill does that without fundamentally changing or altering or touching the dollars in place now for scholarships based upon need. And Representative Bowman has an outstanding Bill that I think is carefully crafted and deserves our support."

Speaker Matijevich: "Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move the previous question."

Speaker Matijevich: "Representative Slape has moved the previous question. All in favor say 'aye', opposed 'nay' and the previous... main question is put. Representative Woods Bowman, to close."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that we have to address the public concern for declining academic performance. This legislation does that. I want to dispel some misconceptions that appear to... to be floating around about this legislation. First of all, this legislation is statewide. Every high school graduating class in the state has equal access to this money. The second thing is that the amount of the award is based on a need calculation so that millionaires will not get any money under this. Millionaires are cut out of this. But, who is brought into this is the middle class. There will be 1400 scholarships awarded to students who do not now qualify for scholarship aid because they are just above the line. I think all of us have had the same experience that Representative Stuffle has had when we review applications for our legislative scholarships. It is tragic. It is tragic that there are A students throughout this state who are just above the line, and 1400 of those students will be brought in to the... to receive

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scholarship aid, if this Bill were to pass. It is a Bill which does not hurt anybody. I don't know of any person or institution that is hurt by this. On the contrary, the public interest is well served because we are recognizing academic performance, and we are encouraging academic performance and we are encouraging the best students to stay in the State of Illinois. And I think that is a goal worthy of all... the support of all of us, and I urge an 'aye' vote."

Speaker Matijevich: "On the Motion of Woods Cowman, the... on the passage of House Bill 2400, those in favor signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Representative Doug Huff, one minute to explain his vote. Those in favor signify by voting 'aye', opposed by voting 'no'. Doug Huff."

Huff: "Well, thank you, Mr. Speaker. I... I am rising in opposition to this proposal, I just want to say it's regrettable you didn't see my light. I had it on during debate. But be that as it may, I'm voting against this measure because it was something that wasn't touched on in debate and that is who is going to determine the standard of need? It seems as though that responsibility has been taken away from the ICC... I mean the ISSC, and it's been placed in the hands of an entity that might be regarded as some of us do - I know I do - as a vested interest entity. So, for that reason... and then let me say this, Ladies and Gentlemen..."

Speaker Matijevich: "Bring your remarks to a close."

Huff: "I will, Mr. Speaker. The reason the people in the... the students in my district who have such dexterity with elliptical object, as was expressed on both sides of the aisle, is not due to... due to one thing only, and that is simply that their counselors..."

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Speaker Matijevich: "Bring your remarks to a close."

Huff: "... don't tell them about the program. It's just as simple as that. We don't need this Bill to correct that. We need to tighten up the high... the school officials at the local level."

Speaker Matijevich: "Representative Satterthwaite, one minute to explain her vote. Lady from Champaign, Helen Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I'm voting 'yes' on this Bill, because I do believe that it will provide an incentive for our students to do better during their high school programs, and it will also provide a better route for those of our best students to attend higher education without as much of a financial burden. Many of them now are spending many hours at work to help to contribute to their educational costs; and, for our highest students, I think it would be more productive for them to be able to have a little more financial relief and be able to spend that time in the classroom or in the laboratory expanding their knowledge and living up to their full potential. As we look at this Bill, it really will not hurt anybody. It is simply providing a second tier. The Illinois State Scholarship Commission will still be providing the means for determining...."

Speaker Matijevich: "Bring your remarks to a close."

Satterthwaite: "...who has need, but it gives a second chance to a few of our best students."

Speaker Matijevich: "Representative Howard Brookins, one minute to explain his vote."

Brookins: "Mr. Speaker, Ladies and Gentlemen of this Assembly, I rise in support of this legislation. I have built into it a... added an Amendment that would not allow it to dip into the MAP... the scholarship program. I don't believe that

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we need to... I feel that we need to award excellence. Excellence don't always come from one side of the town, from the suburbs. I think I have excellent students in my district, as some of you do. And for that reason, we must encourage them to do better in school, to apply themselves, so that they can become the top 95 percent of their class. We are talking about 95 percent of classes all over the State of Illinois, not only in one area. So with that, I vote 'aye' and urge you to support this legislation."

Speaker Matijevich: "Representative Zwick, one minute to explain her vote. Zwick. Jill Zwick."

Zwick: "I'm here. Thank you, John. Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 2400, and I believe that that's the appropriate vote for those of us that are truly, as we have been saying, supporters of outstanding academic achievement and those who want, as the State of Illinois, to encourage academic achievement in all levels of education. It... We have tried for many years to get some additional funding to the scholarship program that would tie in academic achievement as well as need, and this is... although we have not been able to get the appropriation for other programs, this sets up a separate one that will not affect the other scholarship programs. And it is important to get this one in place, and it will not harm the other program. It will not harm the funds for those that simply have monetary need, but create an added incentive for academic achievement. And I would urge you to support the Bill."

Speaker Matijevich: "Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 71 'ayes', 38 'nays', and House Bill 2400, having received the Constitutional Majority, is hereby declared passed. House Bill 2409, Carol Braun.

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2409. Read the Bill."

Clerk Leone: "House Bill 2409, a Bill for an Act to amend and Act to revise the law in relationship to Clerks of the Court. Third Reading of the Bill."

Speaker Matijeich: "The Lady from Cook, Carol Braun, on House Bill 2409."

Braun: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 2409 calls for a census or a survey in the use of preemptory challenges in the courts, and I would ask for your support."

Speaker Matijeich: "Representative Braun has moved for the passage of House Bill 2409. On that, the Gentleman from DuPage, Representative McCracken, Tom McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is in response to a problem which has been alleged to be occurring in the criminal justice system. It is being alleged by certain defendants - and it is quite possibly true, I don't know - that there is a systematic exclusion of blacks from juries, at least in Cook County. That decision has gone up on the merits, both to the Illinois Supreme Court and just within the last couple of days, to the U. S. Supreme Court. The U. S. Supreme Court refused to review the Illinois ruling, thereby setting precedent, which is good for the entire country, being this; that claim does not state a cause of action for a reversal of a conviction. Now, there has been some dicta in the Illinois cases suggesting that if you could prove or develop evidence of this systematic exclusion that it may or may not constitute a cause of action. That is still an undecided question. But I do think that there is much merit to the underlying purpose of this Bill. It's just that it's headed in the wrong direction, in my opinion. I think the better approach, and

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a Bill I introduced, which was defeated in Committee, was to reduce the number of preemptory challenges available and that way you would ensure that they were used for more rational, legally permissible purposes. The problem with the other approach, the Bill that is in front of you now, is that it is not consistent with the concept of preemptory challenges. Preemptory challenges are those which can be made for any reason or for no reason - strictly discretionary, not reviewable. To say, in effect, that there are allowable and nonallowable purposes, although in the context of a very dramatic problem, is to say that there is no longer preemptory challenges. The better solution, I submit, is to have fewer available and that way you would ensure their proper use. I don't think this is the way to solve the problem. It doesn't even purport to solve the problem. It merely sets up a reporting system for what may or may not constitute a cause of action. Let's address the issue. Let's say preemptory challenges have been abused and let's reduce them. So, I think this is a well-intended Bill. The Sponsor obviously has given it a lot of thought and done a lot of work with it, but I think it's not the right solution. The American Bar Association supports reducing preemptory challenges. The Illinois Supreme Court supports reducing preemptory challenges. That's the solution."

Speaker Matijevich: "Representative Braun, to close."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Even by Representative McCracken's remarks, I think you have been able to tell what is not in this Bill. This Bill does not reduce or get rid of preemptory challenges. It does not change the law. It doesn't respond, Representative McCracken, to dicta in the Illinois cases only. In fact, the Supreme Court case before the recent

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decision talked about the issue of pattern and practice. We are responding to Justice Simon's suggestion that the issue is a hard one to debate without some information. All this Bill calls for is information. It is information... It is additional information for information that's already been taken by the clerks. The clerks don't have a problem with it. It is not an additional burden on them. It will cost no money. It is really, if you will, the more conservative approach to this whole issue. It does not limit preemptory challenges. It does not speak to the use of preemptory challenge. It does not have any affect really on how a litigant will address the use of the challenge in any given case. All this does, it says that we will, in Illinois, have the information to make whatever reason judgment somewhere down the line we may decide to make in this regard. But we ought to start with a data base. We ought to start with the information. The mind, just like a parachute, only functions when it is open, and this will provide us with information upon which to make decisions. And that's... and so I encourage your support for this legislation."

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 2409. The question is, 'Shall House Bill 2409 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Representative Jaffe, one minute to explain his vote."

Jaffe: "Yes, Mr. Speaker, I rise in support of this Bill. I think Representative Braun is correct. It really doesn't deal with what Representative McCracken talked about. This is really a very simple Bill, and it follows the guidelines as laid down by Justice Simon. I don't know of anybody who really opposes it. I think it's a good concept, and it ought to pass. And I would urge an 'aye' vote for it."

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Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 64 'ayes', 39 'nays', 4 answering 'present'. House Bill 2409, having received the Constitutional Majority, is hereby declared passed. 2411, out of the record. House Bill 2419, Jim Rea. Clerk will read the Bill."

Clerk Leone: "House Bill 2419, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Franklin, Representative Jim Rea, on House Bill 2419."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 2419 will extend full time, free camping at Department of Conservation facilities to persons blind or disabled who are 65 years of age or older. Under the present regulations, it is possible that a disabled person under the age of 65 could camp free of charge seven days a week and once they turn 65, those privileges could be reduced to only four days under the 65 years or older. This will correct an inequity in camping for the ones once they reach 65. It came out of Committee 11 to 1, and I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 2419. On that, the Gentleman from Macon, Representative John Dunn."

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

Speaker Matijevich: "He indicates he will. Proceed."

Dunn: "There was some discussion here. If this Bill becomes law, under what circumstances will senior citizens and, I guess, blind and disabled be allowed to camp free in state parks?"

Rea: "Well, at the present time, if you are blind or disabled, you can camp free of charge if you are under 65 years of age, but once you hit 65, they had provided no provision to

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take care... to continue to take care of these people. And so it's... You know, you could be disabled and be camping free seven days a week; and, once you hit 65, it would be four days."

Dunn: "And it would be how many, four or seven?"

Rea: "Well, with this it would correct it to seven for blind and disabled over 65."

Dunn: "And isn't it now four days for senior citizens? Monday through Thursday?"

Rea: "That is correct."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. Two, three or four terms ago, I had a Bill to do essentially what the Gentleman Sponsor of this legislation intends to do and the Bill passed and became law. And I, like everyone else, wanted to help the senior citizens who have paid their debt to society by working hard all their lives; and, in the twilight years, if they want to camp a little bit, we thought it would be a fine idea, as does Representative Rea, to give them a little break. Unfortunately, however, what we found is that the senior citizens who are retired and have all day off have the opportunity to go into the state parks and use them, which is fine, except that they took up all the slots so that those who were still in the work force, when it came time for the weekend and they wanted to go to the state parks to camp couldn't get a campsite because they were already taken by the senior citizens. So the Department of Conservation came to me and asked me to file a second Bill that would limit the senior citizen camping privileges to four days a week, Monday through Thursday. So I, to be a good Legislator, filed that Bill, knowing it wouldn't be the most popular thing in the world, but that Bill also became law and that is why the law is in its current form.

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Incidentally, I took criticism for the second Bill for taking away the rights of senior citizens to camp free. And I don't think we are in any different situation than we are today. It's a well-meaning Bill. I certainly would have to agree because I filed a Bill identical to it two or three terms ago, but I don't think we are in any different situation now than we were at the times the controversy arose with the earlier legislation. I think that we have provided that senior citizens can camp Monday through Thursday free in our state parks. I haven't heard any complaints from the Department of Conservation recently or senior citizens, and I think we should leave the law the way it is. So with all due respect to the good intentions of the Sponsor, I would certainly recommend a 'present' or a 'no' vote on this Bill. Otherwise, you will find, after the summer is over, if this Bill becomes law, when it's election time, when you come back here for the Veto Session, you will be faced with complaints from people in your district who want to camp in our state parks and can't find a place to do it."

Speaker Matijevich: "Representative Jim Rea, to close."

Rea: "Thank you, Mr. Speaker and Members of the House. There's one clarification here, and I think that this would take care of the concern that Representative Dunn is speaking to. This does only apply to the ones disabled and blind when they reach 65. It does not apply to all senior citizens that are over 65 years of age. At the present time, those that are under 65, they can be there seven days, but when they reach 65, then they can no longer. This would be corrective action and I would... there would not be that many people that would be involved in terms of any loss of revenue to the state. And I would ask for a favorable Roll Call."

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Speaker Matijevich: "Representative Bea has moved for the passage of House Bill 2419. The question is, 'Shall House Bill 2419 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 90 'ayes', 13 'nays', 3 answering 'present'. House Bill 2419, having received the Constitutional Majority, is hereby declared passed. House Bill 2423, Representative Bea. 2423 out of the record. 20... House Bill 2430, Representative Mike Curran. Read the Bill."

Clerk Leone: "House Bill 2430, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Sangamon County, Mike Curran, on House Bill 2430."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what House Bill 2430 does is it amends the Illinois Vehicle Code to exempt from safety inspection basically all RV plates and all B plates. Now, just to give you a little historical perspective in Illinois, in 1935, to promote the safety of the general public, we started the inspection of these kinds of vehicles. And for 49 years in this state, we have been inspecting trucks and recently recreational vehicles to promote our safety, for purposes of highway safety. However, the latest National Safety Council figures show us that there has been no safety advantages accruing to Illinois or to the other states, getting fewer and fewer in number each year, which have any kind of vehicle inspection. As a matter of fact, the difference between the 29 states that have vehicle inspection and the 21 who don't, is .03 or three one-hundredths of a percent, virtually nothing in terms of highway safety. In the last five years, 11 states have stopped inspecting vehicles. This year two states, Indiana and one other, have stopped

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inspecting vehicles. In this state we have 650,000 vehicles... 650,000 pickup trucks, for example, that are inspected. That means that there's about 10,000 people in each of your districts who have pickup trucks that are inspected twice a year. I think the time has come for us to show that we are aware now that this pickup truck inspection is unnecessary and burdensome. This Bill takes care of that and I ask for an 'aye' vote."

Speaker Matijevich: "Representative Curran has moved for the passage of House Bill 2430. On that, the Lady from DuPage, Representative Doris Karpziel."

Karpziel: "Will the Representative yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Karpziel: "Representative Curran, I have a question on this Bill. For... I can't think of the term... car pooling... car pooling that various companies have, many of them use vans. They are owned usually by the company. They are driven by an employee. Would this Bill say that those vans that are used for car pooling would not have to be inspected any more?"

Curran: "Well, I don't know of any of those that are... that have to be right now because of the fact of there being car pools... that the car pool has any difference whether they are inspected or not. Most of those are already not B plates."

Karpziel: "Well, but because of the kind of a license that the driver must have, most of them like to stay, I believe, under the 8,000 pound weight or... I may be incorrect, but I think they do. And, therefore, they would come under this Bill."

Curran: "What this Bill does is it exempts from safety inspection all those B plates and RV plates. So if they were being inspected in the past, they do not have to be inspected

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now. You see, the reason that we want to do this is the National Safety Council indicates to us that there is no difference in highway safety. We have started this program 49 years ago and for 49 years we have been inspecting twice a year, for example, pickup trucks, and we have found that there is no resultant safety factor that we have achieved. And so that's why we have decided to eliminate it."

Karpiel: "Okay, well, I'm not arguing with you about the Bill or the intent of the Bill. I, you know, have no problem particularly, but... and I would have researched this before, and it's just that it just came up. And I was wondering about it, because it would seem to me that if you are using a van to car pool several people to and from work every day that that, rather than it being just an individual, personal pickup truck that someone owns, that that would be the kind of a vehicle that you would want to have a safety inspection on."

Curran: "That's... as I understand it, Representative, those... if they are inspected now, it would be a commuter van. It would be licensed as a commuter van. This Bill does not speak to the subject to commuter vans. If you feel that there is another class of vehicles that might also be exempt, that might be a good subject for another Bill. This Bill..."

Karpiel: "I'm not trying to get them exempted, Representative. I think that if it's a commuter van, it should have safety inspections. You are saying this does not go to... would not touch that."

Curran: "This Bill... I see. This Bill does not affect commuter vans. No."

Karpiel: "Thank you."

Speaker Matijevich: "Gentleman from Cook, Representative O'Connell. John O'Connell."

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O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would support House Bill 2430, and I... would also indicate that, in deference to Representative Curran, I would opt to go with his Bill rather than my House Bill 15, and my Cosponsor, Representative Ieverenz, I believe, will concur in that. This Bill is long in coming. For many years, individuals with pickup trucks have been asked to be imposed upon a burden of twice a year going to these inspectional facilities. The influx of pickup trucks that have been used as second cars has been exceedingly apparent in the last few years as well. And, accordingly, we've come to the position where it's very hard to distinguish between a large automobile and a small pickup truck. But the difference is apparent in the time that has to be expended and the cost to go through these inspection lanes where too often... too often a non... nonessential items have been the subject for incurring costs to the operators of these cars. So I would join with Representative Curran in support of House Bill 2430 and hope that we get a unanimous vote on this floor."

Speaker Matijevich: "Gentleman from Cook, Roger McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would rise also in support of this Bill. I own a pickup truck myself, and it is a big inconvenience to have to go over to the safety station twice a year to get it inspected when there is nothing wrong with it in the first place. I think if you want to do something that's going to make your constituents happy you'll vote for this Bill. I have had a number of people call me and write me letters asking why their pickup truck had to be inspected and the neighbors automobile, which often is bigger than a pickup truck, was exempt. This is a Bill to take the government off the back of the people, and I'm sure if you vote 'yes' you are going

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to find very favorable response from your constituents back home."

Speaker Matijevich: "Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker, Members of the House, briefly, I rise as a hyphenated principal Sponsor. The only people that have come to us to say no to this Bill are those who do the inspections. If anything, in this state there are more cars out there that probably need inspection than trucks, and I think everybody knows that. Representative Curran hit the nail on the head when he said there are no statistic that show there are any safety relationship factors to the inspections. The people who own pickup trucks are merely putting out money twice a year for something that is helping no one appreciably if at all except those people who receive the money. Our people who drive pickup trucks, and increasingly there are more of them using them as family vehicles as opposed to cars have no reason to pay twice a year. The Bill ought to be supported because there are thousands of pickup trucks in every district of the state, and there is no rationale against the Bill. I urge an affirmative vote from every Member of the House on House Bill 2430."

Speaker Matijevich: "Gentleman from Cook, Representative Piel."

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

Speaker Matijevich: "Representative Piel moves the previous question. Those in favor say 'aye', those opposed say 'no', and the main question is put. Representative Curran, to close."

Curran: "Thank you, Mr. Speaker. Keep in mind that pickup truck inspections in Illinois were initiated to promote highway safety. The simple truth, according to the National Safety Council, is that the hoped for benefits, the safety

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benefits from these inspections were never realized here in Illinois. Our highways in Illinois did not become safer because of pickup truck inspections. Illinois is now the only state in America that singles out pickup trucks alone for this kind of unnecessary and inconvenient inspection twice a year. My Bill, House Bill 2430, will eliminate this unnecessary requirement from the... from the pickup truck inspections... for the pickup truck inspections. On behalf of everyone in Illinois who owns a pickup truck, I ask for your 'aye' vote. Thank you."

Speaker Matijevich: "Representative Curran has moved for the passage of House Bill 2430. The question is, 'Shall House Bill 2430 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Neff, one minute to explain his vote."

Neff: "Thank you, Mr. Speaker. I am voting 'yes' on this Bill. This Bill is very important. The states that have had this - we will use, for example, Indiana - had had it for several years and then done away with it the last few years. And you can check with the public safety over in Indiana and they say their accidents on trucks..."

Speaker Matijevich: "Have all voted? Have all voted who wish? There's not a 'no' vote up there. Have all voted who wish? Will the Clerk take the record? On this question there are 106 'ayes', no 'nays', 6 answering 'present'. House Bill 2430, having received the Constitutional Majority, is hereby declared passed. House Bill 2434. Read the Bill."

Clerk Leone: "House Bill 2434, a Bill for an Act to amend the Illinois Egg and Egg Products Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Madison, the Majority Leader, Jim McPike, on House Bill 2434."

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

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House, House Bill 2434 was put in at the request of food merchants in Illinois. It allows food merchants to remove cracked eggs from a carton of eggs, to take the remaining undamaged eggs, to repackage them in a container, to downgrade these to a grade B and to resell these to the consumers with the... in the new carton, clearly labeled with the local store's name, the candling date and a grade B labeling requirements. Be glad to answer any questions on the Bill."

Speaker Matijevich: "Alright. Would Representative Neff come to the Chair? Representative Neff. Representative McPike has moved for the passage of House Bill 2434. On that the... Representative Ropp."

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

Speaker Matijevich: "He indicates he will. Proceed."

Ropp: "Yes, Representative, I am quite knowledgeable about the fact of your extreme knowledge in agriculture and all these other good values that pertain to a lot of people. I guess my first question is, under this Bill, what is the definition of grade B?"

McPike: "Well, I'm sure it's the same definition as would appear anywhere else in the... in the statutes or under common usage for grading eggs. I don't think it's defined in this particular Bill."

Ropp: "No, what this Bill will permit now is that these eggs will not necessarily be graded or licensed, but they will come under a particular category which has not been specified to be regulated. And any other grade such as grade A or double A or triple A, all the eggs are uniform and people know exactly what they are getting. Under this particular provision, we are allowing just a terminology of grade B to be included on those eggs with no uniformity, no candling or no grading whatsoever. It is an attempt to also offer a

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lot of junk eggs throughout the country to be deposited in Illinois. This is a serious situation. Rather than to attempt to improve the quality of eggs and food products that we are providing for the consumers of the State of Illinois, this is a move in just the opposite direction. It allows for eggs in that particular category not to be inspected and not to be officially licensed, and I urge a 'no' vote."

Speaker Matijevich: "Gentleman from Verrilion, Representative Stuffle."

Stuffle: "Yes, would the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Stuffle: "Representative McPike, knowing your broad background in agricultural issues and your support for the farmer, are these... are these hen eggs or rooster eggs, Representative McPike?"

McPike: "I think they are country eggs."

Stuffle: "I didn't think you would know. In any case, how many eggs are we talking about a year?"

McPike: "I really don't know."

Stuffle: "What's the position of the Farm Bureau on the Bill now?"

McPike: "I have no idea."

Stuffle: "You're very helpful. Thank you."

Speaker Matijevich: "Representative Dwight Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Friedrich: "I'm sure you know, by this time, there's arguments on both sides; and, frankly, even though I'm in a farming area and lived on a farm, I still don't understand... it seems to me there's more to this Bill than meets the eye, and I'm trying to figure out what it is. Are these eggs that are... that you are going to put back in the carton after

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you take out the broken egg, have they been candled?"

McPike: "Yes, they have already been candled. In fact, the original carton has the candling date and this Bill requires that that candling date be added to the new package."

Friedrich: "Well, but you are going to be replacing the broken egg or the outdated egg with an egg from someplace else."

McPike: "That's correct."

Friedrich: "Is that also going to come out of a carton that's been candled and inspected? Pardon?"

McPike: "The candling date, the lowest candling date would be added to the new package."

Friedrich: "In other words, if the original package was candled May 1st and the replacement egg was candled on May the 10th, it would be May the 1st."

McPike: "That's correct. That's correct."

Friedrich: "The other objection that has been given to me and I'm really searching here because I can't make up my mind which way to vote. I've got friends on both sides. They tell me and, in fact, my daughter is a dietician and I questioned her about it over the weekend, one of their arguments is that a broken egg forms bacteria, that eggs are very porous. If there is anyone... another egg with a hairline crack or even whether it has or not, it's susceptible to picking up bacteria from the broken egg even though you removed it. I'm not capable or qualified other than on my daughter's statement to me that that would be possible. Do you have a... do you have an answer to that? I don't."

McPike: "No, I'm no more knowledgeable than your daughter, but obviously this practice has been going on for five years in Illinois. It is common practice. The Department admits it's common practice, and we've had no history of any problems developing. So really we are codifying current

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practice and adding a few more safeguards. We are, in essence, now saying that the local store must admit to the customer that they are repackaging these. They must repackage them in their own package with the store's name and add the appropriate information. I think we are adding safeguards that really do not exist in current practice."

Friedrich: "Well, just briefly, Mr. Speaker."

Speaker Matijevich: "Proceed."

Friedrich: "Frankly, I think most of you find that this broken egg deal is pretty prevalent. I know you get home with a package of eggs and you've got one broken and one cracked. That doesn't going to help... This isn't going to help you any and I... if we are going to do this, maybe we ought to make the grocer replace that egg and be sure that the eggs are in the rack or none of them are broken because this... I don't understand how that's going to solve this problem I'm mentioning. I... I'm really confused because arguments on both sides are not clear cut and I think there's more to it than meets the eye."

Speaker Matijevich: "Representative McPike, to close."

McPike: "Well, it's apparent who's against the Bill and that is the people that process the broken eggs. They would prefer that the local store take a dozen eggs with one broken and 11 good, send the dozen eggs back to them so that they can break all the eggs and sell them to a bakery or sell them to any other outlet that they have. This is going to eliminate a lot of that. It's going to allow the local store to repackage eggs right in the local store as they are probably currently doing. I think it's a good Bill and I'd ask for an 'aye' vote."

Speaker Matijevich: "Representative McPike has moved for the passage of House Bill 2434. The question is, 'Shall House Bill 2434 pass?' Those in favor signify by voting 'aye',

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opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 89 'ayes', 20 'nays', 1 answering 'present'. House Bill 2434, having received the Constitutional Majority, is hereby declared passed. House Bill 2440, Representative Shaw. The Clerk will read the Bill."

Clerk Leone: "House Bill 2440, a Bill for an Act in relationship to traffic violation citations. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative William Shaw, on House Bill 2440."

Shaw: "This... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, 2440, is a Bill that was brought to me by the police organizations. And what this Bill does is seem to be a written and unwritten rule around Illinois here of commanders and chiefs of police telling their police officers to go out and they have to write a certain number of traffic tickets. This are moving violations. And I think every citizen in Illinois is being penalized by that because if that much pressure is put on the police officer that are working the beat, he have to go out there and find someone that maybe is not in violation to satisfy his captain or commander in terms of coming up with his quota of tickets. And I believe that this is a good piece of legislation. I think it's long needed and I ask your support of this legislation, an 'aye' vote on this legislation."

Speaker Matijevich: "Representative Shaw has moved for the passage of House Bill 2440. On that, the Gentleman from Cook, Representative Preston."

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

Speaker Matijevich: "Yes, proceed."

Preston: "Representative Shaw, the state troopers had an

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objection to certain language in your Bill when they appeared in Committee. Has there been an Amendment adopted that takes care of that problem?"

Shaw: "The troopers has... they did not contact me in terms of coming up with an Amendment... coming up with an additional Amendment to satisfy any..."

Preston: "Well, Representative, what does this Bill do? Does this indicate that local police departments cannot have a quota on tickets? Does it use the word "quota"?"

Shaw: "Right, that's all the Bill does and the... I think the State Police Department was interested in the performance. They use this... they say that they use this in the rating of police officers. And I believe that there's enough activity out there that they could find some other means of rating those police officers without ticket writing."

Preston: "As I recall they... they had some concern over the definition of the word "quota". How is that defined in the Bill?"

Shaw: "Well, the... the... it's defined in reference to the number of tickets that they are writing. That's the total Bill."

Preston: "Alright. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Ted Leverenz. Leverenz."

Leverenz: "Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Leverenz: "The position of the Mayor's Office in the City of Chicago on this Bill is what?"

Shaw: "No one having contacted me from the Mayor's Office for the City of Chicago."

Leverenz: "Anyone contact you from your ward office?"

Shaw: "I had an awful lot of citizens thought it was a good idea."

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Leverenz: "Would this effectively eliminate local control in terms of judging a police officer's performance or appraisal or even the promotional ability?"

Shaw: "Not really. I don't see where that this would have any bearings on judging a police officer in terms of his performance, in terms of the number of tickets that he are writing. I think that we talk about stress among police officers, and I think that this is one means of creating that stress, is when you tell a police officer that he have to go out and write six and twelve tickets a day."

Leverenz: "Have the courts ever upheld a quota system on tickets?"

Shaw: "Yes, they did."

Leverenz: "Then effectively, you are reversing the court's result?"

Shaw: "I think that the... I don't think that the people of Illinois particularly in terms of police commander, in terms of a police officer given... If a police officer see a violation, I think that that violation should be... he should perform his duty. But I don't think that when you leave the station, a police officer leave the station, I don't think that he should be told that you have to go out here and right twelve or six tickets."

Leverenz: "Does your Bill then, contain a preemption on home rule?"

Shaw: "Yes, it does."

Leverenz: "Thank you."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Vinson."

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

Speaker Matijevich: "Indicates he will. Proceed."

Vinson: "Representative, its my recollection that we dealt with this same subject matter a couple hours ago. Is that

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correct or not?"

Shaw: "I don't recall."

Vinson: "We didn't just have a Bill that prohibited traffic ticket quotas?"

Shaw: "I understand that it was an Amendment on another Bill, but I don't think we dealt with it."

Vinson: "Okay. Thank you."

Speaker Matijevich: "For clarification of that, the Gentleman from Franklin, Representative Jim Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. That was an Amendment on House Bill 2613 that we dealt with earlier. I rise in support of House Bill 2440. This has been a problem that has come up in the last couple of years. It first came forth in terms of the state police system where the state troopers were having to issue a certain number of tickets in different areas, where there were so many for DUI, so many for speeding at certain speeds, and on, and on, and on. And this had a bearing as to whether or not they received their promotions, whether or not they received their vacation at certain times and certainly had a serious affect upon our system. We have also found that once this was brought forth that we've had contacts from throughout the state of people that had seen that this was occurring in towns and other forms of local government. And as a result, if it was not used in promotions and in the evaluations, it was used to raise additional revenues for communities; and, in some communities, you couldn't hardly drive through without being issued a ticket. So, I think that this is a very important piece of legislation. And it's one that we should support and certainly will have meaningful effect on law enforcement throughout the State of Illinois."

Speaker Matijevich: "Gentleman from Cook, Representative Berrios."

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Joseph Berrios."

Berrios: "I rise in support of this Bill because of the fact that the police department are sitting on corners waiting for traffic violators when they should be out in the street patrolling, you know, going after the gangs, the drug pushers and everything else around the schools in our areas. Get rid of the of the quotas and put them on the street to do what they are suppose to do. I rise in support of Representative Shaw and his good Bill."

Speaker Matijeovich: "Representative Shaw, to close."

Shaw: "The only thing that I ask that I think that the people of Illinois and all of the...our constituency would appreciate this Bill going out of this House today with an overwhelming...with overwhelming support. I think it's long overdue. I think it's needed, and the only thing that I ask you is for your 'aye' vote on this Bill."

Speaker Matijeovich: "Representative Shaw has moved for the passage of House Bill 2440. The question is, 'Shall House Bill 2440 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. This will take 71 votes. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. This question, there are 70 'ayes', 26 'nays', and Representative Shaw asks for a Poll of the Absentees. Keane 'aye'. Keane from 'present' to 'aye'. On this question, there are 71 'ayes', 26 'nays', 12 answering 'present'. House Bill 2440, having received the Constitutional Majority, is hereby declared passed. House Bill 2441, Mulcahey. The Clerk will read the Bill."

Clerk Leone: "House Bill 2441, a Bill for an Act to amend the Illinois Vehicle Code and the Facilities for Handicapped Act. Third Reading of the Bill."

Speaker Matijeovich: "The Gentleman from Winnebago, Dick Mulcahey,

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on House Bill 2441."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. This is the handicapped parking Bill which you've been hearing a great deal about for the past year. It does a number of things. Let me run through them first of all with you. It establishes a statewide standard \$50 fine for illegal parking in a space that has been designated for the handicapped. Number two, it allows and encourages municipal authorities to issue those particular fines and the fines collected, of course, would be retained by that particular municipality. As far as the parking is concerned, vehicles bearing a handicapped license plate, a special decal or a special device will be exempted from parking meter fees. Now there is one exception to this as was evident by an Amendment that we adopted last week, and that one exception is in order to protect what we refer to as the high turnover parking spaces. The Bill allows an exemption from parking meter fees only where the meter time is thirty minutes or longer. This, indeed, does protect the low turnover... the high turnover areas. As far as the signs are concerned, there is... currently in the State of Illinois there is no standard sign to designate handicapped parking, and Congress recently has urged all of the states to adopt what is referred to as an 578 sign, whatever that is, as the official statewide sign, and to be...they encourage the states throughout the country to use this universally. This is important to adopt this type of a sign, because many municipalities will not enforce these spaces without what we refer to as the official sign. The old signs, the ones we have currently, will stand until... they will be grandfathered out and will not be replaced until their life have ended. I think it's is a good Bill, and I would respectfully urge your 'aye' vote and move for

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the adoption of House Bill 2441."

Speaker Matijevich: "Representative Mulcahey has moved for the passage of House Bill 2441. On that, the Gentleman from Marion, Representative Dwight Friedrich."

Friedrich: "Would the Sponsor yield, please?"

Speaker Matijevich: "He indicates he will. Proceed."

Friedrich: "Does this handle this kind of situation? Let's suppose the car is in the mother's name, and she is, indeed, handicapped and has handicapped plates, but she's got three children and a husband and they drive around and park free everywhere they go. How do you prevent that? There is a lot of abuse. I see it now, and it bothers me a great deal. I'm for the handicapped, and we all are here. But how do we solve that problem and tie up all the parking spaces by members of the family who aren't handicapped?"

Mulcahey: "Representative Friedrich, quite frankly, I don't know the answer to that. Maybe there is no answer to that particular situation, but I just don't know."

Friedrich: "Well, its... I just want to point out that it's being abused now, and I suspect this would lead to further abuse. And I don't know how you give a break to the handicapped without giving the break to his whole family and all of his in-laws and outlaws who drive the car."

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

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill, and I can certainly identify with what Representative Friedrich has just pointed out. However, as a person who must use this, I can tell you that there are far more people who have no handicaps who are taking these spaces than the other way around. I try to avoid parking in those spaces when I am not pushing my wife in a wheelchair, but I can tell you

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that all kinds of facilities are not easily accessible to people in wheelchairs. There is a great deal of difficulty in just moving the wheelchair in and out and so on without having it compounded by somebody taking up a space that you can use. It's very difficult. I should say perhaps most people don't realize the difficulty that handicapped people have of getting around. There are entrances that are inaccessible. There are places where you must park blocks away in order to get to a facility. These are not answered by this legislation either, but this will be a step in the right direction. Perhaps Representative Davis' Amendment should have been accepted, but I think it's a good Bill, and I would urge your support. I can certainly attest that it is something that is needed."

Speaker Matijevich: "The Gentleman from McLean, Representative Gordon Ropp."

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

Speaker Matijevich: "He indicates he will. Proceed."

Ropp: "Would you just reiterate, Mr...Representative, why you wanted to exempt the meter violation from being paid?"

Mulcahey: "The meter violation?"

Ropp: "Yeah. I thought you said that you could park in a meter without paying your quarter or... and if you violated that, you didn't have to pay any fine or anything."

Mulcahey: "No. I didn't say anything like that at all. I said the only exception there is to parking in areas that do have meters on the street, or wherever the case may be, would be whereby when a person did not have to feed that particular meter, but one place they could not park was in areas one half hour or less which are high turnover areas."

Ropp: "Okay. Thank you."

Speaker Matijevich: "Representative Mulcahey, to close."

Mulcahey: "Well thank you, Mr. Speaker and Members of the House."

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You know, for most of us, feeding a parking meter in two feet of snow and ice and so on and so forth, is a real challenge. For a disabled person in a wheelchair it's an impossibility. Even in good weather there are problems. First of all, the lack of curve cuts allowing access to these meters. We find that some disabled persons have problems manipulating small coins. We find that in many areas as well there is little or no public transportation for the handicapped. So using their own vehicles, I think, is critical for disabled persons. I think this is a decent Bill. It further enhances the disabled person's ability to be as independent as possible, and this is something that probably most of us take for granted. Please vote 'aye'."

Speaker Matijeich: "Representative Mulcahey has moved for the passage of House Bill 2441. The question is, 'Shall House Bill 2441 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 105 'ayes', no 'nays', 3 answering 'present'. House Bill 2441, having received the Constitutional Majority, is hereby declared passed. House Bill 2444, Representative Ropp. The Clerk will read the Bill."

Clerk Leone: "House Bill 2444, a Bill for an Act to amend an Act to revise the law in relationship to counties. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from McLean, Representative Gordon Ropp, on House Bill 2444."

Ropp: "Thank you, Mr. Speaker and Members of the House. This House Bill 2444 is a Bill that is attempting to deal with a situation relative to the Wood Dale Public Library District versus the County of DuPage, in that that stated all of the interest money that they had collected would now have to be

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passed on to the receiving bodies or the special taxing districts, like school districts, library boards and so forth. Because of that amount of money that will now be transferred -and of course this is subject to the Supreme Court that is going to hear this, but I don't think the Supreme Court is going to deal with the situation as it affects the interest money from this point on. I think the Supreme Court will probably deal with the retroactiveness of the Judge's decision which goes back to 1976. This Bill increases by referendum, by referendum - let me reiterate - the amount of money that a county may now collect from .025 up to .05 of the equalized assessed valuation to cover which has been the cost of collecting these taxes. I think this is a response in order to deal with this. Many counties are really facing severe financial crisis as a result of this particular ruling by the Judge. With a front door-referendum, I see no problem with this Bill. The only problem might be that counties should receive these funds but may have some difficulty in getting the referendum passed, but I think it's a good means in order to address this particular situation."

Speaker Matijevich: "Representative Ropp has moved for the passage of House Bill 2444. On that, the Gentleman from Cook, Representative Aaron Jaffe."

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

Speaker Matijevich: "He indicates he will. Proceed."

Jaffe: "Yeah. Representative Ropp, I notice, in looking over the Bill, that it provides in only counties with population under a million may levy such a tax. Is that correct?"

Ropp: "That's correct."

Jaffe: "Why did you leave Cook County out?"

Ropp: "Because I think they are handled under a different situation. It's my understanding that they don't levy a

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collection tax at present. Can you reassure me that that is incorrect or correct?"

Jaffe: "I don't know. I'm asking you. I'm just asking why is Cook County left out? Is it because they're home rule? I don't understand."

Ropp: "It wouldn't necessarily be because they're home rule because this deals with the rest of the counties that are also home rule."

Jaffe: "Eut... So..."

Speaker Matijevich: "Representative Ropp."

Ropp: "The original... the original Bill did exclude Cook County and so we didn't really change it. The current statute excludes Cook County. And so in the Amendment, we also continued that process of excluding Cook County. If you think that it ought to be in there..."

Jaffe: "Well... Well can Cook County levy that under their home rule powers? I'm not opposing the Bill, I'm just trying to find out why Cook County was left out."

Ropp: "I think they... Well sure they could under home rule. They could do that now. And that may be a way that they're going to have to deal with it in order to pick up the interest money that they heretofore been using for operational funds which they will be losing from this point on."

Jaffe: "Okay. Thank you."

Speaker Matijevich: "The Gentleman from Pecria, Representative Tuerk. Fred Tuerk."

Tuerk: "Would the Sponsor yield, please?"

Speaker Matijevich: "Proceed."

Tuerk: "What... How does this Bill track with your Constitutional Amendment that was unsuccessful?"

Ropp: "Well, the original... the Judge's ruling said that that interest money could not be received or retained within

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that county because it did not comply with the constitution. When I checked into the current statute about increasing that replacement money, I found that the counties were in the process of receiving taxes for collecting taxes which is in the amount of .025, which means that they have been collecting taxes for the collecting of taxes. And so, because they are losing the interest money, it was my judgment that they needed this extra replacement money and; therefore, I have attempted just to increase the current statute which allows them to receive tax money now for collecting taxes. And I guess that's one of the reasons I think it is a bit unusual why the Judge made his ruling, because they're already doing what he says they can't do."

Tuerk: "Well, I understand that. My question was, how does this compare, I'll put it that way, with the Constitutional Amendment that you proposed?"

Ropp: "I was attempting to address the Judge's ruling on two counts. First of all, he said that it was unconstitutional. So I was attempting to change the Constitution to deal with that ruling that he made which would have allowed counties who collect taxes to receive funds for those collections. That would not have increased any amount of money to those county boards at all. This particular Bill, 2444, actually addresses the amount of money that they may receive for collecting taxes, and this is the manner in which I am doing it."

Tuerk: "I see."

Ropp: "I'm attempting to deal with the Judge's ruling in two counts."

Tuerk: "Thank you."

Speaker Matijevich: "Representative Ropp, to close."

Ropp: "Mr. Speaker and Ladies and Gentlemen of the House, this is

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an attempt to deal with what I consider one of the most serious issues that is facing the State of Illinois at this particular time. Serious amounts of money are being lost to county boards as a result of the Judge's ruling on this particular case. We are attempting to provide this opportunity for counties to recover the lost interest money that has been determined shall follow the special taxing districts, like schools, libraries and so forth. It hopefully is a washout so that the counties will at least lose no more money but will have the same amount of money, generally speaking, that they had received through their investments of taxes that they had collected for special districts. I urge your favorable support."

Speaker Matijevich: "Representative Ropp has moved for the passage of House Bill 2444. The question is, 'Shall House Bill 2444 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 104 'ayes', no 'nays', 1 answering 'present'. And House Bill 2444, having received the Constitutional Majority, is hereby declared passed. House Bill 2449, Representative Wolf. Out of the record. The Gentleman from Cook, Representative Greiman, on a Motion. Representative Greiman is running down the aisle. Slow down. Representative Alan Greiman."

Greiman: "Thank you, Mr. Speaker. On page two of the Calendar, under Special Order of Businesses, appears Special Order of Consideration of HJR 123. I would move that that be deferred till the hour of 5:00, Mr. Speaker."

Speaker Matijevich: "The Gentleman has moved that House...HJR 123, the Special Order of Business, be deferred till 4:00 was it?"

Greiman: "5:00, Mr. Speaker."

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Speaker Matijevich: "5:00. Does he have leave? Leave, and House Joint Resolution 123 will be deferred until the hour of 5:00. They want to keep Cronson waiting, I guess. House Bill 2450, the Gentleman from Cook, Leverenz. I don't see him there. Out of the record. Be at ease for a moment. A Message from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bill 1371 and 1460, passed by the Senate May 16, 1984. Kenneth Wright, Secretary.'"

Speaker Matijevich: "House Bill 2455. The Clerk will read the Bill."

Clerk Leone: "House Bill 2455, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Ralph Capparelli on House Bill 2455."

Capparelli: "Mr. Speaker, House Bill 2455 is similar to the Chicago police Bill that we passed last Session. This Bill allows members to qualify for a minimum retirement annuity for twenty years at age fifty. It's commencing July 1, 1984, and it's approved on both sides and also by our President, George Dunn. I ask for a favorable Roll Call."

Speaker Matijevich: "Representative Capparelli has moved for the passage of House Bill 2455. There being no discussion, the question is, 'Shall House Bill 2455 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 66 'ayes', 30 'nays', 8 answering 'present'. And House Bill... Giorgi 'aye'. House Bill 2455, having received the Constitutional

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Majority, and Matijevich 'aye', is hereby declared passed. Giorgi and Matijevich 'aye'. The total vote is 68 'ayes', and 30 'nays', and 8 answering 'present'. And DiPrima 'aye'. Kulas 'aye'. That's 70 'ayes'. House Bill 2459, are you ready with that, Capparelli? Out of the record. House Bill 2464, Greiman. The Clerk will read the Bill."

Clerk Leone: "House Bill 2464, a Bill for an Act in relationship to the protection of the rights of privacy. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Alan Greiman on House Bill 2464. Representative Greiman."

Greiman: "Yes. Mr. Speaker, I would ask for leave to return the Bill to the Order of Second Reading for the purpose of an Amendment."

Speaker Matijevich: "Representative Greiman asks leave that House Bill 2464 be returned on the Order of Second Reading for the purpose of an Amendment. Does he have leave? Leave, and the Bill is on Second Reading. Are there Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 2464 on page five and so forth."

Greiman: "He's indicated that he will withdraw the Amendment."

Speaker Matijevich: "Leave to withdraw Amendment #1. Leave. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Greiman."

Speaker Matijevich: "One moment. Representative Vinson, for what purpose do you rise?"

Vinson: "There wasn't leave to withdraw that Amendment."

Speaker Matijevich: "Oh. I'm sorry. Representative Greiman, evidently there is not leave to withdraw the Amendment."

Greiman: "Well I will move that that Amendment be tabled and taken up on the next Amendment."

Speaker Matijevich: "Representative Greiman moves that Amendment - 1 was it - be tabled. And on that, Representative

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Vinson."

Vinson: "Mr. Speaker, Representative Greiman, I am advised that there was a commitment in regard to this Bill that it would not be moved on the floor without consultation. The Republican Spokesman on the Judiciary Committee is not currently on the floor. The Amendment that... #1 that you're seeking to get rid of, I see a copy of it. Amendment #2 which, as I understood, which you're going to say you're planning on doing something with, is not...we don't have a copy of that, and I just wonder if maybe it wouldn't be appropriate to do some consultation on this thing."

Speaker Matijevich: "Alright. Representative Greiman."

Greiman: "Alright. Mr. Speaker, as to the issue of consultation, I have had conferences and meetings with members of the industry, with members of the business community and have had position papers developed. As recently as this morning, I met with the attorney for the industry and that's consultation, certainly. If you don't have the Amendment, if it has not been distributed, then, of course, we cannot proceed, and I would just ask leave that we then come back to it this afternoon when it has, in fact, been received. I have no objection to... we will have to hold it, of course. Just as long as I would know that we're going to come back to it, Mr. Speaker."

Speaker Matijevich: "All in favor of the Motion to table Amendment #1 say 'aye'. Oops, I thought he was going to hold it. Alright. Representative Vinson, proceed."

Vinson: "Well, I don't have a copy of Amendment #1 at this point...Amendment #2, so I don't know if somehow it addresses the issue involved in the tabling of Amendment #1. And I'd like to have some knowledge on that. The Gentleman hasn't spoken on the substance of it. I just..."

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Why don't we take this thing out of the record until we see Amendment #2 and then may be..."

Speaker Matijevich: "Representative Greiman, why don't we just have leave to hold it and return...leave to return to this? Is that what you wanted? Representative Greiman."

Greiman: "Alright. As long as.. I note that Amendment #1 has, in fact, not been adopted so that it's not a question of tabling it in any event, but we can return to the Bill later on this afternoon. That's perfectly alright."

Speaker Matijevich: "Alright. Leave of the House that we return to House Bill 2464 later today and that it is on the Order of Second Reading in consideration of Amendment #1. Leave. House Bill 2473, Representative Berrios. Clerk will read the Bill."

Clerk Leone: "House Bill 2473, a Bill for an Act to amend Sections of the Illinois Notary Public Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Joseph Berrios, on House Bill 2473."

Berrios: "What House Bill 2473 does, it amends the Illinois Notary Public Act to increase the required bond from 1,000 to 10,000. What we've had going on in the City of Chicago in the Hispanic neighborhood is that notary publics represent themselves as being attorneys and charge exorbitant fees to some of the Hispanics in the area. They hold themselves out to do immigration work, real estate work and divorces and take advantage of the people who don't know that notaries are really not attorneys. The Bill would grant them more protection because of the fact that currently the bond is a \$1,000, and to take a case to court for a \$1,000 really, you know, is not worth...won't get the people's money back. Currently, there are seven cases with the State's Attorney's Office in Cook County, and

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he's investigating other firms who do this practice. And what we're trying to do is give the people a little more protection in the State of Illinois by increasing the bond. And I would ask for a favorable vote."

Speaker Matijevich: "Representative Berrios has moved for the passage of House Bill 2473. On that, the Gentleman from Cook, Representative Aaron Jaffe."

Jaffe: "Yeah. Will the Gentleman yield for a question?"

Speaker Matijevich: "Indicates he will. Proceed."

Jaffe: "Okay. Now under the present Notary Act, what you really do is you file a form and two people sign as your..."

Berrios: "Surety."

Jaffe: "...as your surety. Now would you change that under this particular Act?"

Berrios: "No. You can still do that."

Jaffe: "So, basically what you're saying is that the surety now comes in and is going to be responsible for \$10,000 rather than one. Now usually people will just sign on because it's a thousand dollar bond. I don't know very many suits that have been filed on a notary bond. How many suits have really been filed on a notary bond?"

Berrios: "Well, the problem is that, you know, the bond is so low that, you know, you know yourself a lot of attorneys won't take a case ..."

Jaffe: "Yeah, but, I...I...but I...I don't know if you're really solving the problem in your area by saying, okay we're going to make you put up to a \$10,000 bond, because what's going to happen is you're not suing that person on his notary bond. You're suing that person, you know, for practicing law illegally. And I don't think that that's going to follow that you're going to be able to collect on a notary bond for somebody that's practicing law illegally. I just don't think you're solving the problem. You're

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trying to do one thing to solve a different problem."

Berrios: "Well if you have a \$10,000 bond, you know, generally what they've been charging is two, three, four thousand dollars. You'll be able to go back and get it."

Jaffe: "But that... but that... It begs my question. The question is, if you have a notary bond and someone is practicing law illegally and you sue that person, you're not going to be able to collect under the notary bond for illegal practice of law."

Berrios: "You can get them for fraudulent practice, can't you?"

Jaffe: "Well, but they won't have a bond for that. So all that you're really doing is getting people to put up a higher bond to cover a circumstance that will not be covered under this particular Act. I think that the... I think that your goals are commendable, but you're not solving the problem."

Speaker Matijevich: "Representative Myron Olson, Gentleman from Lee."

Olson: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Berrios: "Yes."

Olson: "Representative Berrios, is this similar to a Bill which passed the Senate last year 56 to 2?"

Berrios: "Yes."

Olson: "Is it basically the same form?"

Berrios: "Right."

Olson: "To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Olson: "I would rise in support of Representative Berrios' Bill. They have a problem in the Hispanic community, and it has surfaced elsewhere in the State of Illinois. And I would urge support of this Bill. Thank you very much."

Speaker Matijevich: "The Gentleman from Cook, Representative

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James Keane."

Keane: "Thank you, Mr. Speaker. There was an article in the Chicago Tribune earlier this month where there was a couple who had discovered that - and it was in the Latino neighborhood - there were \$13,000 in liens on a house they bought; and, as the Sponsor indicated, in many South American countries, the notary does act as an attorney. They were misled and suffered substantial damage and had nothing but a thousand dollars to claim against. I think that the cost has been shown that the costs are not, in fact, they may not go up at all for the bond. And I would urge your support for the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Harris. Dave Harris."

Harris: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Matijevich: "Yes. Proceed."

Harris: "Representative Berrios, why do you feel it's necessary to raise to \$10,000? Was that a limit chosen for a particular reason?"

Berrios: "No, just a round figure."

Harris: "To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Harris: "It just seems to me that there are...there are only three other states in the Union that have a \$10,000 level. Illinois would be the only...only the fourth state in the Union. It may be advisable that we raise this bond limit to perhaps two or three thousand dollars, but it might be that \$10,000 is excessive and I would simply urge that you consider that before you vote."

Speaker Matijevich: "Representative Berrios, to close."

Berrios: "Just ask for a favorable Roll Call."

Speaker Matijevich: "Representative Berrios has moved for the

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passage of House Bill 2473. The question is, 'Shall House Bill 2473 pass?' Those in favor signify by voting 'aye', opposed voting 'no'. Representative Al Ronan, to explain his vote. One minute."

Ronan: "Thank you, Mr. Speaker. This is a real consumer Act. I praise Representative Berrios for putting in this piece of legislation. I've got a large Hispanic population in my district, and the incident cited by Representative Keane is absolutely accurate. You've got unscrupulous individuals who take advantage of people because of different systems around the world, and we've got a situation that if we tighten up the requirements and raise the issue. Thank you very much."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. This question, there are 76 'ayes', 15 'nays', 14 answering 'present'. And House Bill 2473, having received the Constitutional Majority, is hereby declared passed. House Bill 2476, Capparelli. Out of the record. 2479. House Bill 2479, Mautino. Out of the record. House Bill 2505, Flinn. Out of the record. House Bill 2510, Levin. Head the Bill."

Clerk Leone: "House Bill 2510, a Bill for an Act to amend an Act in relationship to persons who pay certain delinquent taxes. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Ellis Levin, on House Bill 2510."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2510 would establish a program of tax amnesty in the State of Illinois, similar to the highly successful program that took place last year in the State of Massachusetts. Under this Bill, a program would be established of tax amnesty for the sales tax and for the state income tax. And people during the period from

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October 1, 1984 through December 31, 1984 would be able to pay their back taxes in these two categories without interest and penalties. This legislation, this amnesty would not apply to those against whom legal proceedings are already pending. In Massachusetts, the program there raised approximately \$65,000,000. With receivables, they are about 300,000,000. Illinois has a greater level of receivables and the expectation is that under this Bill we could raise as much as a \$100,000,000, money which can be vitally used in this fiscal year for funding for schools and for other needed programs, particularly if it turns out that some of the projections in terms of revenue are not accurate. This Bill, I think, compliments legislation, three package legislation sponsored by the...supported by the Governor which is also on the House at the present time. The STEP program - Stop Tax Evasion Program which would augment the penalties. So between House Bill 2510 and House Bills 3062, 3065 and 3069, I think we have a good program which would increase penalties and provide motivation, therefore, for people to take advantage of a tax amnesty program. If there are questions, I'm happy to answer them; otherwise I think this is an important Bill, and it's a Bill which I think is fair. We have gone through it with the Department. They inform us that there were no technical problems with the Amendment. Everything has been worked out, and I urge your support."

Speaker Matijeich: "Representative Levin has moved for the passage of House Bill 2510. On that, the Gentleman from Lee, Representative Myron Olson."

Olson: "Will the Spcnsor yield?"

Speaker Matijeich: "He indicates he will. Proceed."

Olson: "Representative Levin, is there a companion Bill in the Senate on this subject where it's alleged we will recover

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200 to 300 billion dollars which will be dedicated to education?"

Levin: "I'm not sure in terms of dedication, but there is a Bill sponsored by the President of the Senate, President Rock, which does deal with the subject of tax amnesty."

Olson: "I had some educators visit with me yesterday, and they were quoting at length on that subject both as to the amounts and as to the dedication. Does our current revenue statutes provide all the parameters that we need to do a successful job of recovering these monies? That issue was raised earlier this year, and I think they indicated that they currently do not have the necessary authority to do some of these things. Could you address that issue?"

Levin: "The... You know, would the... The other legislation, as they say, which is currently on Third Reading, the Governor's enhanced tax penalties package, I think will provide an increased motivation for people to pay their taxes under a program of tax amnesty. I know Director Mandeville had indicated in testimony before one of our Committees that he felt that it was necessary to link increased penalties with any tax amnesty program. This legislation provides the authority for a tax amnesty program. I think it has been reviewed by the Department. They've indicated there are no technical problems. It does what we intended to do, and you know, in fact, I have a fiscal note from the Department of Revenue that analyzes the Bill."

Olson: "Two additional questions. When would the effective date of this Bill be?"

Levin: "It would provide for a program of tax amnesty that would begin on October 1, 1984 and would expire on December 31, 1984."

Olson: "And then this last question. When would the meaningful

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for revenue accrueements to the State of Illinois be available to us? I'm putting this in the context of the indication to education that somehow we're going to get some immediate dollars for them in this fiscal year."

Levin: "You would have immediate dollars if people... If they...they send in their check in that period, that money would then immediately be available to the State of Illinois."

Olson: "And what is your last best estimate on the amount of monies that Fiscal '85 would give us in these tax amnesty dollars? Your last best one, Representative."

Levin: "I think that it clearly would exceed the amount that was collected in Massachusetts which was approximately 65,000,000. They were at a collectible level of about 300,000,000 when they started the program. Our collectibles are in excess of about 350. So, you know, certainly an excess of 65,000,000. You know, my guess would be a hundred. I'm not real good in finance, so I'm not going to hazard a real specific guess to it."

Olson: "Thank you very much."

Speaker Matijeovich: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes. Mr. Speaker, will the Sponsor yield?"

Speaker Matijeovich: "Proceed."

Vinson: "Representative, as I understand the thrust and the purpose of your Bill, your program here, you're going for some period late this year, going to let a taxpayer who has not been paying his taxes, pay his taxes and there is no criminal liability. There is no civil liability and there is no interest penalties attached to that. Is that correct?"

Levin: "That is correct, unless there is...already been pending a legal action to collect those taxes. So, you know, if

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somebody - if they're in court already, they can't go in and pay their taxes and get off the hook."

Vinson: "So a taxpayer..."

Levin: "This is in line with what Massachusetts did. They did the same thing. I think it makes sense. I think it's fair."

Vinson: "A taxpayer who... well let's back up a second. Somebody who hasn't been paying their taxes at all comes in and they can get absolutely straight, even though they haven't paid their taxes for ten years, by paying their taxes between October and December. Is that correct?"

Levin: "If there is no legal action pending against them, it means that, you know, they haven't been caught. This is money which we would otherwise not have in that situation."

Vinson: "So a tax...somebody who ought to be paying taxes but isn't right now just the very fact that this Bill is floating around discourages them from paying their taxes before October 1, isn't that correct?"

Levin: "No, this only applies to taxes that were due for the tax year ending December 31, 1983, so that..."

Vinson: "Why would somebody who owed taxes that year pay them between now and then?"

Levin: "Well, if they owe taxes for then, they were already due. If they didn't pay them, one can assume, you know, income...the state income tax was due April 15th. If they didn't pay by April 15th, you know, there is no indication that without either; (a), the state going after them and spending money on, you know, for more revenue agents and legal proceedings and so on; or (b), some kind of a program where we can encourage them to do it if they were going to be able to get that money."

Vinson: "Yeah, but that... My question is, there is no reason that they ought to pay their taxes between now and October

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1st because they would be subject to interest penalties if they pay them now, right?"

Levin: "Well, there is no reason... This Bill only applies to taxes that were due for the period ending December 31, 1983. So this would have no affect at all, it's not an encouragement or discouragement in terms of any taxes that are due currently, and that's why I think we're realistically, you know, your concern should be... If I've got an income tax payment that's due next week, this would have no affect on that."

Vinson: "Does this have an impact on the sales tax?"

Levin: "Yes, it does."

Vinson: "Or the sales tax amnesty program?"

Levin: "That's correct."

Vinson: "And somebody who hasn't been paying their sales tax could get amnesty under this program if they pay their taxes in the fall, right?"

Levin: "Well, you know, if they haven't been caught up to this point, you know, that's correct."

Vinson: "And they might be operating a store competitive with their neighbor right next door who has been paying their taxes. Isn't that correct?"

Levin: "Well, I mean, your question is rhetorical. I mean, what we have is a situation where..."

Vinson: "Alright then, I'll speak to the Bill. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Vinson: "I would urge a 'no' vote on this, because it's unfair. A lot of people pay their taxes. As a matter of fact, most people pay their taxes and pay them on time, pay them honestly. That's a cost of doing business for businessmen and this does apply to the sales tax. That's a cost of doing business for guy paying the corporate income tax, and

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I presume it applies to that. Now, why in the world should that guy who is legally paying his taxes on time be put at a competitive disadvantage with the individual out there who chooses to withhold his taxes and wait until October for the Representative's amnesty program. Then he doesn't have to pay interest, doesn't have to penalties and not subject for any liability. But the guy out there, the honest guy, who's trying to do what's right in this world, who's trying to honestly cooperate with the law, he's disadvantaged by this program. That's not fair. That's not equitable. I would go a step further. For somebody who might get the benefit, who might get the benefit of this amnesty program, the very fact that the Bill is floating around encourages him not to pay up, not to get straight with his fellow citizens and with the state and to continue to hold out and refuse to pay. And all that can do is discourage cash flow to the state and make it more difficult to pay the bills, make it more difficult for us to provide school aid, make it more difficult to take care of welfare recipients and those other people between now and October 1st. So I'd urge a 'no' vote on the Bill. I think it is a particularly poor piece of legislation."

Speaker Matijevich: "The Lady from Sangamon, Representative Josephine Oblinger."

Oblinger: "Will the speak... Will the Representative yield?"

Speaker Matijevich: "Yes. Proceed."

Oblinger: "Representative Levin, don't you believe that this encourages a lot of people who would owe these taxes to go ahead and invest their money and say we'll wait around for the next amnesty Bill instead of paying them? You know, it would be great if you invested your money, got fourteen, fifteen percent interest and then when you came around to pay it, you just had to pay what would have done before,

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and you've made all this money. Don't you think that encourages people to do that?"

Levin: "Representative, it would seem to me that somebody with your interest and background would see that, you know, the state needs the money for...we need more money for human services, for senior citizens, for public education, that this would bring in. This only applies to taxes that were due for the year 19... through 1983. It's a one shot deal. We've got the Governor's Stop Tax Evasion Program which is going to increase the penalties for the future, so people are going to know they're going to even get...hit harder, and so it would encourage them to take advantage of this. We're talking about people who have not paid their taxes up to this point. We're not talking about taxes that are going to be due from here on out. So, no, I don't think it's going to encourage anything, because we're only talking about taxes that are already due which we would not otherwise be able to collect without a program like this. So the choice is between not getting that money at all or having a program which would encourage people to take advantage of the situation to pay their taxes."

Oblinger: "Mr. Speaker, to the Bill. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Oblinger: "I think this does encourage, because we've done it this year. So three years from now a lot of us decide we're not going to pay our taxes. We know amnesty will be coming down the road because they need the money. And so we say, 'Well let's just invest our tax money. We can make money out of it; and, when it comes around with the amnesty Bill again, then we can come in and pay our taxes without any penalty.' I think we are really encouraging people not to pay their taxes on time, and I would like to see us encourage them to pay them on time."

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Speaker Matijevich: "The Gentleman from Edgar, Representative Jeff Mays."

Mays: "Thank you very..."

Speaker Matijevich: "Adams, I meant."

Mays: "There you go."

Speaker Matijevich: "Sorry about that."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. I tell you what we're doing when we vote for this program, especially in light of the action that this House as a chamber took yesterday when we eliminated the possibility of adding back positions for enforcement, we're telling tax cheaters that they should have amnesty, and we're telling those people that have also cheated that we're not going to enforce the law. Now if you want to be in that kind of position, go right ahead and vote for this Bill. That's the kind of position you're getting yourself into though."

Speaker Matijevich: "Representative Levin, to close. Ellis Levin."

Levin: "Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The provisions of the Bill provide for a one time tax amnesty to apply for a period of three months, October 1 through December 31, 1983 only with respect to taxes through the year ending December 31, 1983. We have a program that's going to increase penalties that is currently on the floor, the Governor's package. We are just emerging from a recession when there were many people who, because of the economy, were not able to pay, be it their sales tax or their state income tax. And this is the opportune time, given the improving state of the economy and given the prospect of increased penalties for the future, to pass legislation which will help us this year get these people back on the road to paying taxes, not only

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for this year, but once they're in once, they are going to know they're going to have to pay every year thereafter. And this is a program that's going to provide badly needed monies for programs like public education this year, not next year, this year. So I urge your support for this very, very important Bill. It worked in Massachusetts, and it can work here in the State of Illinois."

Speaker Matijevich: "Representative Levin has moved for the passage of House Bill 2510. The question is, 'Shall House Bill 2510 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. This question, there are 34 'ayes', 53 'nays', 6 answering 'present'. And House Bill 2510, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2511, Harris. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 2511, a Bill for an Act to amend Sections of the Structural Pest Control Act. Third of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Harris, asks leave to return House Bill 2511 back to the Order of Second Reading for the purpose of an agreed Amendment. Does he have leave? Leave, and the Bill is on Second Reading. Do we have an Amendment... Amendments?"

Clerk O'Brien: "Amendment #2, Harris, amends House Bill 2511 by deleting the title and so forth."

Speaker Matijevich: "Gentleman from Cook, Representative Harris."

Harris: "Mr. Speaker, I would ask leave of the House to table Amendment #1 for the purpose of..."

Speaker Matijevich: "The Gentleman asks leave to withdraw Amendment #1. Was it adopted? Is that alright?"

Harris: "I'd like to table #1."

Speaker Matijevich: "The Gentleman asks leave to table Amendment

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#1. One moment. Leave, and Amendment #1 is tabled.
Amendment #2."

Clerk O'Brien: "Amendment #2, Harris."

Speaker Matijevich: "The Gentleman from Cook, Representative
Harris, on Amendment #2."

Harris: "Mr. Speaker, Ladies and Gentlemen of the House,
Amendment #2 is exactly the same as Amendment #1 except it
has a page seven which was inadvertently left off from
Amendment #1."

Speaker Matijevich: "Representative Harris moves for the adoption
of Amendment #2. All in favor say 'aye', opposed 'nay',
and Amendment #2 is adopted. Are there further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. Third Reading. And
Representative Harris asks leave for the immediate
consideration of House Bill 2511. Does he have leave?
Leave. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 2511, a Bill for an Act to amend
Sections of the Structural Pest Control Act. Third Reading
of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Dave
Harris, on House Bill 2511."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the
House, during the last Session the General Assembly amended
the Illinois Structural Pest Control Act; and, when that
Amendment was made, it caused an overly restricted burden
to be placed on many small businessmen and small owners of
businesses. To give you an example, the owner of perhaps a
tavern or a small business could not use a toilet bowl
cleaner in his establishment, but rather he would have to
go out and get a license or certified structural pest
control person to come in to clean his toilet bowl,

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obviously, overly restrictive. What 2511 does is pulls back a little bit while at the same time protecting the health and safety of the general public. It pulls back a little bit from those overly restrictive provisions which were made last year. And I would ask your favorable support on this Bill."

Speaker Matijevich: "Representative Harris has moved for the passage of House Bill 2511. The question is, 'Shall House Bill 2511 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. This question, there are 110 'ayes', no 'nays', and House Bill 2511, having received the Constitutional Majority, is hereby declared passed. House Bill 2512, Churchill. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 2512, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Lake, Representative Robert Churchill, on House Bill 2512."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2512 accomplishes four things. First of all, it provides that all taxing districts would receive notice in any situation where a taxpayer wished to change his assessed valuation at the Board of Review or the State Property Tax Appeal Board by more than \$50,000. There is also a provision that says that the local assessor has the right to request information from the taxpayer in regards to the assessment process. In the event that the taxpayer fails to deliver that to the assessor, the assessor has the option of choosing whichever method of assessment he wishes, and it is only that method which may be disputed in any hearing before the Board of Review or the Property Tax Appeal Board. The Bill also creates a presumption in favor

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of the local assessor and provides that at any time there is a hearing before the Board of Review and the Property Tax Appeal Board, that a person seeking to create a change in assessment must show by a preponderance of evidence that the local assessment was incorrect. The fourth thing that the Bill does is to create a situation where taxing bodies who are required to pay back funds because an assessment has been changed, the taxing bodies are allowed to issue general obligation bonds with a back-door referendum. This Bill was discussed yesterday since the Amendment that was placed on it was basically the Bill. I would ask for its passage."

Speaker Matijevich: "Representative Churchill has moved for the passage of House Bill 2512. On that, the Gentleman from Lake, Representative Dan Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I worked with the Sponsor of this Bill from the time it was first introduced and came to the Revenue Committee and with the people in Lake County who had the problems here. And I think the Sponsor, by the Amendments, has satisfied most everyone's objections. There is an inequality when you have a large, large enterprise, such as in Lake County we have Marriott's Great America, in a small township and a township assessor who doesn't have all of the material available to him, all the wherewithall available to him that does a large company who's...who's challenging the assessment. And all this Bill does and seeks to do is put them in some form of equality where the local taxing districts who will lose substantial amounts of money have notice, can present a case, can assist the assessor in defending his assessment before the Board of Review and, if necessary, the State Property Tax Appeal Board, and make sure that large enterprises don't take advantage of small

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township assessors who aren't equipped to handle their reduction complaints. I think the Bill accomplishes that, and it took a lot of work on Representative Churchill's part to get it into shape and; therefore, I'm willing to support to it and vote for House Bill 2512 as amended."

Speaker Matijevich: "The Gentleman from McHenry, Representative Dick Klemm."

Klemm: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Klemm: "Thank you. Representative Churchill, you went over one part of it and I, maybe, perhaps missed it, and that was about the business person failing to provide information or documentation to an assessor would somehow forfeit his right for something. Could you explain that part of it a little bit more clearly?"

Speaker Matijevich: "Representative Churchill."

Churchill: "Yes, Representative Klemm, I'd be happy to. The situation has existed particularly in the assessment area in Zion, where the Zion assessor went to Commonwealth Edison and requested certain information from Commonwealth Edison. Commonwealth Edison refused to deliver that information to the assessor, and the assessor chose a method of computing the value of the nuclear plant. At a later time in either the Board of Review or the Property Tax Appeal Board, then the taxpayer came back and said, 'These are the figures that we have to show. Our assessment should be reduced.' What that does is it sandbags the local assessor who has no opportunity to examine those facts and figures before he goes into the appeal process. This Bill seeks to correct that situation."

Klemm: "What size of a company or an assessment would that apply

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to?"

Churchill: "This Bill basically applies to situations where a change of more than \$50,000 is requested, which means that you're not looking at your ma and pa shop. You're not looking at your local gas station. You're not looking at residential property, but it's something where you... where someone is seeking to a change in assessment by \$50,000 is a large piece of property."

Klemm: "So if an assessor has made an error and the change of the small business on the property is more than \$50,000, what happens to that business person who asks for, let's say, a \$55,000 reduction and just simply get the bill and said it's not right?"

Churchill: "If the assessor has requested information either as to the market value approach, the cost approach or the income approach... the taxpayer..."

Klemm: "Why should the businessman have to go out and do all of that when the assessor is trained and suppose to know how to do the assessment process?"

Churchill: "The Bill just says if the assessor requests the information and the taxpayer does not wish to give it to the assessor, then the assessor makes his choice as to which method he wishes to choose to do the assessment. Then at the Board of Review or the Property Tax Appeal Board, the taxpayer cannot come back in using figures that the taxpayer had at that time to contest the assessment. In other words, the taxpayer is sandbagging the local assessor."

Klemm: "Alright. Thank you very much."

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

Brummer: "Yes. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

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Brummer: "Representative Churchill, you know, from the discussion we had yesterday on the floor regarding the Amendment that I'm opposed to, the Amendment that went on regarding requirement of providing notice by the taxpayer to every unit of government within that area. I think that's an undue burden. An item we did not discuss and I was not aware until, quite frankly, right now, while you were explaining the Bill, is the provision that the... if requested by the assessor, the taxpayer has to provide certain information including income, including cost of building, including market price of the building to the assessor and that applies, not only to the \$50,000 reduction, but applies to everybody except the single family residence. Is that correct?"

Churchill: "That's correct."

Brummer: "So the local assessor then could come into the ma and pa store and demand the income records with regard to the local drug store, or the local gas station or whatever the local ma and pa store is."

Churchill: "And if that person chose not to give the information..."

Brummer: "Wait a minute, can the assessor demand that?"

Churchill: "Yes. No, not demand it, request it."

Brummer: "Well, okay."

Churchill: "The taxpayer has no obligation to give that information to the assessor. It's just that if the taxpayer doesn't give the information and the assessor uses the cost approach, let's say, then the taxpayer can't go in and argue on the income approach at the Board of Review or at the Property Tax Appeal Board."

Brummer: "Okay. In reading the language of the Bill, I'm not sure that it is clear that the information requested, for example, regarding an income approach to the appraisal of

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property is with regard to the income generated from that property and not necessarily the income of the business itself. The request by the assessor simply says, 'Requested by the assessor pertaining to the cost, market and income approaches to determining the value of the taxpayer's property'. I know in our local area at times the assessors had some mistaken notion that on income approach they're entitled to all the income records of some individual, and that is not, as I understand the assessing process, a correct approach to an income assessment approach or an income valuation approach of a particular tract of real estate. Do you agree?"

Churchill: "I would agree with you."

Brunner: "Okay. Now, let me pose a hypothetical. If the...if this information is not provided, then under your Bill the assessor has to assess on a replacement approach. Is that correct?"

Churchill: "No. The Amendment yesterday said that the assessor can choose whichever approach he deems advisable and use that approach. So he could use the cost approach, the market approach or the income approach. It's in Amendment 3... or 2, I'm sorry."

Brunner: "So it is at the option of the assessor then. Does he have to notify the taxpayer which method he is using?"

Churchill: "The Bill does not require that."

Brunner: "Is it your intent that the assessor notify the taxpayer what assessment method he is using whether it's cost, market or income?"

Churchill: "No, that is not my intent. That would be something that when the taxpayer went before the Board of Review or before the State Property Tax Appeal Board, the question of the assessment would come up, and it would be up to the assessor to explain the method he used."

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Brunner: "Well, generally in doing appraisal work, it's my understanding that you use the market approach anytime you have comparables available. And you only use either the cost or the income approach as the less desirable approaches, because the market approach is not available. That is clearly the law, for example, with regard to condemnation law in the State of Illinois, that you have to use market approach and you cannot use cost approach or income approach if those others are available. I...I guess I had felt that that was the case with regard to the assessment process; that the assessor is under certain obligations to use a market approach if there is market data available, if there is not, as a fall-back method of assessing you can use cost or income approach. Now under this Bill if I understand it, you'll be...the assessor can just use whichever of those he or she desires, particularly in those instance where he's requested information about income, and it's not produced."

Churchill: "That is correct. It would be difficult to use an income approach if you didn't have the income figures. So you would be restricted to either a cost approach, if you could get that from, say, the green sheet, or the market value approach if you had your comps."

Brunner: "Okay. Mr. Speaker, briefly to the Bill."

Speaker Matijeovich: "Proceed."

Brunner: "I guess I'm not sure of the provisions on your Amendment #2 that was adopted. It seems to me that we may be changing the commonly accepted methods of appraising real estate in Illinois as it relates to the assessing process. And I...I'm...I guess I'm not real certain of that. I voiced the objection yesterday, and I would simply reiterate it without going into the arguments concerning it; that the provisions that the taxpayer have to give

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notice to every unit of government involved I think is an undue requirement on the taxpayer. Those units of government are not the assessing bodies in the first place. They simply levy a tax. They do not do the assessing, and I don't think it's a reasonable burden on the taxpayer to require that that notice go to all those units of government. For those reason, I would be opposed to this Bill"

Speaker Matijevich: "Representative Churchill, to close."

Churchill: "Thank you, Mr. Speaker. I think Representative Pierce hit the nail on the head. This is a Bill of equity and fairness in the assessment process. There's no reasons why a taxpayer should be able to sandbag the local assessor, particularly in a situation where the taxpayers that this Bill deals with are the larger taxpayers that can afford to hire attorneys and accountants and CPAs to fight their tax problems. In this situation, it's a David and Goliath situation. What we're trying to do is give the local tax assessor some equity in the process. I would ask that you support this Bill."

Speaker Matijevich: "Representative Churchill has moved for the passage of House Bill 2512. The question is, 'Shall House Bill 2512 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Matijevich 'aye'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question... On this question, there are 72 'aye', 33 'nays', 4 answering 'present'. House Bill 2512, having received the Constitutional Majority, is hereby declared passed. Assistant Majority Leader, Alan Greiman, in the Chair."

Speaker Greiman: "On the Order of House Bills Third Reading on page 15 of the Calendar, appears House Bill 2516. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2516, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Nelson: "Thank you, Mr. Speaker. I would like permission of the House to yield for an agreed Amendment to Representative Hastert who would like to explain that."

Speaker Greiman: "Well the Bill is on the Order of Third Reading now. You ask leave to return the Bill to the Order of Second Reading for the purpose of an Amendment? Lady asks leave. Lady has leave. On the Order of Second Reading appears House Bill 2516. Are there any Amendments?"

Clerk O'Brien: "Amendment #1, Hastert, amends House Bill 2516 on page one, line one and so forth."

Speaker Greiman: "Mr. Hastert."

Hastert: "Mr. Speaker, Ladies and Gentleman of the House, Amendment #1 is an Amendment that was agreed between the bonding companies, namely Chapman & Cutler, the waterwork...Illinois water companies and the Governor's Office, and it puts some language in and talks about how municipal, non-municipal waterworks are valued for the purpose of condemnation."

Speaker Greiman: "The Gentleman from Kendall moves for the adoption of Amendment #1 to House Bill 2516. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, the Lady from DuPage, Ms. Nelson."

Nelson: "Mr. Speaker, I would now like to ask leave of the House

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for immediate consideration of House Bill 2516."

Speaker Greiman: "The Lady asks leave that House Bill 2516 be immediately considered by the House. Does the Lady have leave? She has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2516, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2516 is a proposal that was brought to me by some local municipalities who are very interested in tree planting programs. What the Bill would do is allow any municipality to enter into long-term contracts and joint, long-term contracts with other municipalities so that they could get a...a really a better deal from a nurseryman or from a grower. Long term contract is defined in the Bill as an agreement with a duration of ten years or less so it could be, you know, one or two years. And the Department of Conservation supported the Bill in Committee. It says, from the Department of Conservation that 'since it will grant additional authorities to municipalities in areas of community forestry programs and will encourage the planting of more trees specific to the municipality's needs, we support this Bill'. Presently, communities wishing to plant trees are limited to those sizes and species which are available at the time. I'd be glad to answer any questions about this particular Bill, but I think it is fairly straightforward. It allows for joint, long-term contracts, and it is very limited because it only speaks to contracts with vendors of trees."

Speaker Greiman: "The Lady from DuPage moves for the passage of House Bill 2516. And is there any discussion? The

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Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I believe this is the companion legislation to the Forestry Act that is involved in the taxation on producers of trees in this state. Is this not the companion substantive legislation?"

Speaker Greiman: "Yes, she may answer. Proceed."

Nelson: "No, it is not, Representative Mautino. There is a connection between the two Bills because they both deal with trees, but this is not the companion legislation. The companion legislation to the Urban Forestry Act that I spoke of earlier would be an appropriation, and that is not what we're dealing with at the time. This is a Bill that gives power to local municipalities to enter into joint, long-term contracts."

Mautino: "And what you're saying is without this substantive legislation, the appropriation Bill which was, I think, 2359 would not be operable. Isn't that correct?"

Nelson: "No. We're talking about two different concepts here. The Urban Forestry Act, which was a completely different Bill, has already passed the House, and that is the substantive Bill that sets up a grant program for municipalities. This is different."

Mautino: "In which way is this different? It allows long term contract doing the same thing, does it not?"

Nelson: "There is no money in this Bill."

Mautino: "No, the money was in the other Bill."

Nelson: "The other Bill... The other Bill needs an appropriation to work. For the other Bill to work and for municipalities to receive grants, there has to be an appropriation. This Bill is not dependent upon any appropriation being passed. This Bill simply says that municipalities may join with other municipalities and sign contracts."

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Mautino: "Thank you."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will yield for a question."

Hawkinson: "Representative, in Committee we discussed briefly the problem that you're trying to address with this Bill. As I understand it, the need for this Bill comes because non-home rule municipalities may not enter into certain long-term contracts for the purchase of trees as well as other items. Is that right?"

Nelson: "They may not enter into long-term contracts with other municipalities."

Hawkinson: "Alright. Is that same problem not also in existence with regard to the purchase of other commodities, such as computers and the like?"

Nelson: "The staff tells me that municipalities may enter into long-term contracts; but, at the present time, it is not possible to enter into joint, long-term contracts as a non-home rule unit."

Hawkinson: "So they could not enter into joint, long-term contracts for the purchase of many other items in addition to trees."

Nelson: "That is correct, but they...they can sign contracts."

Mautino: "Why don't you address that problem instead of just picking out one commodity?"

Nelson: "Trees are unique in this way. Because they are grown and increase in size over duration, it is necessary to look toward the kind of a contract that can be obtained when you are able to make certain guarantees about the numbers of trees that you would be able to purchase over a certain period of time and to be able... which municipalities today would like to be able to do. To buy very nice, large-size trees in great variety, they can get a better deal by doing

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it this way with a joint contract."

Mautino: "Eut you... But you do not think then that there is a problem with regard to the joint purchase of other items?"

Nelson: "Those people from local municipalities that came to speak to me about this were not concerned with that problem. So it was just not ever discussed."

Mautino: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Mautino: "I would agree that we ought to allow this practice that's being sought by the Bill. However, I think, picking out one commodity could set a dangerous precedent and we could be down here every Session dealing with many commodities, and we ought to address the problem as opposed to one special commodity. However, because the Bill also now contains a rather controversial Amendment, at least in our area, as would affect Peoria Water Company, I may have other reasons for opposing the Bill."

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

Marzuki: "Will the Sponsor yield?"

Speaker Greiman: "Indicates she'll yield for a question."

Marzuki: "Isn't it already permissible under the Illinois Constitution for these communities to enter into intergovernmental agreements to do just what you're asking?"

Nelson: "No."

Marzuki: "That is not true?"

Nelson: "That's the reason for the Bill, because that's not true."

Marzuki: "I understand that that is the reason that this Bill has been submitted, but I... It's been my experience that this could be done under the provisions of the Constitution, and it has been done in the past. At least, when I was sitting on local government bodies, we have done this in all kinds

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of different commodities with other communities, both home rule and non-home rule."

Nelson: "The reason that I submitted the Bill, Representative Marzuki, was that when I researched it and asked the staff specifically those questions, I was told that it would take legislation. That's as much I can tell you."

Marzuki: "Thank you."

Speaker Greiman: "Thank you. Further discussion? There being none, the Lady from DuPage, to close."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I think that this is a straightforward Bill that was requested by municipalities who are interested in preserving property values and are interested in preserving a fine environment for their citizens. It is a Bill that says non-home rule units may enter into joint, long-term contracts specifically with vendors of trees and that, aside from that, it has now on it, Amendment #1 by Representative Mastert, which establishes capitalization of income as a method of determining the value of existing waterworks and sewage systems which will be purchased by a municipality, by eminent domain. I would ask for your favorable Roll Call."

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 95 voting 'aye', 7 voting 'no', 2 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 2518. Mr. Cullerton. Out of the record. On the Order of House Bills Third Reading, appears House Bill 2523. Mr. Giorgi, 2523. Out of the record. Alright. House Bill

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2553 is on Special Order. On the Order of House Bills Third Reading on page 15 of the Calendar, appears House Bill 2559, Mr. Winchester. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2559, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2559 would... Well it amends the Highway Code and would permit the county boards of counties with less than 65,000 inhabitants to increase by ordinance the county highway tax to a maximum rate of 20 percent subject to the truth in taxation provisions. In the last eight years, county highway taxes have increased 17 percent due to increased assessed evaluation. In eight years, motor fuel tax distribution has increased by seven percent; and, in eight years, wages have increased by 106. And this is an attempt to provide necessary dollars to the local governments to take care of their county road problems. I would ask for a favorable vote."

Speaker Greiman: "The Gentleman from Hardin has moved for the passage of House Bill 2559. And on that, is there any discussion? There being none, 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? Yes. Mr... The Gentleman from Hardin, Mr. Winchester, to explain his vote."

Winchester: "Thank you, Mr. Speaker. This is, I assume, being considered, and I suppose it probably is, a back-door referendum. It does have a truth in taxation provisions. It does allow county boards, if they so choose by ordinance, to engage this provision that we would put in the states statutes. Some counties will not use it. Some

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counties will use it. Primarily, the small counties, some 81 small counties with 65,000 population or less will be the ones that will be utilizing it. It doesn't appear anywhere on the horizon that there will be any more dollars for local roads. This is probably going to be the only provision, the only way to go about finding additional dollars for those counties who need dollars for their local roads and who have the guts and the desire to pass city ordinances to go up to that 20 percent. And I would hope that I could get enough votes to at least give them option to decide whether or not they want to have additional dollars for roads."

Speaker Greiman: "The Gentleman from Bureau, to explain his vote, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. In explaining my 'no' vote to this legislation, I do it reluctantly because I understand the needs that are presented by Representative Winchester. But, by the same token, by merely adopting the ordinance and not having the provisions in the news media that covers the county at large in those smaller counties, the implementation of the additional tax would automatically kick in, if I remember correctly. That kicking in of that tax for the Highway Fund, I think, can only be done otherwise by referendum or at the annual meeting, if I remember correctly. In that... In that regard, what I think we are doing at this time is deleting from what is necessary when we examined and when we passed the motor fuel tax and sales tax assessments we adopted last year. We had provisions for local government that was turned down by this General Assembly, and what we're talking about here is implementing those same provisions without really having referendum provisions, even though they are back door..."

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

Mautino: "That's the reason for my opposition."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea, to explain his vote. You have one minute, Sir."

Rea: "Thank you, Mr. Speaker and Members of the House. In explaining my vote, I have met with a number of the county superintendents of highways. I realize the need. The authorization is already there for a back door referendum. This will only increase the amount that they can go for, and it is certainly very badly needed in many of these smaller counties and rural areas of the State of Illinois. And I would ask for some more green votes."

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

Giorgi: "Well, Mr. Speaker, you know, the situations in downstate counties, Winnebago included, is getting to be very, very dire. You know what we've done in Illinois. We've taken, with the new Constitution and home rule powers, a hundred communities in Illinois can do this without... without a referendum, without going to the voters, without any fear of reprisals. I think things are happening in the counties in downstate Illinois that they're being cut back severely, and what's suffering the most is the law enforcement and the court systems. And people want these things to be operating daily and efficiently. I think we're going to have to take a look at what we've done to the counties. The framers of the Constitution didn't have brains enough to allow counties to opt into home rule with a certain population level. Cook County's the only county with home rule. The same framers of the Constitution allowed cities to opt in at 25,000. We have over a 100 cities now that are in home rule. You've got a no win situation for counties because they can't pass referendums. I would like

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to have seen in this Bill, maybe, an extraordinary majority for county boards so that at least the burden is put on the county boards with an extraordinary majority to... to, you know, to overwhelming vote a tax increase. But I think we're going to have to face this issue again before June 30th. I think we ought to look at the needs of the counties because no one else is helping them out."

Speaker Greiman: "There being no further discussion, the Gentleman from Hardin, Mr. Winchester, to close."

Winchester: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I totally agree with what Representative Giorgi has stated. Representative Mautino apparently has some concerns that he didn't see in the Bill. The Bill addresses his concerns about the truth-in-taxation provisions. Five percent of those people who are opposed to this can petition the county board, and it would require a referendum. It has to be published in the newspapers. There are all kinds of safeguards there to provide to the people who might be opposed to this type of taxation. It does allow those counties who do have the guts to try to get additional dollars for their county roads, to exercise by ordinance. It's putting it on their back, if they want to increase those taxes to get the necessary dollars for the road construction. I don't know of anything else I can say, except if it doesn't get the necessary votes, Mr. Speaker, I'd like to have it put on Postponed Consideration."

Speaker Greiman: "The question is, 'Shall this Bill pass?' Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 51 voting 'aye', 51 voting 'no', 8 voting 'present', and the Gentleman asks leave that the Bill be placed on the Order of Postponed Consideration. Leave is granted, and the Bill will be

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placed on that Order. On the Order of House Bills Third Reading, on page 16 of the Calendar, appears House Bill 2565. Mrs. Wojcik. Out of the record. On the Order of House Bills Third Reading appears House Bill 2568. Out of the record. On the Order of House Bills Third Reading appears House Bill 2580. The Gentleman from Peoria, Mr. Saltsman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2580, 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. House Bill 2580 allows employers in the State Universities Retirement System to require up to four months notice for an employee who intends to retire early. The early retirement plan requires the employer to make a lump payment to the system equal to 20% of last year's salary for each year a retiring member is less than 60 years of age. At age 55 the lump sum payment is 100% of last year's salary. House Bill 2580 would simply allow the employee... the employing college or university sufficient notice so that it can budget money for the lump sum payment. This is a no cost Bill."

Speaker Greiman: "The Gentleman from Peoria moves for the passage of House Bill 2580, and on that, is there any discussion? There being none, 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 107 voting 'aye', 1 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 appears House Bill 2592. Mr. Matijevich. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2592, a Bill for an Act to amend the Illinois Public Labor Relations Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, as all of you know, last year we passed a Collective Bargaining Act. When the Governor was going to sign the Bill, the state police came very close to negotiating an amendatory veto which would have included them within the provisions of that Act, and it fell through. Al Bennet, who most of you know is a former Member and an attorney who represents the state police, came to me this year and asked me to introduce House Bill 2592, which would put the state police under the provisions of the present Collective Bargaining Act. They feel that it is very important to the interests of the state police and their rights that they be included in a Collective Bargaining Act. As you well know, this wasn't their first choice, but they now feel that it is a choice that they should make. House Bill 2592 provides that those officers in the Department of Law Enforcement would be fully covered under the Public Labor Relations Act and would be subject to Section 14 of the Act which means that they would in all instances be prohibited from striking, would be required to submit unresolved contract disputes to a process of arbitration and the arbitrator's decision would be advisory, rather than binding. And within 20 days after an arbitration panel issued a decision, the decision could be overturned by a majority of the state's governing body consisting of the three members of the State Labor Relations Board, the Director of the Department of Central Management Services and the Director of the Department of Labor. And any arbitrator's order overturned by the governing body would

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be resubmitted to arbitration. I feel that it is about time that we do have collective bargaining for our state police. The Fraternal Order of Police strongly supports this Bill as their major priority of this Session, and I would urge and ask the Members for your support."

Speaker Greiman: "The Gentleman from Lake has moved for passage of House Bill 2592. And on that, is there any discussion? The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, this is a collective bargaining Bill for peace officers, and I'm sure it'll fly out of here like a bird. But I just wanted to point out to you a couple of things about the Bill. As the Sponsor of the Bill commented, he talked about strikes. In my view, Section 17 of the Bill is not specific, in my estimation. As it's currently drafted, I don't think it specifically prohibits state troopers from striking. Aside from the many other aspects of the Bill and the concept of... collective bargaining for public employees and those of us sitting in this chamber mandating such, all of which to me are onerous, I feel that the fact that it isn't specifically stated and not specifically noted in the Bill, I feel that state troopers will be allowed to strike, and that's one more reason why I plan to vote 'no'."

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

Mays: "Will the Gentleman yield for a question or two?"

Speaker Greiman: "Indicates he'll yield for a question."

Mays: "Representative Matijevec, you mentioned in the arbitration procedure that this is advisory. It's not binding arbitration."

Matijevec: "That's correct."

Mays: "And you also mentioned something about the 20 days. Is that if the governing body does not respond within 20 days to the advisory arbitrators decision, then is it binding?"

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Matijevich: "Yes. They have to actively disapprove it in... within that 20 days."

Mays: "And the people on that governing group, so to speak, are the Director of Central Management Services, Director of Personnel, and who else?"

Matijevich: "The Director of Labor."

Mays: "When is the contract... or when would you think the contract would come up on something like this?"

Matijevich: "Probably the start of the fiscal year, I believe, Jeff. I'm not sure, but I believe that's when their contract would be up."

Mays: "Okay. Thank you very much. To the Eill, Mr. Speaker, Ladies and Gentlemen of the chamber. I rise in opposition to this Bill. I think what you'll see, and I'm not sure, but I think what could happen under this type of Bill with having an arbitrator's decision coming down after this General Assembly has gone out of Session, the arbitrator's decision entailing certain facts and facets that would include increased appropriations than that which we had deemed proper when we adjourn on June... July 1st. And then you're going to be putting the governing Body in a position of having to act within 20 days of that arbitrator's decision when we may be out at county fairs or wherever we might be, and then that decision of the governing Body, if it's in favor, it's binding; and, if they don't decide, it's binding. But regardless, it's going to put the Legislature in a position of spending money that they had deemed not to spend when they were in Session. So that's the basic reason that I rise in opposition to this Bill at this time, and I would urge 'no' votes."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Lake, Mr. Matijevich, to close."

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Matijevich: "Yes, I want to make it clear that there is a prohibition against striking. There's no doubt about that in the law. Secondly, you know, all I can do is give an old quote from a past President, that very often all we have ... that fear is fear itself. And I think that's what we're going to find out when we... collective bargaining becomes a reality. Because it's worked in... the public sector in the past. It's worked. Collective bargaining has worked, and it will work. So all we have to fear is fear. The state troopers want it. They know that they need it, and I think that all of us realize that they need it. And the Governor, himself, and I can't speak for the Governor, but he was very close in the negotiations on Senate Bill 536, of including the state troopers into the Act. So I'm sure that the Governor and the administration feels that if we're going to have collective bargaining for public employees, we ought to have it for all the public employees. So I would urge and ask for your vote on House Bill 2592."

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 69 voting 'aye', 36 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 2595. Out of the record. On the Order of House Bills Third Reading appears House Bill 2597, Mr. Capparelli. Mr. Clerk, call the... call the Bill."

Clerk O'Brien: "House Bill 2597, a Bill for an Act to amend Sections of the Illinois Housing Development Act. Third Reading of the Bill."

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

Capparelli: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2597 would allow IHDA to invest in... certificates representing first and second lien conventional residential Illinois mortgages, and I ask you for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, moves for the passage of House Bill 2597. And on that, is there any discussion? There being none, 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 102 voting 'aye'... Mr. Domico 'aye'. Curran 'aye'. Mr. O'Connell 'aye'. Alright. On this Bill, there are 103 voting 'aye', 2 voting 'no', 5 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Lake, Mr. Pierce, seek recognition?"

Pierce: "Mr. Speaker, a point of personal privilege. Today is the birthday of my seatmate, the distinguished Chairman of the House Judiciary Committee, Representative Aaron Jaffe. I see he has a birthday cake here. Aaron is... is known to be the only man in the General Assembly who drives slower than he walks, and he walks slower than anyone in this House. In fact, he is the reason why we need a minimum speed limit on our interstate system here in Illinois. I know because I've driven with him on many occasions and usually preferring to keep the wheel myself, even... even half asleep rather than have Aaron drive wide awake. So we wish a happy birthday to our colleague, Aaron Jaffe, the man who, I believe, invented sex here in the General Assembly."

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Speaker Greiman: "Thank you, Mr. Pierce. Thank you for not singing like your former Lake County colleagues. For what purpose does the Gentleman from Grundy, Mr. Christensen, seek recognition?"

Christensen: "Mr. Speaker, not to be outdone when you're speaking about sex..."

Speaker Greiman: "Well, we weren't Mr..."

Christensen: "Oh, alright. Anyway, today happens to be LeRoy and Rose Van Dyne's 41st Anniversary."

Speaker Greiman: "Very nice. Congratulations. Alright. On the Order of House Bills Third Reading, on page 16 of the Calendar, appears House Bill 2598. Mr. Capparelli, are you ready on that? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2598, a Bill for an Act in relation to the housing development and amending Acts herein named. Third Reading of the Bill."

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

Capparelli: "Mr. Speaker, Ladies and Gentlemen, I'll open and Representative Jack Davis will close on House Bill 2598. House Bill 2598 recognizes that federal rent subsidies are no longer available to assist in low, moderate income housing. House Bill 2598 will permit the Illinois Housing Development Authority to use more creative financing methods which generate housing construction as well as production of construction in management job opportunities. The Bill will permit IHDA to finance projects with commercial and residential tenants. Additionally, it will permit the Authority to use modern financing techniques in its operations. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, has moved for the passage of House Bill 2598. And on that, is there any discussion? The Lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask a question, please."

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Speaker Greiman: "Yes, the Gentleman will yield for a question. Proceed."

Pullen: "In the analysis here, I note that this Bill increases IDHA's bonding authority. Is that still in the Bill?"

Capparelli: "It does not increase the bonding authority. No."

Pullen: "Was that removed by Amendment?"

Capparelli: "That's not in the Bill, Penny."

Pullen: "Thank you."

Capparelli: "It never was in the Bill."

Speaker Greiman: "Further discussion? There being none, 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 98 voting 'aye', 1 voting 'no', 8 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 2606. Out of the record. On the Order of House Bills Third Reading appears House Bill 2629. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2629, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. House Bill 2629 would allow townships, by the call of 10% of the registered voters within that township, to hold a special election at a special or regular town meeting to vote on a referendum to increase the tax for road districts. As originally introduced, it was, perhaps, unclear as to how many times such a referendum could be held. The Bill has been amended to permit no more than two referendums in any one year. I would be glad to answer any questions."

Speaker Greiman: "The Gentleman from Knox has moved for passage

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of House Bill 29... I'm sorry, 2629. On that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Greiman: "He indicates that he will."

Mautino: "Tom, the referendum you're talking about is a referendum by the voters, or a referendum to be addressed at the regular township meeting during their specified time?"

McMaster: "At a regular township meeting or at a special town meeting called by 10% of the registered voters, by petition of 10% of the registered voters. In other words, the voters, themselves, would have to call for the special election."

Mautino: "Thank you."

Speaker Greiman: "Further discussion? There being none, 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 86 voting 'aye', 17 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 appears House Bill 2630. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2630, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I'd like to ask leave to bring this Bill back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Gentleman asks leave to bring House Bill 2630 back to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? The

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Gentleman has leave, and the House... and the Bill is on Second Reading."

Clerk O'Brien: "Amendment #2, Hastert, amends House Bill 2630 on page one, line one and five and so forth."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 (sic - #2) allows or asks that the Department of Corrections would notify the families of victims of either murder, Class X, Class I, Class II or Class III Felonies before the perpetrator is released from custody and would ask that they would either notify the victim of such crime or, in the case of murder, the family of the victim of such crime 30 days prior to release."

Speaker Greiman: "The Gentleman from Lake has moved for passage of House Bill 2630. Is there any discussion? I'm sorry. The Gentleman from Kendall has moved for the adoption of Amendment #2 to House Bill 2630. On that, is there any discussion? The Gentleman from Champaign, Mr. Johnson. Mr. Johnson."

Johnson: "I... I know what the Bill in chief does. Now, tell me how this varies the Bill again, how this changes the Bill."

Hastert: "Well, this is... What this does is just allow the... or ask that the Department of Corrections would notify the families of victims or the victims in the case of Class X, or Class I, II or III Felonies 30 days before the release of the perpetrator."

Johnson: "Well, the Bill, itself, required that when the families have requested notice that... that notice be given. What is this... How is this different than the Bill in chief? Is this the 30 day provision?"

Hastert: "The... Our staff said that this was the appropriate place to put this Amendment."

Johnson: "Well, I don't disagree with that. I'm not questioning

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germaneness. I'm just saying the Bill in chief did exactly what your Amendment appears to do, unless the difference is that your Amendment expands it beyond the old parole system and applies it to all cases..."

Hastert: "That's exactly correct. The parole system... You're right. In the old parole system, actually there are no... or very few people that are left on parole. So this is when... on our system of sentencing today that we use now, that the notification will be made if there... in a case of no parole... in the case of determinate sentencing."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, as a practical matter since most people in the penitentiary are charged with either a Class X, or murder, or I, II or III, Class I, II or III Felonies, we're talking about just about everybody that's released from the Department of Corrections. Is that correct?"

Hastert: "That's the intention of those people who are... those types of crimes."

Cullerton: "In our... Our population... Our prison population is approximately 15,000 people right now. Is that correct?"

Hastert: "In that area. Maybe more."

Cullerton: "Do you know how many people are released every year from the Department of Corrections?"

Hastert: "I would say between three and four thousand people."

Cullerton: "So you're requiring the Department of Corrections to mail to the victim..."

Hastert: "Victim or the family of the victim."

Cullerton: "Now, where do they get the name and the address of the victim?"

Hastert: "If they request... If the family requests this, they have to provide the name and address."

Cullerton: "That's if the family does; but, under your Amendment

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the... the victim of the crime is entitled to receive written notice of the date and time of release of the defendant. Is that correct? And my... my question to you is, where do they get the name of the victim?"

Hastert: "It would probably be from the state's attorney."

Cullerton: "So the Department of Corrections has to call anyone of the 102 state's attorneys and ask them for the address of the victim, and then they send a note to the victim saying that the defendant will be released, so that you should lock your doors. Is that what the purpose of this is?"

Hastert: "Representative Cullerton, I think you have a very good point, and I would like to... I would go along... The intent of this was on request of the victim, where he would provide his name. I would... If we get this through and correct it in the Senate if possible."

Cullerton: "Now what is the position of the Department of Corrections on your Amendment?"

Hastert: "I'm not sure that I have a position of the Department of Corrections on the Amendment."

Cullerton: "With regard to the initial Bill, the underlying Bill, I agreed with it. I felt that at least it had a purpose. You're notifying people about a parole hearing, and... so that they can come to the parole hearing and do something about having the defendant released. But what you're saying with this Amendment is that someone who has been sentenced, has served their time and is now going back into society, you're just going to notify the victim that they're... that they're back out. I don't know what the real purpose of it would be. Once the victim had that information what would they do with it?"

Hastert: "Are you asking me a question? Okay. In my district, as you know, Representative Cullerton, there are very, very

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few people who are incarcerated being released on parole, because we have determinate sentencing now. The determinate sentencing is determined on, first of all, there's some good time, there's all this type of thing that goes along... goes on; and, if a person is sentenced for 30 years, he could be out in 15 years, plus he could be out sooner than 15 years. There's sometimes that people who are either convicted of murder or very serious crimes that are released because of health situations, or they've had a stroke or other types of extenuating circumstances. All I'm asking is that when these types of people are released that the victims or the families of the victims are notified. It came out of several problems in my district. I think it's a..."

Cullerton: "Maybe I can make a suggestion. If you're talking about someone who's released prior to the statutory time, when they normally would be released, in that they went through the Parole and Pardon Board or the Governor commuted a sentence, I would have no opposition to... I can see the theory there, because the victim thinks that they're going to be in jail for X amount of years or months, but then for some reason or another, they're released early. But to require the Department of Corrections to mail to every victim in every case just about every release from the penitentiary to me doesn't make any sense, and I... I think what you should do is... is withdraw this Amendment. You've admitted already that it's not drafted properly. Find another vehicle and put this Amendment on along the lines that I suggested."

Hastert: "Well, Representative Cullerton, I would like to do that, and I would like to work with you in cleaning this Amendment up so it becomes a workable piece of legislation. It's out of a bona fide and genuine need, and I would be

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willing to do that. So I move to withdraw this Amendment."

Speaker Greiman: "The Gentleman asks leave to withdraw Amendment #2 from House Bill 2630. The Gentleman has leave, and the Amendment is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "The House... There has been received a fiscal note on this Bill... a request for a fis... A fiscal note has been requested on this Bill."

Cullerton: "As amended. The Bill was not amended."

Speaker Greiman: "Alright. So, therefore, you withdraw your fiscal note, Mr. Cullerton."

Cullerton: "That's correct."

Speaker Greiman: "Alright. Fine. Third Reading. Mr. Churchill, the Gentleman from Lake."

Churchill: "Thank you, Mr. Speaker. I would ask for leave to hear this Bill on Third Reading at this time."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill... Alright. There's been no Amendment to it so you don't need leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2630, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The original of this Bill, which is the Bill we're discussing now and not the proposed Amendment, required that the Prison Review Board mail to the victim or to the families of a victim a notice when a prisoner was going to come before the Prison Review Board. Upon receipt of the notice, the victim or the victim's family would have the right to enter the proceedings before the Prison Review Board and to submit material and to be represented by counsel. We've defined victim's of the family and the family are to mean. We've also provided that they must

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give the Prison Review Board their last known address and make a request that notices be sent to them. I would ask for the passage of this Bill."

Speaker Greiman: "The Gentleman from Iake... The question is, 'Shall this Bill pass?' All those in... Yes. Mr. Giorgi, for what purpose do you seek recognition?"

Giorgi: "I'd like to question the Sponsor."

Speaker Greiman: "Mr. Giorgi, the Gentleman from Winnebago."

Giorgi: "Who's entrusted with the task of notifying anyone in this Bill? Specifically who's entrusted with that? Because there's a law on the books now that demands this, and no one seems to have the responsibility. Who in your Bill is entrusted with notifying the victim, the victim's family?"

Churchill: "The Prison Review Board."

Giorgi: "What's the penalty in the event they don't do this?"

Churchill: "There isn't any penalty specified."

Giorgi: "Well, that's... Why isn't there a penalty specified? We're having that trouble now. People are... They're being paroled to... Murderers are being paroled, and no one's being notified. No one's being penalized. No one's being punished. You're going to perpetuate the law where there's no penalty and no punishment. What good is this law?"

Churchill: "I assume that the Prison Review Board would follow the law and would not be one that would violate the provisions of the law."

Giorgi: "But you ought to... But because of the abuses that's occurred, you ought to put a penalty into this - failing to notify the family or failing to notify the state's attorney or the sheriff that this is taking place. Now... The law's on the books now that they're supposed to notify the sheriff and the state's attorney. We had a couple of murderers released up in the Winnebago County area. They

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didn't notify them, and nobody, so much as a hand slap.

I... I don't think you're doing much with this Bill."

Churchill: "Representative, if you would like to add something to this in the Senate to provide some sort of sanctions, I'd be happy to support you."

Giorgi: "Okay."

Speaker Greiman: "Further discussion? The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Do I read... Is Amendment #1 the Bill now, or is..."

Churchill: "Amendment #1 only provides that the victim's family provide an address to the Prison Review Board. The Bill remains the same other than that."

Dunn, J.: "And does... does the Bill provide that notice will only be sent to those who request notice?"

Churchill: "That is correct."

Dunn, J.: "Just briefly to the Bill. I admire the Sponsor's intent. I know there's been a lot of frustration; but, for all the shortcomings in the Department of Corrections, I do give them enough credit if a family requests notice of parole hearings and they can put that in a file and set up a tickler system, I really don't know if we need to clutter up the statute books to... to make them do that when I feel certain they will do it anyway where there's been a request. So I... I really just wonder if we... we need legislation here."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Lake, Mr. Churchill, to close."

Churchill: "Thank you, Mr. Speaker. There's been much written lately about people being released through the Prison Review Board that are back on the streets, you know, looking over the shoulder of a victim or a victim's family before that victim or victim's family realizes that the person has been set free. I think what this Bill does is

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to give the victim a chance or the victim's family a chance to know what is happening and to be able to come before the Prison Review Board and to provide testimony in that hearing as to whether or not the person should be released. I think it's a good Bill, and 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'. Voting is now open. Mr. Brunner, the Gentleman from Effingham, to explain his vote. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', none voting 'no', 5 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar, on the Order of Third... House Bills Third Reading appears House Bill 2670. Out of the record. We are now on page 18 of the Calendar. On the Order of House Bills Third Reading appears House Bill 2684, Mr. Nash. Out of the record. On the Order of House Bills Third Reading appears House Bill 2699. The Gentleman from Macon, Mr. Dunn, are you ready? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2699, a Bill for an Act to repeal Sections and amend Sections of the County Jail Good Behavior Allowance Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this legislation is to... to provide for uniformity of treatment for those who are convicted of misdemeanors. At the present time if a misdemeanant were to be sentenced to a State Department of Correction facility, that misdemeanant could receive one day off for each day of good-time behavior. If the misdemeanant were to be in the county jail for the same sentence, the

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good-time behavior is calculated on a complicated formula which is not equal to one day off for one day of good-time behavior. And it just seems equitable to treat people the same in county jails as they would be treated in state correctional facilities, particularly in view of the fact that we have passed legislation this General Assembly requiring misdemeanants to serve their time in county jails. These county jails are bursting at the seams already. They're going to be bursting, and this provision would just provide equity. And it does leave in the law the provisions that if there is bad behavior, the warden can revoke the good time provisions. So I would request a favorable vote."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn, moves for the passage of House Bill 2699. And on that, is there any discussion? There being none, 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 92 voting 'aye', 18 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, page 18 of the Calendar, appears House Bill 2702, Mr. Nash. Mr. Nash in the chamber? Out of the record. On the Order of House Bills Third Reading appears House Bill 2706. Mr. Bowman. Is Mr. Bowman in the chamber? Out of the record. Mr. Bowman. Out of the record. Alright. On the Order of House Bills Third Reading appears House Bill 2710. Mr. Capparelli, do you wish to proceed with that Bill? Out of the record. On the Order of House Bills Third Reading appears House Bill 2715, Mr. DeJaegher. Do you wish to proceed, Sir? Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2715, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 2715 was a Bill that was drafted by and has the support of the Retired Teachers' Association. What this Bill does, it amends the Downstate Teachers' Article of the Pension Code to permit surrender of survivor benefits and refund of the applicable contributions while receipt of the retirement allowances. Mr. Chairman (sic - Speaker), what I'd like to do now at this juncture, Mr. Larry Stuffle is a hyphenated Sponsor who is quite knowledgeable of the pensions, and I'd like to have him to give an explanation to the General Assembly."

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

Stuffle: "Mr. Speaker, Members of the House, this is a very simple Bill. It provides that an annuitant in the particular system that Representative DeJaegher just mentioned can opt to receive the survivors' benefit contribution that they have made while being an employee in the system. Currently a person in this system within 60 days of retirement may elect to take back the money that they paid in without interest for survivors' benefits where there is no designated dependent beneficiary. Once a person has retired they cannot do this, and what happens currently is that that retiree loses the benefit they paid in because there's no dependent beneficiary. The money, however, now, in the current case of the retiree, goes to the estate of that particular annuitant upon the annuitant's death. All this would do would allow the retiree annuitant the same option that's now available at retirement. The retiree could elect to take the money out

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that they put in of their own salary for survivors' benefits where there is no dependent beneficiary. The only situation difference that occurs in this is instead of the money going to the estate, it goes to the person that paid it. Now we know that there have been some arguments against it saying that they've had insurance protection throughout the time that they were working and that that money ought to stay in the pension system. The fact of the money is, the money's been in the system. The system has collected interest off of that. They've added to their assets off of that, and the system does not retain the money in any case. We're only giving it to the retiree on their election as opposed to giving it to their estate, and we would ask an affirmative vote and be happy to answer any questions."

Speaker Greiman: "The Gentleman from Vermilion moves for the passage of House Bill 2715. And on that, is there any discussion? There being none, 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 105 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 2716. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2716, a Bill for an Act relating to public financing of gubernatorial campaigns. Third Reading of the Bill."

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

Preston: "Thank you, Mr. Speaker. This Bill, House Bill 2716, was probably the most thoroughly debated Bill during this past year. It creates an Act relating to the public

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financing of gubernatorial election campaigns, and in... the Bill provides for a one dollar check-off on the Illinois Income Tax Returns, with that one dollar going to this Gubernatorial Financing Fund. And it provides that qualified candidates for Governor and for Lieutenant Governor of Illinois may receive payments from this Fund, matching payments from this Fund, for the primary or general elections. And in order to receive these public funds to fund the gubernatorial election campaigns, a candidate must raise at least 100,000 dollars, and that's to show that that candidate is indeed a serious candidate for the highest office in Illinois. And this 100,000 dollars that is raised must be raised from contributions of 500 dollars or less each. The candidate may not accept contributions from individuals in excess of 1,000 dollars each, and they may not accept corporate, union, association or political committee contributions in excess of 5,000 dollars each. They also... The Bill also provides that a candidate for Governor, in order to be eligible for these public funds, may not accept contributions in excess of 10,000 dollars from an individual political party unit during the primary or a quarter of a million dollars from the political party during the general election campaign. The Bill is very detailed and was, as I indicated, very thoroughly discussed during the past year, and I'd be glad to answer any questions that members may have."

Speaker Greiman: "The Gentleman from Cook has moved for passage of House Bill 2716. And on that, is there any discussion? The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a pleasure to be doing business with you again, Representative Preston. Being a relative newcomer here, I'm coming to learn that old ideas just come back in

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new forms. My question to you, Sir, is there any significant difference or, in fact, any difference between your proposal this year or last year in any element at all?"

Preston: "No, Representative Olson, this Bill is in the same form it was when it passed the House and passed the Senate and went to the Governor's desk last year."

Olson: "And what... what happened when it got to the Governor's desk?"

Preston: "Well, the Governor, I guess, had writer's cramp and through error of thoughtfulness vetoed the Bill."

Olson: "I see. To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Olson."

Olson: "There's no reason for us to spend a great amount of time on this again, as Representative Preston's indicated. We do not feel that it is a good practice. It's not utilized a great deal in the nation. I think it would lead to some practices that are unsavory; and, as a consequence, we would urge a 'no' vote on the passage of this measure."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson. The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Preston: "Sure."

Churchill: "Representative, a year ago we discussed this Bill, and you and I went back and forth on figures, the number of tax returns that would be filed, check-off programs and all those numbers. Have you in the past year been able to determine whether or not the number of tax returns that will be filed will produce the revenue that is required to fund this Bill?"

Preston: "Our indication is that the... the tax returns filed with that check-off will be more than adequate to fund this Bill."

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Churchill: "Yeah, but that's not from anything new. That's still based on a previous..."

Preston: "That's still based on projections."

Churchill: "Okay. To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Churchill: "This was a bad Bill a year ago. It's still a bad Bill, and I would ask that you oppose it. Thank you."

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

Vinson: "To request a verification."

Speaker Greiman: "Already been requested. Yes, Sir. Further discussion? The Gentleman from DeKalb, Mr. Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Countryman: "What will... What did the fiscal note indicate that this would cost?"

Preston: "The... The fiscal note indicates that it would cost approximately 50,000 dollars in additional funds per annum to administer this program."

Countryman: "And who would do that?"

Preston: "The State Board of Elections would administer the public financing program."

Countryman: "And who prepared the fiscal note?"

Preston: "The State Board of Elections."

Countryman: "Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed, Sir."

Countryman: "As many of the Members, Ladies and Gentlemen of the House, know, I served on the State Board of Elections for five and a half years, and I doubt very seriously that they can administer this Bill for the sum of 50,000 dollars. Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Preston, to close. Mr. Preston, to close, Sir."

Preston: "Thank you, Mr. Speaker. Although this Bill had been

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very thoroughly discussed in the past, the reason behind this Bill, I think, has to again be expressed so those of us voting on it take it seriously. In previous gubernatorial election campaigns, there has been a public outcry through the news media and in terms of people that you and I talk to in our own districts about the excessive amounts of money that are spent on election campaigns and secondly, and perhaps of more importance, the perception of control or undue influence in the highest office in Illinois by large contributors. And I'm not saying that that is, in fact, the case, but I am saying that the perception of undue influence exists. This Bill addresses that problem and addresses that public outcry. It puts a cap... the public financing aspect of the Bill, I think, is of secondary importance. Of primary importance is the fact that any candidate accepting these public funds has to abide by certain rules and certain regulations. Those rules and regulations put a cap on the expenditures in that gubernatorial campaign. Those rules and regulations put a cap on the individual contributions that can be received by a candidate, so that people who in the past or organizations that in the past or presently may contribute large sums of money and gain this perception of undue influence lose that ability once that... once this Bill becomes law and that candidate accepts these public matching funds. Because once these funds are accepted, there are caps put on, there restrictions put on, and the appearance of large contributors getting influence over the Office of the Governor of Illinois is done away with. That's the importance of this Bill, and that's why this... the time for this Bill has come. And the time is now. And once again, I ask you to do what you did in the past and vote 'aye' and pass this Bill out of the House."

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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. With us is Sam Maragos, a former Member of the House, former Member of the Senate. Hello, Sam. 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 64 voting 'aye', 51 voting 'no', none voting 'present', and the Gentleman from DeWitt has requested a verification of the Affirmative Roll Call. And the Gentleman from Cook, Mr. Preston, has requested a Poll of the Absentees. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Taylor."

Speaker Greiman: "Excuse me. Marzuki. Mr. Marzuki, for what purpose do you seek recognition, Sir?"

Marzuki: "Leave to be verified."

Speaker Greiman: "Mr. Vinson, Mr. Marzuki asks leave to be verified. Yes, you have leave Sir. Mr. Brookins. Mr. Brookins asks leave to be verified. Mr. Vinson, Gentleman have leave? Thank you. And Mr. McPike. Thank you. Mr. McPike is verified. And Mr. Huff. And Mr. Clerk, proceed."

Clerk O'Brien: "Poll of the Absentees. Egan. Taylor and Vitek."

Speaker Greiman: "Yes, Mr. Clerk, proceed with the poll of the affirmative."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun."

Speaker Greiman: "Mr. DiPrima, for what purpose do you seek recognition? Mr. DiPrima requests leave to be verified. Does he leave? Thank... You have leave, Sir. Proceed, Mr. Clerk."

Clerk O'Brien: "Breslin. Brookins. Brummer. Brunsvoild. Bullock. Capparelli. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico. Boyle. John Eunn. Farley."

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Flinn. Giglio. Giorgi. Greiman. Hannig. Homer. Huff.
Jaffe. Keane. Krska. Kulas. Laurino. LeFlores.
Leverenz. Levin. Markette. Marzuki. Matijevich.
McGann. McPike. Mulcahey. Nash. O'Connell.
Panayotovich. Pangle. Pierce. Preston. Rea. Rhem.
Rice. Richmond. Saltsman. Satterthwaite. Shaw. Slape.
Steczo. Stuffle. Terzich. Turner. Van Duyn. White.
Wolf. Younge. McNamara. And Mr. Speaker."

Speaker Greiman: "The Gentleman from Grundy, Mr. Christensen.
For what purpose do you seek recognition?"

Christensen: "Mr. Speaker, could I have my 'no' changed to
'aye'?"

Speaker Greiman: "Yes. Record Mr. Christensen as 'aye'. Now Mr.
Vinson, questions of the Affirmative Roll."

Vinson: "Mr. Berrios."

Speaker Greiman: "Is Mr. Berrios in the chamber? Mr. Berrios.
How is the Gentleman recorded?"

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

Speaker Greiman: "Remove the Gentleman from the Roll."

Vinson: "Mr. Brummer."

Speaker Greiman: "Mr. Brummer. Mr. Brummer is on your side of
the aisle."

Vinson: "Yeah, but he's not voting that way. Mr. White."

Speaker Greiman: "Mr. White. Mr. White in the chamber? Mr.
White. How is the Gentleman recorded?"

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

Speaker Greiman: "Remove the Gentleman."

Vinson: "Mr. Slape."

Speaker Greiman: "Mr. Slape is in his chair, as always. Mr.
White has returned to the chamber. Return Mr. White to the
Roll Call."

Vinson: "Mr. Nash."

Speaker Greiman: "Mr. Nash. Mr. Nash. Mr. Berrios has returned

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to the chamber. Return Mr. Berrios to the Roll Call. Mr. Nash. How is the Gentleman recorded?"

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

Speaker Greiman: "Mr. Nash has returned to the chamber. Mr. Cullerton asks leave to be verified. Leave is granted. Mr. Ronan. Mr. Ronan votes 'aye'. Vote Mr. Ronan 'aye'. Proceed, Mr. Vinson."

Vinson: "Mr. Flinn."

Speaker Greiman: "Mr. Flinn. How is the Gentleman recorded?"

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

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

Vinson: "Mr. Laurino."

Speaker Greiman: "Mr. Laurino. Mr. Laurino in the chamber? Mr. Laurino is right there in the aisle, as usual."

Vinson: "Mr. Levin."

Speaker Greiman: "Mr. Levin. Mr. Levin in the chamber? Mr. Levin. How is the Gentleman recorded?"

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

Speaker Greiman: "Remove Mr. Levin."

Vinson: "Mr. Giglio."

Speaker Greiman: "Mr. Giglio. Mr. Giglio in the chamber? How is Giglio recorded?"

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

Speaker Greiman: "Remove Mr. Giglio."

Vinson: "Mr. Huff."

Speaker Greiman: "Excuse me. No, Mr. Huff was verified already. He had leave to verify Mr. Huff. Mr. Levin has returned to the chamber. Return Mr. Levin to the Roll Call."

Vinson: "Mr. Leverenz."

Speaker Greiman: "Mr. Leverenz. Mr. Leverenz in the chamber? How is Mr. Leverenz recorded?"

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

Speaker Greiman: "Remove Mr. Leverenz from the Roll Call."

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Vinson: "Mr. Ronan."

Speaker Greiman: "Who? I'm sorry. Who? Mr..."

Vinson: "Mr. Ronan."

Speaker Greiman: "Mr. Ronan was here and voted after the Roll Call."

Vinson: "Everybody was here to have voted, but you have... they have to be verified and in their seat when their name is called on the Affirmative Roll, Mr. Speaker."

Speaker Greiman: "I think that's correct. Mr. Ronan. Mr. Ronan back in the chamber? Yes, Mr. Preston, for what purpose do you seek recognition, Sir?"

Preston: "Mr. Speaker, after this Roll Call began..."

Speaker Greiman: "Mr. Ronan has returned from... from whence."

Vinson: "Why don't we do that one more time. No further questions. No further questions, Mr. Speaker."

Speaker Greiman: "On this Bill, there are 63 voting 'aye', 50 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page two of the Calendar appears Special Order of Business. Mr. Keane, the Gentleman from Cook, asks leave that the Special Order of Business set for 5:00... originally for 2:00 and then amended to 5:00 be heard at this time. Does the Gentleman have leave? The Gentleman has leave. Accordingly, Mr. Clerk, call... This is on the Special Order of Business, Subject Matter - Consideration of HJR 123. Mr. Clerk, call the Resolution."

Clerk O'Brien: "House Joint Resolution 123."

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

Keane: "Thank you, Mr. Speaker. Point of parliamentary inquiry. How many votes will the passage of House Joint Resolution 123 take?"

Speaker Greiman: "House Resolution 123 requires a vote of 71 votes, Mr. Keane."

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Keane: "Thank you very much. It's my pleasure to present to the House House Joint Resolution 123 wherein the Resolution resolves that the House of Representatives of the 83rd General Assembly of the State of Illinois recommend that the... recommend Robert Cronson be appointed Auditor General for the State of Illinois for a term commencing August 1, 1984."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, has moved for the adoption of House Joint Resolution 123. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt House Joint Resolution 123?' 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 Resolution, there are 115 voting 'aye', none voting 'no', none voting 'present', and House Resolution 123 is hereby adopted by the required Extraordinary Majority. Alright. We have returned to the Order of House Bills Third Reading. On page 19 of your Calendar appears House Bill 2717. The Gentleman from Cook, Mr. Jaffe, you're ready? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2717, a Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

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

Jaffe: "Yes, Mr. Speaker and Members of the House, 2717 is another election Bill that the Governor vetoed in the last Session of the Legislature, and we reintroduced it because it's a good concept. And I think, unfortunately, in the last Session of the Legislature it got caught up with the last election, and I think that emotions ran high because of the close number of votes. I think now we can look at it a little bit more objectively and find out that it's a good piece of legislation. It provides that where,

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according to the canvass of the Board of Elections, the difference between the number of votes received by the gubernatorial candidate receiving the highest number of votes and the number of votes received by the gubernatorial candidate receiving the second highest number of votes is less than one half of one percent of the total votes cast for the gubernatorial candidates, the Board of Elections shall order a recount of all votes cast for candidates for Governor. It provides that such a recount shall be done at state expense, and the rationale behind it is really simple. I think most enlightened states have already moved in this particular direction. What you have is, when you have a close count for Governor is that you expend probably millions of dollars in attorneys fees trying to get to this particular point. Instead of spending millions of dollars for attorneys fees, rather than really prolonging the process, the Board of Elections says that this will cost 400,000 dollars. They can do it for 400,000 dollars which is 35 dollars a precinct, and it can be done quickly, inefficiently (sic - efficiently) and you make sure that you have a good, clean, honest election. As I say, many other states in the Union have done this. I don't see any problem really with it, outside of the fact that, as I say, last time up it got caught in the gubernatorial election of 1982. So I would move its adoption and be happy to answer Mr. Olson's questions or anybody else's questions."

Speaker Greiman: "Mr. Jaffe."

Jaffe: "I... I have concluded."

Speaker Greiman: "Okay."

Jaffe: "Well, why don't we take it out of the record for now, Mr. Speaker?"

Speaker Greiman: "Well, I... I think the point is, Mr. Jaffe, that the Bill is on the... is on a Special Order, and it

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will be called on a Special Order at that time. The Bill is out of the record. On the Order of House Bills Third Reading appears House Bill 2736. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2736, a Bill for an Act to amend Sections of the Chicago Regional Port District Act. Third Reading of the Bill."

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

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2736 amends the Chicago Regional Port District. It removes the minimum size requirements for the Dougherty Harbor and basin. It removes the provisions prohibiting the Port District from operating its warehouse and elevators for more than 60 days. It extends the jurisdiction for the Port District as a foreign trade zone as a license holder to encompass the area of the Chicago Customs District. What this Bill does, it helps the Chicago Regional Port District to be more competitive, plus provides jobs for the longshoremen. The Department of Transportation supports this Bill, as it was amended, and I'll answer any questions if there are any."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of House Bill 2736. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he'll yield for questions."

Ropp: "Mr. Sponsor, by this good piece of legislation, I assume you have seen the importance of international trade. Is that correct?"

Panayotovich: "I've seen the importance of all kinds of trade."

Ropp: "Does... Does... You mean like horse trading, too, and all that..."

Panayotovich: "Bartering..."

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Ropp: "Bartering. Well, I know you've been very vocal in attempting to, at least in my judgment, provide for some sort of a fence around the United States by excluding potential products coming into this country, and I want to commend you at this point on behalf of every Member in this House that it will provide for an incoming commodity, so that we can continue to export. And I hope that you, in your wisdom, will continue to be encouraged by exporting, and that it is a two-way street, and that it is needed. And we ought to have super good ports within this country so that products can go out as well as come in."

Panayotovich: "Thank you, Mr. Ropp."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?'"

Panayotovich: "Mr. Speaker."

Speaker Greiman: "Yes, Mr... Mr..."

Panayotovich: "Can I respond to Mr. Ropp, please..."

Speaker Greiman: "Yes. Yes."

Panayotovich: "If I may for one minute."

Speaker Greiman: "Proceed."

Panayotovich: "I agree with Mr. Ropp as far as having better port districts to bring in the good products on the Great Lake systems that are made in New York and in Michigan and Minnesota and all these great products that are made in the United States and, if the ports are here, it would bring these products throughout, and we'd get them through the state. And I ask for a favorable vote. Thank you."

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 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 2753. Out of the record. On the Order of House Bills Third Reading appears House Bill 2780. 2780, Mrs. Braun. Ms. Braun. Out of the Record. On the Order of House Bills 20... Third Reading appears House Bill 2781, Mrs. Satterthwaite. Out of the record. On the Order of House Bills Third Reading appears House Bill 2800. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2800, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Many times when we first call Bills on Third Reading a lot of people say, 'Fasten your seat belts,' and I think this would be appropriate in this particular case because this Bill deals with seat belts. Let me first explain specifically what the Bill does. It amends the Vehicle Code to require that the driver and the front seat passengers of a motor vehicle, which is required to be equipped with seat belts, wear the belts while the vehicle is in operation unless they qualify under certain exemptions. And those exemptions are stated in the Bill, basically talking about vehicles that don't have seat belts, vehicles that are traveling at a low rate of speed. This... This Bill comes in light of the and after we've had the experience of the Child Passenger Safety Act. The Child Passenger Safety Bill became effective in July 1st, 1983. In 1982, 27 children under the age of five were killed on Illinois highways. In 1983, that number went down to 12. There's no question that if this Bill passes and is signed by the Governor..."

Speaker Greiman: "Give the Gentleman some courtesy, please."

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Cullerton: "...we will save, in Illinois, over 500 lives. The Bill would not only protect drivers and passengers in the front seat, the Bill would also protect other people. It would protect other drivers. It would protect pedestrians on our highways and on our sidewalks. The reason for that, of course, is that even a minor injury, even a minor accident, can if... if a car is driven by a person who doesn't have a seat belt, even a minor injury can result in that person losing control of the car and injuring other people on or about the car. The Bill also would clearly save money. Auto crashes are the leading cause of paraplegics, quadriplegics, in fact, more than all other causes combined, and it cost a... it cost the... the state over 800,000 dollars for a 26 year old person who is made a paraplegic as a result of a car crash. We have this legislation in 30 countries, including Australia. And an interesting fact, in Australia, where they've had this for, I think, 12 years, they get about 85% compliance. They recently had to discontinue an organ donor program, because they don't even have enough injuries occurring on the highways to provide people who need a transplant. Now, there are a number of arguments that you've heard against the Bill. Probably the one that's most often heard is the right to privacy. You know, the individual gets in a car and he or she should decide whether or not they should have the right to wear their seat belt. Somewhere in the 1930's I suspect, some State Representative, I don't know who it was, but he introduced a Bill that said that before you could even start your car, which is your own private property, you had to have a little piece of paper from the government saying that you needed a license before you could drive that car. That is clearly the government interfering with your certain right to operate your own

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private automobile. But I think everyone here realizes that we should have drivers' licenses, and the purpose, of course, is for safety. We regulate just about everything that's involved with motor vehicles. We've had legislation in here today, this... this year, changing a law with regard to how high the vehicle lights should be. There's... There's no question that we do and should have the right to regulate use of motor vehicles if it relates to safety. And even this morning in talking with Representative Winchester on the House floor, it was pointed out that we have a law that says hunters have to wear orange when they're out hunting. Clearly that's designed to protect the life of the hunter. It's governmental interference, and I don't think anyone would object with that concept. So I personally don't feel that this argument about we don't have the right to tell someone that they can't endanger their own life is very strong, and I would also point out that it's not just saving that person's life. It saves other people's lives as well. People say, well, this is not enforceable. I would point out that with the Child Passenger Safety Law, what we did was simply pass the law, and people in our state want to follow the law. The car seat sales tripled, as a result of the information that was put out regarding the passage of that law, and the deaths, as I indicated, have gone down dramatically, because people are following the law. In the Province of Ontario, Canada, the last location that I... that I know of where they've implemented this policy, the use went from about 12%, which is what it is in the United States of car seats... I'm sorry, of seat belts, to about 60%, because people just simply want to follow the law. I've spoken with many State Representatives about this Bill, and many people have said, 'That's right. I know I

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should wear my seat belt. Maybe if we had this law it would remind me to do it.' Now, there's also been some arguments made about, we're making criminals out of people, and I just have to... I have to address that. What we're saying with this Bill, by the way, is we're creating a petty offense if someone doesn't have their seat belt on. You know, we have Class X, which is real bad sounding, and we have... we have felonies, which sounds real bad because they are real bad. Then we get down to misdemeanors. Because they're misdemeanors, they're not as bad as felonies and Class X. This Bill is a petty offense. That's why we call it a petty offense. It's designed to be a reminder. It's also a petty offense if you don't have a vehicle sticker on your car. No one claims that we're making criminals out of people by requiring that they have a vehicle sticker on their car. And the purpose of that law, by the way, is simply to raise money. The purpose of this law is to save lives. I think maybe State Representatives are reluctant initially to vote for a Bill like this because we, like the rest of the population, probably... there's probably only about 12% of us who actually use the seat belts. And that might say... That might discourage people from trying to impose on ourselves an obligation which we don't wish to follow. But we have many other laws that we impose on ourselves that we don't always follow. We're human, after all. We probably speed every once in awhile, run a red light every once in awhile. And yet we wouldn't say that we shouldn't have those laws on the books. I feel that... in reading all of the Bills that come out of Committee, as I do, there's very few times when we pass a law that has such a tremendous effect on the lives of our citizens. This is such a Bill. The purpose of this Bill is not to raise money or affect the quality of

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life. The purpose of this Bill is to save lives, and when we passed the Child Passenger Safety Law, we did just that. We saved lives. If we pass this Bill, we can do the same. I feel, and I know, that such a Bill is going to become law in Illinois. I'm not sure if it will become law this year. I know it's going to become eventually. If this Bill's going to save 500 lives a year, I ask you, why not start saving those lives right now? I'd ask for your support of House Bill 2800. I'll be happy to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, has moved for passage of House Bill 2800. On that, is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "I'm really surprised that people are going about normal business while we're debating this Bill, unless they just assume that it's so ludicrous that it's not going to pass. Because of all the Bills that have been considered in the eight years that I've been a Member of the Legislature, there's not even a Bill that approaches this one in terms of what it means to our free society and the beliefs that we all have about the individual's right to control his or her own destiny. Since I voted against and spoke against this Bill in Committee, I've had a number of letters from as far away as Louisiana and Michigan, people recounting their own personal instances with respect to the use or not use of a seat belt; a lady who wrote and said her life would have been lost had she been wearing a seat belt because of a fire; another whose vehicle went into a waterway, and because he wasn't wearing a seat belt, his life was saved, and another who was trapped. And those people felt that failure to use a seat belt was a safety advantage. But I'm going to assume, for the purpose of this discussion, and... and Representative Cullerton may

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well be right, that 90 or 95% of those cases that... that are relevant, it's safe to use a seat belt or it's safer to use a seat belt. And I'll accept for purposes of this discussion that... that the overall best and safest practice for each one of us would be to buckle up when we drive. I think it's also without contradiction and absolutely clear that it's better to avoid eating greasy foods. It's better to avoid eating foods on a regular basis that are... have too much sugar in them. They cause diabetes, and they cause a variety of things. And I think it's clear that it's better for each one of us to wear warm clothes in the winter and for each one of us to exercise regularly when we do... when we live our daily lives. But I think it's not too much of an extreme that if we accept this practice here and this Bill here, that we can have the state police then arresting people for eating french fries or pastry or for not exercising enough. Our state police and our various law enforcement officials have enough to do regulating the rapists and the killers and the robbers in society, without worrying about whether we're going to require adults in a free society to wear a seat belt. And make no mistake about it. This is a criminal violation. It's a petty offense. Given, there's a number of other petty offenses, but it is a criminal violation, and its failure to be complied with would subject a person to prosecution by the people of the State of Illinois. If there's ever a Bill that said that Big Brother is here, if there's ever a Bill that said that 1984 is the appropriate year for acting on this legislation, this is it. I don't know what can be more essential to the accoutrements of a free society than the ability of men and women to make decisions about their own lives and their own destinies and their own safety based on their judgment about what's right

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and wrong for them rather than the government interposing another level of control, another level of unprecedented regulation on the freedom of the individual to act on his or her own volition. You know, I know that people are going to laugh about this analogy or this comparison, but this is really the essence of what distinguishes the United States of America from the Soviet Union and Eastern European countries - the basic premise that we have ability as individuals, as adults in a free society, to make those judgments. And in those countries where government controls everything, they make those decisions on what's best for the individual, and they hand them down and they make criminals out of people who violate them. Now I'll concede that perhaps some of the opposition to the Child Restraint Bill... I don't know that it was unfounded, but at least the argument could be made there, as the argument could be made with respect to license plates that we're protecting somebody else. You're protecting your child who's not able to make a free... free conscious choice in terms of his or her safety, and likewise, with respect to licensing a car and requiring somebody to take a driver's test. If you don't have safe drivers on the road, that endangers other people's safety. Here we're talking about our own safety, our own lives, our own freedom and our own right to make our own conscious choices. And people who put green votes on the board on House Bill 2800 have absolutely no adherence, no belief in those set of principles that have served this country for over 200 years. I don't mean to make an apocalypse out of this, perhaps it isn't, but it is the crucible of whether you believe that a free society ought to work the way it's worked in this country this long or whether you believe that 1984 is really here, and that George Orwell was a

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better prophet than what he thought he was. I urge a 'no' vote."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Well, some of what I'm about to say may be repetitious of what Representative Johnson said, and I endorse everything he said. Who... Who decided that we should protect everybody from everything - that the government's obligation to protect everybody from everything? Let's go down the list here. It's... It's known that smoking shortens lives. Let's prohibit cigarettes and smoking. Let's prohibit drinking because that causes people to die. Let's don't let anyone under 25 drive a car because it's been proven that the high accident rate and the death rate is under 25. Let's make the driving license 26, and then... then we'll save a life or two. Let's don't let anybody go skiing because they're liable to break their leg. Let's don't let anybody get over 30 pounds overweight because that shortens lives. Let's don't let anybody travel to the tropics because they're liable to get malaria. I could go over the whole list. I don't think it's the obligation of the government and this Body to protect everybody from everything. If you do then you ought to vote for this Bill, and I'll... I'll bring one in next year that will let you protect... from everything. All the list of things that I've mentioned. I'll tell you another thing that you're about to vote for if you vote for this, and that is this is going to be used as evidence in a lawsuit. If you get in a wreck and you don't have your seat belts... fastened, then you'll be contributing to the accident, and you'll be negligent. And don't... don't think that's not going to be worse than being fined for not having your seat belts fastened. This is a cause of action. This is evidence. You'd better be

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sure of what you're voting on."

Speaker Greiman: "Further discussion? The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the... House Bill 2800 on the basis of a personal experience. I would assume that many of you recognize that back in the late 1940's Columbia University made a significant research study into the cause and effect of driving automobiles without restraints. There's no question in anybody's mind that many lives would be saved if people did, in fact, wear seat belts. Now, as to the moral issue of whether you make the election or not, that's another thing. I just want to point out to you that after I put seat belts in my automobile in 1953, I had a left front tire blow off. The rim... The car headed for the woods, and because of the pass... the restraint, the seat belt restraint, I believe it probably saved my life. Whether you support this Bill is your situation. I'm telling you that it's an important measure for consideration. Thank you very much."

Speaker Greiman: "The Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. I can't believe the hyperbolic rhetoric of the opponents of this Bill. You'd think we were talking about preventing people from doing... or requiring them to do things that are greatly difficult, or not easy or great interferences with their ordinary... ordinary everyday ways of lives. We're talking about wearing a seat belt. It takes a second and a half to buckle in, buckle up. It takes no... no difficulty at all. It is not the kind of intrusion that we ought to balance very heavily against the kinds of benefits that House Bill 2800 will have in terms of saving people's lives. There are all kinds of things we don't let grownups

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do because they aren't good for grownups to do. We don't let them stoke up on cocaine or on... or on morphine. We require people to buy nightwear that is not flammable. We say you can't build a house that's going to be blown down in a high wind. We do regulate people's lives when the intrusion into their privacy is not a very substantial one. Buckling up is not a substantial intrusion. The lives we save and the injuries that we avoid are injuries and lives that we, the taxpayers, are very likely to be responsible for in the long run. We're not talking about somebody's own individual decision to end up in a car crash and find him or herself in a hospital for 20 years with that individual paying the bill. It's the taxpayers that are going to be paying those bills. It seems to me that balancing the taxpayers' needs, balancing productive lives for our productive services against the very minor intrusion of asking people to take that second and a half to put on the seat belt buckle is exactly what we ought to be about, exactly what our government should be doing. I think House Bill 2800 is a sensible, responsible, mild measure. I do think that we ought to encourage the Federal Government, even as we pass House Bill 2800, to find more effective ways to ensure safety in automobiles in this country. For example, I think that there's... there's no reason to think that House Bill 2800 would discourage the Federal Government from requiring automobile manufacturers to include air bags in automobiles, nor automatic seat belts, nor any of those other even more, more protective devices. But the basic essence of this Bill is a simple, straight-forward one. It is, in no way, a substantial intrusion into individual privacy. It will save all of us money, and it will save all of us many productive lives in the State of Illinois."

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

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

Speaker Greiman: "The Gentleman from Cook, Mr. Piel, moves the previous question. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Cullerton, to close."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If I could just briefly address some of the issues raised in debate. First of all, for Representative Friedrich, I want you to know that in the Bill we specifically say that failure to wear the seat belt should not be considered evidence of negligence. I also would point out, Representative Friedrich, that you... you mentioned that why don't we say that anyone under 25 can't drive a car. We do say that people under a certain age can't drive a car because we know that they can't be trusted to drive a car under a certain age. We do, and I will once again reiterate the fact that we do regulate the use of a motor vehicle. We regulate what a hunter can wear when he's out hunting deer. We certainly can regulate what a driver wears when he's driving a car. I am aware of the fact that some people throughout the state have written letters to the Legislators saying they're opposed to this Bill. I'm sorry that the people who have been injured in car accidents haven't also written. Certainly the people who were killed in car accidents couldn't write. Maybe the people at the Rehabilitation Institute in Chicago, the quadriplegics, the paraplegics should have taken their time to send letters to us to tell us how important a Bill like this is, but apparently they haven't. Apparently only the people who are so concerned about, the civil libertarians, the right-wing civil libertarians, are so concerned about a free society and right to control our own destiny are the

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only ones that decide they're going to send letters to us. I'll tell you that the state police are in favor of this Bill, because the state police are the first... frequently the first person on a scene to see a car wreck. The state police call the Child Passenger Safety Law the 'Orphans Bill', because the parents are not wearing their seat belts, and they're killed. The children in the car seat live. This Bill is a Bill that simply, as I said before, will save lives. Now the Child Passenger Safety Law was introduced by Representative Giddy Dyer. She got it out of Committee. It got about 28 votes. It didn't pass. In 1977, only the State of Tennessee had a Child Passenger Safety Law. Now we've got 42 states that have such a law. This Bill is going to pass. I don't know if it's going to pass today. I don't know if it's going to pass this year, but this Bill is going to pass. And it's going to save lives. Once again, I suggest to you that we should start saving those lives right now. I'd ask for an 'aye' 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. The Gentleman from Cook, Mr. Panayotovitch, to explain his vote."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Cullerton says, it's a life-saving device. I think it's time we start today to save lives, and again as one previous speaker says, we cannot receive letters from all the people that were killed in car accidents because they were not wearing seat belts. I think this is very important legislation. We should start on the road today and vote 'aye'."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland, to explain his vote. One minute."

Kirkland: "Yes, as I explained to Representative Cullerton, I

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think this is a very important Bill, but I think the enforcement of it with a fine is... can be only sporadic. If the Bill doesn't pass, I would strongly suggest that he take the enforcement out of it, and let the Bill enforce itself... enforce its own terms as it will and save people's lives on that basis. I think he'd have a better chance of passing it under those circumstances because there are people, including my spouse, who are in accidents that convince them against statistics that wearing a seat belt is dangerous for them. And I don't think you can change their minds."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger, one minute to explain her vote."

Oblinger: "Thank you, Mr. Speaker. I'm in favor of this Bill, because I, like Representative Olson, had my life saved by wearing a seat belt, plus the fact that if I ate french fried potatoes, I don't exercise and I don't do all of those things, I'm hurting myself. But when I do this and I lose control of my car, I am endangering others. And for the benefit of those who said that we shouldn't smoke cigarettes because they're bad for our health, they are prohibited in a number of places now. We're protecting those people who might be breathing those fumes, so I don't see why we can't go to saving lives in this fashion."

Speaker Greiman: "Further... The Gentleman from Kendall, Mr. Hastert, to explain his vote. One minute. The Gentleman from McLean, Mr. Ropp, to explain his vote. One minute, Sir."

Ropp: "Thank you, Mr. Speaker. It has been said that if we don't pass this legislation, the Federal Government will pass laws that will state we have to have an air bag, and that will cost us four or five hundred dollars more. I hate to vote for legislation by force. God gave everybody a brain.

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I think it's unfortunate that the Legislature has to pass laws on how to use it."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill... On this Bill, there are 60 voting 'aye', 45 voting 'no', 5 voting 'present'. And for what purpose does the Gentleman from Champaign, Mr. Johnson, seek recognition?"

Johnson: "Would you verify the Affirmative Roll Call?"

Speaker Greiman: "Mr. Johnson, the Gentleman from Champaign, requests a verification of the affirmative vote. Mr. Cullerton requests a Poll of the Absentees. Yes, the Minority Leader, Mr. Daniels."

Daniels: "Well, Mr. Speaker, as the temperature of the House increases, I would like to add a little congratulations to the House and to the Gentleman on my left, who the House passed, as you know, by a 115 votes because we couldn't find those three people we were looking for to make it a unanimous vote. But may I introduce once again to the House Mr. Robert Cronson, who you all have approved for another ten year term as your Auditor General. Bob Cronson, Bob."

Speaker Greiman: "Mr. Job Security, Robert Cronson."

Cronson: "Thank you. Thank you, Mr. Speaker and Minority Leader Daniels. And let me just say to all of you that you have honored me beyond my wildest imagination and dreams because I wouldn't have thought to ask for that kind of a vote. And I'd only hope that 10 years from now that I can get the same kind of vote again. Thank you very much."

Speaker Greiman: "Thank you. Mr. Preston, for what purpose do you seek recognition? Mr. Preston 'aye'. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Barger. Berrios. Capparelli. Krska. Stuffle. Taylor. Vitek, and

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Woodyard."

Speaker Greiman: "Alright."

Clerk O'Brien: "No further."

Speaker Greiman: "Mr... Alright. Mr. Johnson, there are some requests for verification. Mr. Preston. Ms. Currie. Mr. Domico, and Ms. Braun. And Mr. Brockins, and Mr. Huff. And Mr. Marzuki request leave to be verified. Yes, Mr. Hoffman."

Hoffman: "I'd like to make the same request that I could be verified."

Speaker Greiman: "And Mr. Hoffman requests leave to be verified. They have leave. I hope we'll all remember who they are. Mr. Clerk, proceed with the call of the Affirmative Roll."

Clerk O'Brien: "Alexander. Eraun. Erockins. Bullock. Churchill. Cullerton. Curran. Currie. Davis. Didrickson. DiPrima. Domico. Doyle. Virginia Frederick. Giglio. Giorgi. Greiman. Hastert. Hoffman. Huff. Jaffe. Karpel. Keane. Kirkland. Kulas. Laurino. LeFlore. Leverenz. Levin. Markette. Marzuki. Matijevich. McGann. McMaster. McPike. Nash. Neff. Nelson. Oblinger. O'Connell. Olson. Panayotovitch. E. Pedersen. W. Peterson. Fiel. Pierce. Preston. Rhen. Rice. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Turner. White. Wolf. Younge. Zwick. And Mr. Speaker."

Speaker Greiman: "Mr. Johnson, questions of the Affirmative Roll Call."

Johnson: "Representative Bullock."

Speaker Greiman: "Yes. Yes, Mr. Pedersen. How is Mr. Pedersen recorded?"

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

Speaker Greiman: "Vote Mr. Pedersen 'no'. Mr. Johnson, questions of the Affirmative Roll."

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Johnson: "Bullock."

Speaker Greiman: "Mr. Bullock is in his chair."

Johnson: "Domico."

Speaker Greiman: "Mr. Domico. Is Mr. Domico in the chamber? Oh,
he had leave to be verified."

Johnson: "Oh, I'm sorry. I didn't do that deliberately."

Speaker Greiman: "No. No, I understand."

Johnson: "It was such a long list."

Speaker Greiman: "Right. I didn't recall myself."

Johnson: "Karpel."

Speaker Greiman: "Ms. Karpel. Ms. Karpel in the chamber? How
is the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Greiman: "Remove Ms. Karpel from the Roll."

Johnson: "Representative Jaffe."

Speaker Greiman: "Representative Jaffe is right here."

Johnson: "Laurino."

Speaker Greiman: "Mr. Laurino is in his chair as usual."

Johnson: "LeFlore."

Speaker Greiman: "Mr. LeFlore is standing at his chair."

Johnson: "Nash."

Speaker Greiman: "Mr. Nash. Mr. Nash in the chamber? Mr. Nash
is sitting in Mr. Ronan's... Mr. Steczo's chair."

Johnson: "Well, how about Mr. Bonan and Mr. Steczo?"

Speaker Greiman: "Mr. Bonan is in Mr. Bonan's chair."

Johnson: "How about Mr. Steczo?"

Speaker Greiman: "Mr. Steczo is in Mr. Steczo's chair now."

Johnson: "Nelson."

Speaker Greiman: "Ms. Nelson is here and near the well."

Johnson: "Did you say Nash was here?"

Speaker Greiman: "Nash is here. Nash is sitting next to Mr.
Farley, next to Mr. Bonan."

Johnson: "Huff... Huff was verified."

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Speaker Greiman: "Mr. Huff was verified."

Johnson: "Ehem."

Speaker Greiman: "Mr. Ehem is in his seat."

Johnson: "Flinn."

Speaker Greiman: "Mr. Flinn. Mr..."

Johnson: "Oh, I'm sorry."

Speaker Greiman: "Mr. Flinn is in his seat."

Johnson: "I'm sorry. I'm sorry. Representative Piel."

Speaker Greiman: "Mr. Piel is in the rear of the chamber."

Johnson: "Representative Shaw."

Speaker Greiman: "Mr. Shaw. Mr. Shaw is in the... is at the side
of the chamber."

Johnson: "Representative Younge."

Speaker Greiman: "Ms. Younge is in her chair."

Johnson: "Representative Brockins."

Speaker Greiman: "Mr. Brockins. Mr. Brockins was verified, but
he's in the back of the chamber anyhow."

Johnson: "Panayotovich."

Speaker Greiman: "Mr. Panayotovich. Mr. Panayotovich is at the
door."

Johnson: "Markette."

Speaker Greiman: "Ms. Markette is at her chair."

Johnson: "Keane."

Speaker Greiman: "Mr. Keane. Mr. Keane is at the rear of the
chamber."

Johnson: "Representative Zwick."

Speaker Greiman: "Ms. Zwick. Ms. Zwick is right behind you, Mr.
Johnson."

Johnson: "That's all I have."

Speaker Greiman: "Yes. Alright. Yes, Mr. Cullerton, for what
purpose do you seek recognition, Sir?"

Cullerton: "Mr. Speaker, what is the count?"

Speaker Greiman: "Well, I was just locking at that and checking

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with the Clerk on it. Alright. Let's go. On this... On this Bill, there are... Yes, the Gentleman from Vermilion, for what purpose do you seek recognition? Mr. Stuffle votes 'aye'. On this Bill, there are 60... Mr. Woodyard votes 'aye'. On this Bill, there are 61 voting 'aye', 45 voting 'no', 4 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 2809. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2809, a Bill for an Act relating to county and municipal jails. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill which seeks to further conform with the policy, legislation and philosophy of the State Mandates Act. As you know, there are a number of counties throughout the state, in excess of 50 in fact, who are either under a partial or total mandate to construct or improve their county jails, either by 1986 or by 1990. These counties include Calhoun, Cass, Crawford, DeWitt, Douglas, Effingham, Ford, Franklin, Gallatin, Hancock, Hardin, Henderson, Henry, Jackson, Jefferson, Jersey, Kendall, Livingston, Macon, Macoupin, Marshall, Mason, Massac, Menard, Mercer, Monroe, Montgomery, Moultrie, Perry, Piatt, Pike, Pulaski, Putnam, Schuyler, Shelby, Stark, Warren, Wayne, Woodford, Alexander, Adams, Clinton, Cumberland, Fayette, Iroquois, Kankakee, Marion, McDonough, Ogle, Saline, Sangamon, Stephenson, Tazewell, Will. The reason I read you that litany is to let you all know that you have a problem and its two-fold. The first part of the problem is that you are mandated to do something about your county jail back home, and the second part of the problem is you have no money to do anything about it. Once again,

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this is a classic dilemma posed by the State Mandates Act, and the purpose of this legislation is to provide that where there are capital improvements to be made, the State of... and they're mandated by the State of Illinois or by the State of Illinois through the Federal Government, the cost of those mandates shall be born by the state. A companion legislation will follow this Bill for an appropriation, and I'd be happy to answer questions. Would ask for a favorable vote to send a message to the people back home that we really mean it when we pass a Mandates Act and when we say this spring, on both sides of the aisle, that we're going to adhere strictly to the philosophy of the Mandates Act. We should not be telling people back home that we'll file the Mandates Act when it costs 10 dollars, and 20 dollars and 100 dollars, maybe even 1,000 dollars; but, where the ticket price is high, we're going to shove the burden back on the county people. If the people back home have to build a county jail with property tax money, there'll be open revolt, and they'll be talking to you about this. This is your chance to do something for the people back home and send a message that we want to follow the Mandates Act and... if we're under mandate to improve our county jails, we need help with the cost of construction. Request a favorable Roll Call."

Speaker Greiman: "The Gentleman from Macou moves for the passage of House Bill 2809. Yes, the... Is there any discussion? The Gentleman from Jefferson, Mr. Hicks."

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

Speaker Greiman: "Indicates that he'll yield for a question."

Hicks: "Representative, is this the Decatur Cultural and Civic Center Bill for Decatur?"

Dunn, J.: "Well, there are... there are those who think that... that those in incarceration are the cream of our society,

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but we just want to do what's right for everybody."

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

Vinson: "Thank you, Mr. Speaker. First, a parliamentary inquiry.

How many votes will it take to pass this Bill?"

Speaker Greiman: "We'll check that and be with you in a moment.

Do you have further discussion?"

Vinson: "Yes."

Speaker Greiman: "Proceed, Sir."

Vinson: "The second thing I want to do, Mr. Speaker, is reserve a verification if it should appear to get the appropriate number of affirmative votes."

Speaker Greiman: "Always that courtesy is extended, certainly."

Vinson: "Thank you. The third thing I want to do is speak against the Bill."

Speaker Greiman: "Alright. Now we've gotten down to the meat of it. Mr. Vinson, proceed."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, Mr. Dunn comes in with a program which on the face of it is a nice program, and certainly there's nothing bad or evil about his program. There is an alternative program and that would be to demandate state regulation of county jails. That's one way we could solve this problem that would not require us to increase state debt and to get a new program going. But the fundamental thing that I think that we ought to really be thinking about is the very language of the Bill itself. It's language that says we're going to create an entitlement program. Now, Mr. Speaker, Members of the House, I'm sure every one of you, as have I, have watched the problems, the contcrions of Washington, in dealing with entitlements. The entire federal budget, as a matter of fact, the credit markets of the entire national economy are in terrible shape because of the number and the breadth and the magnitude of entitlement programs the

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Federal Government has created. Mr. Speaker, we ought not follow that path in Illinois. We need create no entitlement programs in Illinois to get us into the same problem that federal entitlement programs have gotten the Federal Government into. The State of Illinois is beginning to move forward into better economic times, but we are still in a position where precipitous increases in state debt could threaten our triple A credit rating, and we really need not do that, Mr. Speaker. That triple A credit rating is one of the most precious assets the people of this state have because it limits the taxes that they have to pay. It limits what future generations have to pay for the programs we create. Now, Mr. Speaker, I think we ought to protect the people of Illinois, the taxpayers of Illinois, and I think that we ought to avoid creating a new entitlement program here that loads debt down... that loads debt down on future generations, for that is what we would be doing. I remember in days past, downstate Democrats, men of such eminent prestige and stature as Paul Simon, as Alan Dixon, have spoken out eloquently against the State of Illinois getting deeper into debt. And now we have another program offered to get us deeper into debt on an entitlement basis. Mr. Speaker, we ought to remember what Alan Dixon and Paul Simon have said about loading down future generations with debt contracted for today; because, after you contract for that debt, there's no way those future generations can ever... can ever escape it. I would urge a 'no' vote on this Bill. I would again remind the Chair of my intention to seek a verification, and I would urge a 'no' vote."

Speaker Greiman: "Yes, with respect to the inquiry, parliamentary inquiry, Mr. Vinson, because the Bill requires additional general obligation bonds, it will take an Extraordinary

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Majority. Further discussion? The Gentleman from Will,
Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I just wanted to tell
Representative that he forgot one of our standouts from
downstate Illinois, Representative Clyde Chcate, when he
was speaking so glowingly of the downstate Democrat."

Speaker Greiman: "Further discussion? There being none, Mr.
Dunn, to close."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. In closing I would just like to indicate that what
we've just heard is the administration's position, and I
don't blame the administration, because the administration
on the second floor, will be... if this Bill doesn't pass,
they'll be in a perfect position. The Governor can say
that the mandate is there, and he doesn't have the money
and the job will have to be done. And all of us will have
to go home to the 50 counties that... that I read... read
off. If you forget whether your county's in this Bill or
not, just come over. I've got the list here. I'll be
happy to show you. We'll have to go home and explain to
our people why we've imposed upon them the biggest mandate
of all without any money to comply with it, and if you
think the mandate isn't coming, remember that it was this
General Assembly which passed legislation just a year ago
which mandates that misdemeanants serve their time in
county jails to relieve the burden of overcrowding in the
state prison facilities under the auspices of the
Department of Corrections. So your county jails, if
they're not full now, are going to be full. The mandate is
there. You're going to have to do something. It's either
local property taxes or apply pressure here. Maybe we
can't get the whole loaf; but, if we send a message, we can
at least get part of it. If we let this Bill go down and

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let it fail, the message is going to be that once again we don't care about the Mandates Act. We're talking out of both sides of our mouths. We've passed legislation, say we will not impose mandates upon local government that they can't provide the money for, but again we'll be... we'll be dropping a huge mandate upon them without any money. I filed this Bill so I could go home and look my people in the eye, and tell them that I've tried my very, very best to make the State of Illinois comply with its mandates. I urge you to join me in sending that message to the second floor, so you can go home and hold your head high and tell your people back home that you fought to keep their property taxes down, that you fought for the State Mandates Act and that your action here in the General Assembly is consistent with that position. A green vote will do that. A red vote won't. I hope you see the light and vote green."

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 vote who wish? Have all voted who wish? Mr. Dunn, to explain his vote."

Dunn, J.: "Well, you've ruled I need 7. I do have enough, I hope, for Postponed Consideration. I'd like leave to put this on Postponed Consideration."

Speaker Greiman: "On this Bill, there are 54 voting 'aye', 47... Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 58 voting 'aye', 47 voting 'no', 1 voting 'present'. The Gentleman from Macon requests that the Bill be placed on the Order of Postponed Consideration, and the Bill is so placed. We're now moving to the Order of Second... House Bills Second Reading, Short Debate Calendar, on page two of the Calendar. We are beginning at the beginning of the call. On the Order of House Bills

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Second Reading, Short Debate, appears House Bill 968. Mr. Stuffle. Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 1528. Mr. O'Connell. Read the Bill, Mr. Clerk. Alright, we're going to take this Bill out... temporarily out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 1546, Mr. Jaffe. Mr. Jaffe in the chamber? Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 1726. Mr. Terzich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1726, a Bill for an Act to amend an Act relating to the cost of hospital services. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Vinson, amends House Bill 1726 on page one and so forth."

Speaker Greiman: "Yes, Mr. Terzich."

Terzich: "There's a couple Amendments that are being filed on this, so I'd just keep it on Second."

Speaker Greiman: "You mean you want to take it out of the record?"

Terzich: "Please."

Speaker Greiman: "Alright. The Bill will be out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 2738. Mr. Richmond, do you wish the Bill called? Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 2858. The Gentleman from Fulton. Out of the record. On the order of House Bills Second Reading, Short Debate, appears House Bill 2892. Mr. Steczo in the chamber? Out of the record. Mr. Steczo, do you wish to call the Bill? Mr. Clerk, read the Bill, 2892."

Clerk Leone: "House Bill 2892, a Bill for an Act to amend an Act

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to revise the law in relationship to clerks of the court.
Second Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill
2892."

Speaker Greiman: "Is Mr. Vinson... Mr. Piel, are you going to
take that?"

Piel: "No, I'm not going to take it, Mr. Speaker. I would just
ask the Gentlemen momentarily if we could take it out of
the record. Mr. Vinson's going to be right back."

Speaker Greiman: "Well, Mr. Steczo, what is your pleasure, Sir?"

Steczko: "Mr. Speaker, this Bill has been on Second Reading for
about a week while we were trying to get a fiscal note for
it. The fiscal note was delivered this morning, and I
would like to move the Bill. I'm going to oppose Amendment
#2 anyway. I'm hoping that Representative Vinson might
withdraw it, and I... Let me... Let me make an inquiry of
the Chair, Mr. Speaker, that might end it. I believe that
Amendment #2 is out of order, and that might suffice."

Speaker Greiman: "We'll, look at it. Be back to you in a second.
Mr. Vinson has returned to the chamber. Mr. Vinson, your
Amendment #2 to House Bill 2892 is presently before the
chamber? Representative Steczo has questioned whether the
Amendment is in order, and the Parliamentarian is examining
the Bill and the Amendment. Mr. Vinson, proceed, Sir."

Vinson: "Mr. Speaker, I might be able to save the Parliamentarian
some time, because I had... I happened to examine that
question earlier today, and the objection is well-founded.
And I haven't had a chance to get another Amendment
drafted, and we might as well... I'll just withdraw that

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and let him move it."

Speaker Greiman: "Mr. Vinson withdraws Amendment 2 to House Bill 2892. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Steczo, amends House Bill 2892 on page one and so forth."

Speaker Greiman: "Mr. Steczo, the Gentleman from Cook."

Steczko: "Thank you, Mr. Speaker. First, I'd like to thank Representative Vinson for withdrawing Amendment #2. Amendment #3 simply makes a technical change. It rennumbers a Section in proper form, and I would move for its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the adoption of Amendment #3 to House Bill 2892. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. We are advised by the Clerk... Yes. Leave to... for the Bill to remain on the Order of Short Debate. I'm advised by the Clerk that House Bill 1528 is now back with us, and, Mr. Clerk, read the Bill. House Bill 1528 on the Order of House Bills Second Reading, Short Debate."

Clerk Leone: "House Bill 1528, a Bill for an Act in relationship to property tax homestead exemption has been read a second time previously. Amendment #2 was adopted previously."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Stuffle, amends House Bill 1528 as amended."

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Speaker Greiman: "The Gentleman from Vermilion, Mr. Stuffle, on Amendment 3 to House Bill 1528."

Stuffle: "Mr. Speaker and Members of the House, Amendment #3 adds to this Bill a new category for property tax exemptions at the local level, in this instance, property owned by historical preservation societies and used exclusively for historical preservation purposes, and if you read on in the nonunderscored existing language, also, this exemption that is added would have to be a historical society property that's not used for an pecuniary interest or profit motive. The fact is that we have some of these entities in the state that have been given, in whole or in part, to counties for the use as historical museums and historical society buildings, but there's been some question about whether or not they are or ought to be exempt locally, and there have been several challenges. In the case of Coles County, which Representative Woodyard represents and I represented before, we have had our society in and out of the property tax rolls a number of times. Currently, they're not exempt under the charitable exemption, but it's interesting that we already exempt such things as philosophical societies and so forth, which I doubt even exist anymore in the state. There would be limited impact, obviously, from the Bill because of the limitations existent in the statute in the few numbers of entities that it would apply to. I would ask for your affirmative vote."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to House Bill 1528. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have, and the Amendment is adopted. Further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on the Order of Short Debate. The Gentleman has leave. On page three of the Calendar, on the Order of House Bills Second Reading, Short Debate Calendar, appears House Bill 2927. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill..."

Speaker Greiman: "That's been read a second time. We'll take that just out of the record. We'll be back to it when it comes back, Mr. Hallock. On the Order of House Bills Second Reading, Short Debate Calendar, appears House Bill 2962. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2962, a Bill for an Act to amend the Illinois Library Systems Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order... On the Order of House Bills Third... Second Reading, Short Debate Calendar, appears House Bill 3091. Mr. Daniels. Out of the record. On the Order of House Bills Second Reading, Short Debate Calendar, appears House Bill 3127. Mr. Hannig, do you wish to proceed with that? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3127, a Bill for an Act in relationship to elected officials taking time off from employment. Second Reading of the Bill. Amendment #2 was adopted earlier on the Order of Second Reading."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Hannig, amends House Bill 3127."

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

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Hannig, the Gentleman from Macoupin."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Yesterday we had a debate on this Amendment, and unfortunately, it was one of those that exempted this Bill or attempted to exempt this Bill from the State Mandates Act. What I am doing with Amendment #3 is simply bringing back those provisions of the Bill which Members of the Committee had asked me to change, which are to make the Bill applicable to businesses over 25 and also to allow the employers to have written proof that the individual did attend the meeting, but not to include the exemption from the State Mandates Act. So this Amendment, now, I know of no opposition to, and I would move for its adoption."

Speaker Greiman: "The Gentleman moves for adoption of Amendment #3 to House Bill 21... I'm sorry, House Bill 3127. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by voting 'aye', those opposed... by saying 'aye', those opposed vote... say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave of the House for the Bill to remain on the Order of Short Debate. On the Order of House Bills Second Reading, Short Debate, appears House Bill 3141. Mr. Kirkland. Mr. Kirkland in the chamber? Out of the... Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 3212. Mr. Cullerton, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3212, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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Speaker Greiman: "Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 3212."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Back in April it was disclosed that the Chicago Board of Education allows its Board members 300 dollars per month for expenses, but does not require that they provide any documentation of the use of the money. State law prohibits these Board members from being paid salaries, and the IRS says that if there's no requirement to document expenses, that the money should be viewed as income. What this Amendment does is to require board members to provide the general superintendent with receipts before they can be reimbursed for actual expenses. I would appreciate your support on this Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment #1 to House Bill 3212, and on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House for the Bill to remain on the Order of Short Debate. Now, we are now on page three of the Calendar. On the Order of House Bills Second Reading... On the Order of House Bills Second Reading appears House Bill 315. Am I correct, Mr. Clerk, that Mr. Davis is a hyphenated Cosponsor of 315? Out of the record, for the moment. On the Order of House Bills Second Reading appears House Bill 328. Mr. Hallock. Mr. Hallock in the chamber? Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 328, a Bill for an Act to amend the School Code. Second Reading of the Bill. The Bill has been read a second time previously. Amendment #1 was adopted in Committee, and Amendment #2 was adopted on Second Reading."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Friedrich, amends House Bill 328 as amended."

Speaker Greiman: "Representative Friedrich. The Gentleman from Marion, Mr. Friedrich, on Amendment #3 to House Bill 328. Yes, Mr. Friedrich."

Friedrich: "My button was pushed in error. I'm sorry."

Speaker Greiman: "Yes, Mr. Friedrich, I was recognizing you because you are the Sponsor of Amendment #3 to House Bill 328. Mr. Hallock is the principle Sponsor. Do you wish to proceed with..."

Friedrich: "Could we hold that just a minute, please? And we'll get back to it."

Speaker Greiman: "We'll just... We'll just... We won't... You're not asking it to be taken out of the record. We'll just hold it for a moment, so you can look at your papers."

Friedrich: "Thank you."

Speaker Greiman: "Alright? Unless, Mr. Hallock, you'd like it out of the record. Alright, out of the record. On the Order of House Bills Second Reading appears House Bill 338. Mr. Stuffle. Out of the record. On the Order of House Bills Second Reading appears House Bill 704. Ms. Younger. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 704, a Bill for an Act to amend the Illinois Community Development Finance Corporation Act. Second Reading of the Bill. Amendments #1 and 2 were

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adopted previously."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 713, Mr. Pierce. Out of the record. On the Order of House Bills Second Reading appears House Bill 1004, Ms. Younge. Call the Bill, Mr. Clerk. Read the Bill."

Clerk Leone: "House Bill 1004..."

Speaker Greiman: "Mr. Clerk, take it out of the record. On the Order of House Bills Second Reading appears House Bill 1210. Out of the record. On the Order of House Bills Second Reading appears House Bill 1211. Out of the record. On the Order of House Bills Second Reading appears House Bill 1302. Mr. Hannig, 1302. Mr. Hannig is not in the chamber. Out of the record. On the Order of House Bills Second Reading appears House Bill 1395, Mr. Keane. Out of the record. On the Order of House Bills Second Reading appears House Bill 1535. Mr. Levin. Out of the record. On the Order of House Bills Second Reading appears House Bill 1658, Ms. Braun. Ms. Braun in the chamber? Out of the record. On the Order of House Bills Second Reading appears House Bill 1663, Ms. Currie. Is Ms. Currie in the chamber? Ms. Braun, did you want to proceed with 1658? Alright. Take 1663 out of the record, and back to 1658, House Bill 1658. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1658, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Braun, amends House Bill 1658."

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Speaker Greiman: "The Lady from Cook, Ms. Braun, on Floor Amendment #1."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 essentially conforms this Bill to an agreement reached with the Department of Public Aid. And the Amendment is now filed, and the Bill will be in the form as it was agreed upon."

Speaker Greiman: "The Lady from Cook, Ms. Braun, moves for the adoption of Amendment #1 to House Bill 1658. On that, is there any discussion? There being... Yes, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, would the Lady yield for a question?"

Speaker Greiman: "Indicates that she will."

Vinson: "Representative, the... does the Amendment delete the mandate to the Department to provide housing assistance?"

Braun: "It does."

Vinson: "And what... what does that leave the Bill doing?"

Braun: "It... It essentially closes the gap on who's covered under general assistance. For those people, essentially, who are between 18 and 2, they would be covered under one... Previously, they were covered under one program and not another. This Bill was intended to close that gap. The inclusion of shelter cost just added a cost figure to the whole thing that really was unnecessary and not related to the intent of the... the specific intent of the legislation. So..."

Vinson: "Am I properly advised that the Department supports the Amendment and supports the Bill if the Amendment goes on the Bill?"

Braun: "That's correct. That's correct."

Vinson: "Then I would support the Amendment."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #1 to House Bill 1658 be

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adopted?' All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill 1658 on page four and so forth."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, withdraws Amendment #2 to House Bill 1658. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, for what purpose does the Gentleman from Cook, Mr. Piel, seek recognition?"

Piel: "Yes, Mr. Speaker, I noticed that the Calendar said that a fiscal note had been requested. You moved it to Third. The question I would have is whether a fiscal note had been turned in on that Bill. Just so we abide by the rules. I noticed that it said that in the Calendar. Now maybe it had been turned in."

Speaker Greiman: "Yes, Mr. Vinson..."

Piel: "I'm Mr. Piel. Mr. Vinson's the short one..."

Speaker Greiman: "No, I understand that, but Mr. Vinson filed the request. Has there been a fiscal note filed? Mr. Clerk."

Clerk Leone: "There is not fiscal note in the record."

Speaker Greiman: "Mr. Vinson."

Piel: "No. The reason I asked... I'm asking the question, Mr. Speaker. The reason I asked the question is because..."

Speaker Greiman: "Thank you, Mr. Piel. I understand that."

Piel: "...the Calendar said that, you know, it had been requested. And so you had tried moving it to Third, and it can't go to Third until..."

Speaker Greiman: "Mr. Piel, I understand that. Thank you very much. My question is to Mr. Vinson, whether... whether he requires... continues to require the response to... his

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request for a fiscal note."

Vinson: "Under the circumstances, no, Mr. Speaker, but I do think it's important that we watch these very closely."

Speaker Greiman: "Yes. Absolutely. Thank you. The... Mr. Vinson withdraws his request for a fiscal note, and the Bill will be moved to the Order of Third Reading. We will now return to House Bills Second Reading, House Bill 328 that was taken out of the record. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 328, a Bill for an Act to amend the School Code has been read a second time previously. Amendment #1 was adopted in Committee. Amendment #2 was adopted on the floor."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Friedrich, amends House Bill 328."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich, on Amendment #3."

Friedrich: "Thank you, Mr. Speaker, for accommodating me in waiting... returning this. In my area, there are a number of parochial schools which are no longer used as parochial schools but are, in fact, being used by public schools. The problem is that public schools can use Building Fund money to rent or lease public buildings but not private buildings, and they've determined that parochial schools would come under the category of private buildings. This would merely enable the district to use Building Fund money instead of operating money to lease these buildings for public school use."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich, has moved for the adoption of Amendment #3 to House Bill 328."

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And on that, the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Yes, Mr. Speaker, the Spncsor and I have talked about the Amendment. I'm aware of its existence. I do, however, oppose it. This is a very important Bill on early intervention. I don't want to make it a Christmas tree Bill on education. I would urge a 'no' vote."

Speaker Greiman: "Further discussion? There being none, Mr. Friedrich, to close."

Friedrich: "I would merely say that this will save thousands of dollars; because, without this, we'll have to spend tax money to build public buildings, school buildings and when we really have existing buildings designed for schools already in place which can be rented for a very reasonable amount."

Speaker Greiman: "The question is, 'Shall Amendment #3 to House Bill 328 be adopted?' All those in favor signify by saying 'aye', those opposed 'nay'. Well, in the opinion of the Chair, we'll have a Roll Call. 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 Amendment, there are 61 voting 'aye', 28 voting 'no'... Yes, Mr. Mulcahey. Mulcahey 'aye'. There are 62 voting 'aye', 28 voting 'no', 1 voting 'present', and the Motion is... and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, McCracken, amends House Bill 328 as amended."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, on Amendment #4."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would amend the School Code to allow recomputation of claims where there has been an adverse decision by the Illinois Property Tax Appeal Board in an

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amount greater than 500,000 dollars, relative to the equalized assessed valuation. Current law is limited to situations where an adverse court decision is rendered. The administrator in charge of this matter has specifically held on more than one occasion that an adverse decision of the Property Tax Appeal Board is not within the scope of this law and has denied recomputation on that basis. This would rectify that problem. I ask for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #4 to House Bill 328. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

McCracken: "Yes, Sir."

Speaker Greiman: "Indicates that he'll yield for questions."

Cullerton: "Now, as I understand it, you're amending the... that Section of the statutes which deals with the School Code and the school aid formula. Is that correct?"

McCracken: "I don't know what sub... subsection or 'sub part' it is. The paragraph I'm amending is 2-3.33."

Cullerton: "Which deals with recomputation of claims."

McCracken: "Yes, Sir."

Cullerton: "By a school district."

McCracken: "I don't know if the school district makes the recomputation, but they make the application for it."

Cullerton: "... pay for it."

McCracken: "Right."

Cullerton: "Well, and basically what the Amendment says is that if the Illinois Property Tax Appeal Board has reduced the equalized assessed valuation of the taxable property by 500,000 dollars or more, then they have to recompute the state aid formula."

McCracken: "Yes, Sir. I think... My understanding is that it's a single decision resulting in greater than 500,000 dollars

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reduction."

Cullerton: "And this would be 500,000 dollars in assessed valuation or in fair market value?"

McCracken: "Equalized assessed valuation."

Cullerton: "Equalized assessed valuation. Now, I understand that this happens hundreds of times, and you're Amendment does not provide any method by which the State Board would be notified. And it also only applies apparently to counties other than Cook, since we don't have an Illinois Property Tax Appeal Board and, therefore,..."

McCracken: "Cook County has no position."

Cullerton: "...Cook County could not ever recoup this extra money that would undoubtedly come as a result of this Amendment. So this is good Amendment, perhaps for DuPage County. It would be a very bad Amendment for anyone who lives in Cook County because there would be no way in which they could... And I... If you could keep a straight face, maybe it would be easier for you to pass it. But I think that we know what it does, and for that reason I would oppose the Amendment and ask the other people from my county to oppose the Amendment."

McCracken: "Is that a question? Should I respond to that?"

Cullerton: "Feel free."

Speaker Greiman: "Proceed, Sir. Was that rhetorical, Mr. Cullerton?"

Cullerton: "Is was a rhetorical question."

Speaker Greiman: "Rhetorical question. Alright. Further discussion? The Lady from DuPage, Ms. Nelson. Further discussion? There being none, Mr. McCracken, to close."

McCracken: "There... There is no technical problem with this Amendment. The Property Tax Appeal Board, it doesn't seem to me, would have a problem learning of these decisions. What we have experienced in DuPage County, in particular,

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is that a school district which has chosen not to intervene in the tax complaint proceeding can be bound by a PTAB decision. If it's not an intervenor, it has no standing to suit... or to bring an appeal, and for that reason, it cannot have control over whether or not a court decision is rendered. The PTAB is... is the form of first resort; and, if there is not an intervention by the school district, that's the form of last resort. So the court system is never involved. Because the administrator is interpreting court in... in its most narrow sense, the school district can get no relief where it does not intervene. The problem was brought to me by a DuPage County school district. They recommended limiting it to PTABs if... well... And I'll leave it at that. I ask your favorable consideration."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'nos' have it, and the Amendment is defeated. Mr. Brummer has requested a Roll Call. Way late, Mr. Brummer, I'm afraid. Way late. Mr. Brummer. Mr. Brummer, we'll give you a Roll Call. Yes, Mr. Brummer, we're going to give you a Roll Call."

Brummer: "Mr... Could I have... Mr..."

Speaker Greiman: "Mr. Brummer. Turn Mr. Brummer on. Yes, Mr. Brummer."

Brummer: "Yes, Mr. Speaker, long before you asked if there were any other questions, my light was on. It had been on for some period of time. This is the second or third time this has occurred today. I thought it was an accident earlier, but I'm beginning to think it's intentional, and then when you don't recognize me during debate..."

Speaker Greiman: "Mr. Brummer, you are having your Roll Call. You're light went on... while he was closing, however..."

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Brunner: "He didn't close."

Speaker Greiman: "Yes, he closed, Mr. Brunner. He was closing and his (sic - your) light went on when it was closing. Now, all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Brunner, to explain his vote."

Brunner: "Yes, Mr. Speaker, thank you. I think this is a very important issue. It seems to me to make no sense to not allow a recalculation of the school aid formula, which is very dependent on what the assessment is in the first place. As a result of an assessment change, there ought to be a recalculation of the... of the school aid formula. It seems to me to make eminent sense. I think there's a more desirable way to do it in terms of a percentage change as opposed to a flat dollar amount, but the concept is very important, and we ought to vote 'aye' with regard to this Amendment."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 55 voting 'aye', 39 voting 'no', 2 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2215, Mr. Bowman. Out of the record. On the Order of House Bills Second Reading appears House Bill 2278, Mr. Huff. Out of the record. On the Order of House Bills 2299, Mr. McPike. Out of the record. On the Order of House Bills 2321, Ms. Topinka. Ms. Topinka. Out of the record. On the order of House Bills 2323, Representative Braun. Are you prepared on that Bill? Ms. Braun. 2323, out of the record. Yes, Mr. Bowman, for what purpose do you seek recognition?"

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Bowman: "Earlier today we moved House Bill 2332 from Third back to Second, and this is the..."

Speaker Greiman: "I'm sorry. Would you... Would you begin mumbling again, Mr. Bowman?"

Bowman: "Earlier today, we moved House Bill 2332 from Third Reading to Second Reading, and this is point on the Calendar where it should appear. And I would like to call the Bill at this time."

Speaker Greiman: "Sure. The Gentleman have leave? Yes, Mr. Vinson."

Vinson: "I have a very difficult time with the concept of hypothetical Calendar place. There's Calendar place, and there's Calendar place, and there's no such thing as hypothetical Calendar place. I'm not sure what Bill we're dealing with or anything; and, under the circumstances, I would object."

Speaker Greiman: "Mr. Vinson objects to... to granting leave for the Bill to be heard. Alright. Yes, Mr. Bowman."

Bowman: "Okay. I just thought the... the Parliamentarian might be able to clarify this. The Bill, I believe is properly in order."

Speaker Greiman: "No, Mr. Bowman, the Bill is... if the Bill has been... is on the Order of Third Reading, it's... It's not on the Calendar, Mr. Bowman. Under our rules, I think we have to go down the Calendar, although it is on that Order. I understand what your point is."

Bowman: "I see. Alright. Just wanted a clarification. Thank you."

Speaker Greiman: "On the Order of House Bills Second Reading appears House Bill 2350, Ms. Currie. Ms. Currie, 2350. Out of the record. On the Order of House Bills Second Reading appears House Bill 2386. Mr. DiPrima, do you wish to proceed on 2386? Out of the record, Sir. On the Order

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of House Bills Second Reading appears House Bill 2401, Mr. Vinson. On the Order of House Bills Second Reading appears House Bill 2424, Mr. Nash. Out of the record. On the Order of House Bills Second Reading appears House Bill 2545, Mr. Laurino. Mr. Laurino. Out of the record. On the Order of House Bills Second Reading appears House Bill 2566. Ms. Wojcik. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2566, a Bill for an Act to amend the Illinois Plumbing License Law. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Greiman: "Are there any Amendments... any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "Floor Amendment #3, Slape - Saltsman, amends House Bill 2566 as amended."

Speaker Greiman: "The Gentleman from Bond, Mr. Slape, on Amendment #3."

Slape: "Yes, thank you, Mr. Speaker. Amendment #3 more clarifies exactly who we're trying to exempt from the law that we passed last year. It brings in private-owned water companies, and it... it protects the people who now are doing this job in municipalities. And I would ask for the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Bond has moved for adoption of Amendment #3 to House Bill 2566. And on that, is there any discussion? The Gentleman from Cook, Mr. Giglio."

Giglio: "Mr. Speaker, will the Gentleman yield?"

Speaker Greiman: "Indicates he'll yield for a question."

Giglio: "Representative Slape, on the last line of the Amendment on page four, it says, 'Nothing herein contained shall prohibit a plumber...' That means that someone without a plumber's license could do the municipal work and all the other work from water mains all the way to the meters. Is

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that correct?"

Slape: "Well, I don't think that line means that. I think what the Bill in its entirety will mean is someone other than a plumber can do the work. The last sentence of it is just meant to say that nothing in this Act would prohibit a plumber and in that contents the word 'plumber' means licensed plumber as it is defined in this Act and as it is defined in the Illinois revised statute. Actually, the intent of the word 'plumber' is licensed plumber as it is defined in state law."

Giglio: "Well, that's... that's precisely my argument. It doesn't say a licensed plumber. It just says plumber, and if you look on the first page, it says, 'All planning designs of plumbing system and all plumbing shall be performed only by plumbers licensed under the provision of this Act', and the last sentence nullifies that first provision whereby all those people that are doing this type of work don't have to be licensed plumbers. To the Amendment, Mr. Speaker and Ladies and Gentlemen of the House. This whole Amendment, what he's trying to do, these people that are doing this work now are not licensed plumbers. They're people who are hired by municipalities, by private contractors, people who do not have the experience, people who do not have any schooling, people who do not have any license, period. If we're going to have a license, if we're going to have an Act in this state, if we're going to protect the health and welfare of the people and give work to people that know what they're doing, that have the expertise, that have the schooling, then this work belongs and should be done by licensed plumbers. If you're going to have people who work in a court room, you don't want to have a paralegal going into court instead of lawyers. If you're going to have people

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work on your hair, beauticians and barbers, you're going to have licensed people. If we're going to have anything that means anything in this state, we want to have it performed by people who have the license, who worked for it, who went to school and have the expertise. And I would, therefore, ask that this Amendment be defeated."

Speaker Greiman: "Further discussion? Mr. Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, I rise in support of the Amendment. I think what it will do is save the lifeblood of community water services throughout the state. The work is being done by these people who are trained, aside from what the previous comment was. These people are trained to do the job now. I think they could continue to do the job quite adequately; otherwise, you're going to have water service fees increase many, many fold. And I think what it will do to the rate payer is just make it so unconscionable as far as the rates are concerned throughout the state. I would urge support of the Amendment."

Speaker Greiman: "Further discussion? Mr. Slape, to close."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen. What this Amendment really does is it tells the people of the State of Illinois that the General Assembly is a people of its word. Last year we passed the Plumbing Licensing Act, and we made certain commitments, commitments that ran really over about a five or six year period of time while we were negotiating that Act, that we would not get into jurisdictional fights. This Amendment is endorsed by AFSCME, teamsters, people who represent laborers who are doing this work, Municipal League in downstate Illinois, and all we're doing is we're letting these people... It was referred to they don't have any experience. Well, the experience they have, some of them have 20 or 25 year job

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service. That's the experience they have doing it. They've been doing it amply well. They've been doing it very well, and we think that we should leave the law or leave the status the way it has been in the State of Illinois, leave the different areas settle their own jurisdictional disputes. The General Assembly has no business in deciding who's going to do work where and establish some jurisdictions, and I would ask that the House would adopt Amendment #3 to House Bill 2566."

Speaker Greiman: "The question is, 'Shall Amendment #3 to House Bill 2566 be adopted?' All those in favor signify by saying 'aye', all opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2713, Mr. Giorgi. Out of the record. On the Order of House Bills Second Reading appears House Bill 2726, Mr. Preston. Mr. Preston in the chamber? Out of the record. On the Order of House Bills Second Reading appears House Bill 2743, Mr. Richmond. Mr. Richmond in the chamber? Out of the record. On the Order of House Bills... Second Reading appears House Bill 2747. Out of the record. On the Order of House Bills Second Reading appears House Bill 2762, Mr. Mautino. Out of the record. On the Order of House Bills... Second Reading appears House Bill 2763. Out of the record. On the Order of House Bills Second Reading appears House Bill 2812. Mr. Hoffman, 2812. Out of the record. On the Order of House Bills Second Reading appears House Bill 2871. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2871, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No

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Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Kirkland, amends House Bill..."

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

Kirkland: "Withdraw. Withdraw the Amendment."

Speaker Greiman: "The Gentleman withdraws Amendment #1."

Kirkland: "Also withdraw Amendments 2 and 4."

Speaker Greiman: "Well, let's call them first. Any further
Amendments?"

Clerk Leone: "Floor Amendment #2."

Speaker Greiman: "Mr. Kirkland withdraws Amendment #2. Further
Amendments?"

Clerk Leone: "Floor Amendment #3, Hawkinson."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Amendment #3 addresses an
inconsistency in the Code of Civil Procedure. Currently
under Chapter 110, paragraph 12-109, that provision
provides for interest on judgments at the rate of 8% per
annum. In paragraph 2-1303 of the same Chapter, we have a
paragraph on interest on judgments which was amended last
year, which provides for interest at the rate of 9% per
annum from the date of judgment until satisfied, or 6% when
the judgment debtor is a unit of local government. This
was pointed out to me by a constituent that there's an
inconsistency in the law that needs to be cleared up. This
Amendment attempts to do that by providing that every
judgment shall bear interest as provided in Section 2-1303,
and I would ask for its adoption."

Speaker Greiman: "The Gentleman from Knox moves for the adoption
of Amendment #3 to House Bill 2871. And on that, is there
any discussion? There being none, the... Yes, Mr. Levin."

Levin: "Would the Gentleman yield for a question?"

Speaker Greiman: "Yes."

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Levin: "Representative, you're talking about... having consistency on interest on judgments. Does... Does this Bill cover judgments rendered in building court as well, and would it raise the interest rate on those judgments?"

Hawkinson: "I'm sorry, Representative. I can't hear your question. There's a lot of talking going on right in front of me here, and I can't hear it."

Levin: "Alright. My understanding of the rationale for this Bill... for this Amendment is to provide for consistency with respect to interest on judgments. And I'm just wondering, in terms of the issue of consistency, whether or not this Amendment would cover judgments rendered in building court. It would increase those - and what your position is in that case, if there's a judgment rendered against a building owner. It seems we had a Bill in Committee that dealt with that subject, and I'm wondering what your thinking is on that."

Hawkinson: "This... This legislation affects interests on all judgments, as far as I know."

Levin: "Does it include judgments rendered in building court against building owners who violate building court... building codes?"

Hawkinson: "I would assume that it does, because paragraph 2-1303 reads, 'Judgments recovered in any court'."

Levin: "Okay. Alright."

Speaker Greiman: "Further discussion? There being none, Mr. Hawkinson, have you closed? Alright. The question is, 'Shall Amendment #3 to House Bill 2871 be adopted?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Kirkland, amends House Bill..."

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

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Kirkland: "Withdraw."

Speaker Greiman: "Mr. Kirkland withdraws Amendment #4 to House Bill 2871. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Kirkland, amends House Bill 2871."

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

Kirkland: "Amendment #5 is simply a redraft of the original Bill to clarify its original intent, and we've been working on it. 1, 2 and 4, we thought, were there and weren't. That's why they're withdrawn. We think Amendment 5 is the best wording and ask for support of it."

Speaker Greiman: "The Gentleman from Kane moves for the adoption of Amendment #5 to House Bill 2871. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Representative Breslin in the chair."

Speaker Breslin: "House Bill 2877, Representative LeFlore. Clerk, read the Bill."

Clerk Leone: "House Bill 2877, a Bill for an Act relating to certain minors under the jurisdiction of the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends House Bill 2877 on page five and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I move for the adoption of

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Amendment #1 to House Bill 2877. This Amendment is concurred with by the Sponsor, Representative LeFlore. It would have truant officers regularly reporting habitual truants to the court. Habitual truants are defined as one who is absent 10 out of 40 consecutive days. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2877. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Mr... Madam Speaker, would the Spncsr yield please?"

Speaker Breslin: "The Gentleman will yield to a question."

Ropp: "Can you tell me a little bit more about this Amendment as to why you are opposed to a Bill that I would have dealing with this in your... What does this actually do that mine does not do? Or did you read my Bill?"

Cullerton: "Did I say I would yield to a question? I take it back."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "To request that Mr. Cullerton mumble louder."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Well, perhaps I can just tell you that the Bill as drafted initially would have required two week intervals. A custodian of a minor subject to an order to attend school would have to report in writing to a court regarding a minor's compliance with an order, and it applied to everyone. And what we thought we'd do is... to get at the heart of the problem, was to have truant officers report on a regular basis to the court about the activities of habitual truants, which as you know, is defined in the statute. Now, Representative Ropp, the problem I had with your Bill of dealing with truants was that I just didn't understand it."

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Ropp: "Well, okay."

Cullerton: "I understand this Bill, and I understand this Amendment. And I think it's... it's an improvement to the Bill."

Ropp: "Here's the problem with this Amendment though. When we passed Senate Bill 623, there was virtually no need for truant officers, and there aren't any truant officers in the State of Illinois in most school districts. So I don't know who these people are going to be that are going to be reporting to the court. And what do they do by just reporting it? What does the court do then?"

Cullerton: "Well, these are people who are under a court order to attend school. So we're... we're talking about a pretty limited amount of people in the first place."

Ropp: "I guess... I guess originally there was some opposition to ever allowing them to even go to court to begin with. I guess I'm somewhat... and still amazed as to, in your wisdom, how we got this close to the court when you've been so opposed to kids ever getting into the court system at all."

Cullerton: "Well, maybe we'll take a second look at your Bill."

Ropp: "Does that mean yes or no?"

Cullerton: "Sure. Yes."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Cook, Representative Cullerton, to close."

Cullerton: "I would just ask for a good support on the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 2877 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "No further Amendments?"

Speaker Breslin: "Third Reading. House Bill 2906, Representative Jaffe. Representative Jaffe. Out of the record. House Bill 2951, Representative Steczo. Out of the record. House Bill 2987, Representative Steczo. Out of the record. House Bill 2997, Representative Preston. Representative Preston. Out of the record. House Bill 3038, Representative Barnes. Representative Barnes. Out of the record. House Bill 3041, Representative Keane - Barnes. Out of the record. House Bill 3044, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 3044, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 3060, Representative Marzuki. Representative Marzuki. Out of the record. House Bill 3062, Representative Ewing. House Bill 3062, Representative Ewing. Out of the record. House Bill 3073, Representative Madigan - Hicks. Out of the record. House Bill 3074, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "House Bill 3074, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Hicks, amends House Bill 3074 on page one and so forth."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Amendment #1 simply clarifies some language that the Department of Commerce and Community Affairs were unhappy with in the Bill, and it clarifies the language. And I

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think they concur with the Bill now for the language that's been put in, and I'd ask for its adoption."

Speaker Breslin: "The Gentleman asks for the adoption of Amendment #1 to House Bill 3074. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #1 to House Bill 3074 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3083, Representative Vinson. Clerk, out of the record. House Bill 3084, Representative Vinson. Out of the record. House Bill 3085, Representative Vinson. Out of the record. House Bill 3097, Representative Woodyard. Clerk, read the Bill."

Clerk Leone: "House Bill 3097, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendments #2 and 3 were adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Koehler - Woodyard, amends House Bill 3097 on page 10 and so forth."

Speaker Breslin: "Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #4 changes the effective date of House Bill 3097 to apply to the 1983 assessment year and subsequent years, rather than the 1984 assessment and subsequent years, and I would move for its adoption."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #4 to House Bill 3097. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #4 to House Bill 3097 be adopted?'

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All those in favor say 'aye', all those opposed say 'nay'.

In the opinion of the Chair, the 'ayes', and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3108, Representative Madigan. Out of the record. Excuse Bill 3123, Representative Cullerton. Representative Cullerton, 3123. Clerk, read the Bill."

Clerk Leone: "House Bill 3123, a Bill for an Act to amend an Act in relationship to the adoption of persons. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Bullock - Cullerton, amends House Bill 3123."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I move for the adoption of Amendment #1. This Bill amends the Adoption Law. As discussed in Committee, there were some questions raised with regard to the... authorizing the court to disclose the identity of biological parents without the consent of either party. And so what we have done with this Amendment is to strike that new language on page one of the Bill, and we also are adding language which prohibits the disclosure of the name and address of the biological parent with certain other nonidentifying information, which is page 10 of the Amendment. It's really just to... page eight of the Bill. Really just a clarifying... I'm sorry. I was right. It was on page 10. Just to make sure that the information about biological parents that can be released does not include the name and address of the biological parent. I move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of

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Amendment #1 to House Bill 3123. And on that question, the Gentleman from Cook, Representative Bullock."

Bullock: "Well, Mr. (sic - Madam) Speaker, I think he's adequately explained it, and I'm just here in the event that backup support..."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 3123 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3130, Representative Giorgi. Out of the record. House Bill 3135, Representative DiPrima. Out of the record. House Bill 3138, Representative Currie. Out of the record. House Bill 3146, Representative Kirkland. Representative Kirkland. Out of the... Out of the record. House Bill 3151, Representative Barnes - Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 3151, a Bill for an Act to amend an Act to establish a motor vehicle emissions inspection and maintenance program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Mautino - Barnes, amends House Bill 3151 as amended."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. Amendment #2 was the agreed Amendment out of the Committee that included the six counties to which would be implemented...for implementation immediately. The following two... the following four were

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the others that were mentioned in the initial information from the U.S. EPA. It included the counties of Cook, DuPage, Kane, Lake, Madison and St. Clair for the pilot program. I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3151. And on that question, is there any discussion? Seeing no discussion, the question is 'Shall Amendment #2 to House Bill 3151 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the ayes have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3156, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "House Bill 3156..."

Speaker Breslin: "Out of the record. House Bill 3162, Representative Bullock. Bullock - White. Representative Bullock. Out of the record. House Bill 3174, Representative Homer. Representative Homer. Out of the record. House Bill 3177, Representative Keane - Barnes - Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 3177, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Keane, amends House Bill 3177."

Speaker Breslin: "Out of the record. House Bill 3181, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "House Bill 3181, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted previously today."

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Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Hicks, amends House Bill 3181 on page one, and so forth."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Amendment #2 on House Bill 3181 simply takes out the reference to 'committeeman' and makes it 'committeeperson'. It also takes...it puts back into the Bill the original thirty-five days prior to election that is a closing date on...for precinct committeepersons to register voters. It's simply putting back into the act what was mistakenly taken out."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3181. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Yes, Madam Speaker, a question of the Clerk. Was Amendment #1 adopted or heard earlier today?"

Speaker Breslin: "Mr. Clerk?"

Clerk Leone: "Amendment #1 was adopted earlier today."

Piel: "Thank you."

Speaker Breslin: "Is there any further discussion? The question is 'Shall... Representative Vinson, for what reason do you rise?'"

Vinson: "The situation is that we're voting on Amendment #2 and Amendment #1 has been adopted to the Bill?"

Speaker Breslin: "Correct, earlier today."

Vinson: "Thank you."

Speaker Breslin: "The question is 'Shall Amendment #2 to House Bill 3181 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "Floor Amendment #3, Hicks, amends House Bill 3181 on page 12."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Amendment #3 to House Bill 3181 simply puts an effective date to the Bill and does nothing else but put the effective date on. And I ask for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 3181. And on that question, the Gentleman from Dewitt, Representative Vinson."

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

Speaker Breslin: "The Gentleman indicates he will yield for a question."

Vinson: "What is the purpose for the immediate effective date?"

Hicks: "It simply puts the Bill into effect once it's signed by the Governor, and I think that's the intent of the Bill in the first place. We want it to be working."

Vinson: "I'm sorry, I couldn't hear you?"

Hicks: "It simply implements the Bill immediately just like I'd ask for it to be done. I think it's a good Bill, and I'd ask for its adoption."

Vinson: "I have no objection to it."

Speaker Breslin: "Are there any further questions? There being no further questions, the question is 'Shall Amendment #3 to House Bill 3181 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Representative Hicks, for what reason do you seek recognition? Third Reading. House Bill 3189, Representative Madigan. Representative Hicks, for what

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reason do you rise?"

Hicks: "Yes, Madam Chairman, the problems with House Bill 3156 I just had have been taken care of, but I ask leave of the House to return to 3156 and have it heard now."

Speaker Breslin: "Would you repeat that request please?"

Hicks: "I'd like leave to return to 3156, which we just took out of the record just a few moments ago. The problems have been taken care of now."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. House Bill 3156, Representative Hicks."

Clerk Leone: "House Bill 3156... House Bill 3156, a Bill for an Act to amend an Act in relationship to the rate of interest. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 3189, Representative Madigan. Out of the record. House Bill 3193, Representative Currie. Out of the record. House Bill 3194, Representative Currie. Out of the record. House Bill 3195, Representative Currie. Out of the record. House Bill 3221, Representative Hoffman. Representative Hoffman. Out of the record. House Bill 3227, Representative Turner. Out of the record. House Bill 32... Representative Turner, did you wish to have that Bill called? That Bill is House Bill 3227, Representative Turner."

Clerk Leone: "House Bill 3227, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

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Speaker Breslin: "Third Reading. House Bill 3229, Representative Bullock. Out of the record. House Bill 3231, Representative Cullerton. Out of the record. House Bill 3232 - strict that - House Bill 3243, Representative Turner. Clerk, read the Bill."

Clerk Leone: "House Bill 3243, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 3253, Representative Braun or Representative White. Out of the record. House Bill 3255, Representative Braun. 3255 or 3253? House Bill 3255. Clerk, read the Bill."

Clerk Leone: "House Bill 3255, a Bill for an Act to amend an Act in relationship to the allocation of industrial development bonds. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. With leave of the Body, we will go back to House Bill 3253, Representative Braun. Representative White? Representative White, House Bill 3253. Out of the record. Ladies and Gentlemen, earlier today we indicated that we would return to House Bill 2464 for Representative Greiman. It appears on page 14 on your Calendar. House Bill 2464, Representative Greiman. Representative Greiman."

Greiman: "Yes, that Bill is on the Order of Second Reading at this point. We have returned it to the Order of Second Reading which is where it is."

Speaker Breslin: "Correct."

Greiman: "There are Amendments filed, and I don't have the first

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Amendment."

Speaker Breslin: "Mr. Clerk, are there any motions filed?"

Clerk Leone: "There's a Motion to table Amendment #1."

Greiman: "Right. Amendment #1 has not been adopted. So, I think Representative Cullerton wishes to withdraw Amendment #1."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Greiman, amends House Bill 2464 on page three, and so forth."

Greiman: "Thank you, Speaker. Amendment #2 has...is a response to some of the notions that the industry had about the Bill. I... The Bill was passed out of Committee. I said that I would consult with members of the community of interest in cable television, as well as the business community. We went for some two and a half, three weeks. I heard...not hear from them. I did then have meetings with them. We had a long meeting, went through the Bill Section by Section. They provided me with a brief of their concerns about the Bill. I then met with their attorney, and this Bill...this Amendment has some twenty-seven changes that they have suggested in the Bill. They have not signed off. They do not support the Bill, but it's an industry which we are seeking to regulate in term...not regulate... to protect the public from privacy...the public's privacy from interactive cable television. I think that Amendment 2 is a response to the industry. It accepts twenty...twenty some of their concerns, and significantly makes changes in the Bill. I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2464. And on that question, the Gentleman from Dewitt, Representative Vinson."

Vinson: "Yes, Rep...Madam Speaker, will the Representative yield

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for a question?"

Speaker Breslin: "The Gentleman indicates he will yield for a question."

Vinson: "Representative, in the original Bill there was language on page three dealing with home protection scanning devices. Is that language affected by the Amendment?"

Greiman: "No, that's not changed by Amendment... by Amendment 2. That's prohibition. They prohibit the maintenance of a scanning device in your home unless you've given consent for that, and that's certainly staying in. Even the industry didn't ask that that be taken out."

Vinson: "The Amendment does not affect that."

Greiman: "No."

Vinson: "Now there is a provision in the Bill that says...that limits the providing to any person individually identifiable information regarding subscribers. How does the Amendment affect that?"

Greiman: "Well, what the Amendment provides is, it addresses a concern that the business community had. Eventually, when we have interactive television, cable TV, you will be ordering things. You will be giving... purchasing... purchases through television, through the computer system. You will be charging your bank for those purchases. Chances are the company that's making the sale will be reordering through that or maybe they'll make the order initially from their warehouse or from a supplier. So that the concern of the business community was that somehow when you ordered something you...there was a prohibition upon disclosing information that they had received. And in order to respond to that, your attention is drawn to lines 13 through 18, which provides that where...of the Amendment...of the Amendment on page one, which provides essentially that where there's a transaction that the

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subscriber has requested, that clearly the cable TV people will not be in violation of the Act if they do...those matters necessary to give information to the parties who would be needed to complete the transaction. By example, Mr. Vinson, that would mean that if I'm sitting there and there's a Ronco 'whatchamabob' on the television, and I decide to order it through my interactive TV system, clearly they have to accept, take my order. They then may have to go to the Ronco people and say Greiman has ordered this, and then they may have to go to the bank to say Greiman wants to pay for it, and those items would be exempted. So the transactional... We have in a sense transactional exemptions from the Bill."

Vinson: "Okay. Now, in the Bill there is a provision that required any expressed written consent required under the original Bill to be and writing in separate from any contract or agreement. How is that provision affected by the Amendment?"

Greiman: "Well, the industry did not want to have a document that was separate from the consent. So... They wanted to have the consent and the contract in the same instrument. It was our thought when we drafted it, and I maintain that still, that the contract is one instrument and the consent, because it so special, should be a separate document. It's a very small amount of... I mean it's not any great money to have a separate piece of paper so that there will be a focus on the part of the purchase... of the subscriber so he knows that he's consenting. What we did do in that paragraph, which is Section 6, however, originally we said that consent would automatically expire every two years, but we changed that so that once consent is given, consent remains, Mr. Vinson. That was for the industry."

Vinson: "Okay, is the consent still revocable at anytime without

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penalty?"

Greiman: "Yes, it is revocable at anytime."

Vinson: "Does... Is there a mutuality there so that the subscription agreement can be terminated as well?"

Greiman: "Well, this Bill doesn't regulate that."

Vinson: "I'm sorry?"

Greiman: "This Bill doesn't regulate the subscription agreement. It doesn't regulate the relationship between them except insofar as privacy is concerned. Clearly they could obviously and the...they could terminate the contract for any reasons that are in the contract, whatever they might be."

Vinson: "Okay, now, in Section 8 of the original Bill you had a Miranda warning. Is that affected by the Amendment?"

Greiman: "It's limited, yes. It still is in the Bill, but it takes some of the gobbledygook language of the original drafting out of it, for example, the notion that something could be simple but thorough written explanation. I'm not sure what simple but thorough is, and I agreed with the industry spokesman and we took that out. We also made clear that the privacy requirements would be Sections 3, 4 and 5, so that there would be no question as to what they had to show to the people. So that was changed, yes."

Speaker Breslin: "Is there any further questions, Representative Vinson?"

Vinson: "Yes. Yes. In the original Bill in Section 12, each violation of a person's privacy shall constitute a separate offense. Is that language retained?"

Greiman: "Yes, that language is retained. Although we changed the penalty...some of the penalty provisions, the language of that is changed so that if, for example, the cable TV company gives out the information to six people or to six other companies, each one of those would be a violation of

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the Act."

Vinson: "Thank you."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Greiman, to close."

Greiman: "I'd just ask for a...ask that the House adopt Amendment #2."

Speaker Breslin: "The question is 'Shall Amendment #2 to House Bill 2464 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, we want to go to the Order of Third Reading for the purposes of bringing Bills back to Second, for the purpose of an Amendment. The first Bill under that Order of Business is House Bill 2924 on page ten on your Calendar. Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like leave of the House to bring House Bill 2924 back to the Order of Second Reading for the purposes of an Amendment."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave."

Clerk O'Brien: "Amendment #4, Keane - McAuliffe - McGann, amends House Bill 2924 as amended by deleting the title and so forth."

Speaker Breslin: "Representative McAuliffe."

McAuliffe: "Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House. Amendment #4 would merely allow a Chicago police officer on leave of absence to be promoted if he passed the proper civil service examination. There is an alderman in Chicago now who is on leave of absence, who was

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denied promotion recently to the rank of sergeant, because the City said that because he was on leave of absence he couldn't be promoted. We just want to clarify the law so that a police officer on leave of absence can be promoted. There is precedence for this. There was a police officer four years ago who was promoted to the rank of captain while he was alderman, and luckily he was because he got beat in the next election. So at least he's got a job. That's why we want to take care of Alderman 'McLauchlan'.
I move for the passage of Amendment #4."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 24...2924. And on that question, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Madam Speaker, Members of the House, I was trying to follow this Amendment with the Bill, and I frankly couldn't. I don't have the Bill in front of me, but as an inquiry is this Amendment... Well, it actually changes the title of the Bill, I guess. Well I guess my inquiry is, is it germane to the Bill?"

Speaker Breslin: "Mr. Clerk, can you give us the Bill? Is that a form of parliamentary inquiry, Representative?"

Tuerk: "Yes."

Speaker Breslin: "Is there any further discussion while we are looking at the Bill? The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Madam Speaker. I also am a Sponsor of this Amendment. The... If you have the Amendment in front of you, it says 'No mayor, alderman, city clerk or city treasurer shall hold any other office under the city government during his term of office'. And then the Amendment says, 'If such officer is granted a leave of absence from such office' and it goes on. What it's doing is the Amendment does the same thing we have here in the

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General Assembly. If there is a person who is a police officer or a fireman or you know another... mayor or whatever, he can serve as...you know, it's not a contradictory kind of a thing. It's not a one or the other. So, all we're doing is giving people in local government the same kinds of rights that we have."

Speaker Breslin: "Representative Tuerk, the Amendment is germane. Is there any further discussion? There being no further discussion, the question is 'Shall Amendment #4 to House Bill 2924 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page nine on your Calendar appears House Bill 3206, Representative Winchester. Representative Farley? Excuse me. Representative Farley, for what reason do you rise?"

Farley: "I'm sorry, could you tell me the posture of the Bill now?"

Speaker Breslin: "The Bill has been moved to Third Reading. Do you wish to have it left on Short Debate?"

Farley: "Yes, please."

Speaker Breslin: "The Gentleman asks leave to have this Bill remain on the Order of Short Debate. Hearing no objection, the Bill remains on Short Debate. Our Order of Business is House Bill 3206 appearing on page nine of your Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3206, a Bill for an Act to amend Sections of the Civil Administrative Code. Second Reading of the Bill. This Bill has been read a second time previously. Amendment #1 was adopted. Amendment #2 was withdrawn."

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Speaker Breslin: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Koehler - Leverenz and Winchester, amends House Bill 3206 as amended."

Speaker Breslin: "Representative Winchester."

Winchester: "Yes, Madam Speaker, I would like to have leave to return this Bill from Third Reading to Second Reading for the purpose of the Amendment."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Amendment #3, would you like to present Amendment #3?"

Winchester: "I believe Representative Koehler has Amendment #3."

Speaker Breslin: "Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I appreciate the indulgence of the House and Representative Winchester for bringing this back from Third Reading to Second Reading for the purposes of this Amendment, which is sponsored by Representative Winchester - Leverenz and myself. What it does, the Amendment #3, which was like Amendment #2 but is technically correct, provides that any donations for the nongame wildlife purposes shall be deposited into the Illinois Nongame Wildlife Conservation Fund. We have had a problem with... with monies that were received as gifts from individuals rather than tax checkoffs. We have had difficulty in depositing them in the Nongame Wildlife Conservation Fund. This was brought out in one of our Appropriations Committee meetings, and Representative Leverenz and Winchester and I realized the difficulties and, have cosponsored this Amendment to take of that problem."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #3 to House Bill 3206. And on that question is there any discussion? Seeing no discussion, the question is 'Shall Amendment #3 to House Bill 3206 be adopted?' All

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those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Appearing on page 12 of your Calendar, excuse me, page 15 on your Calendar is House Bill 2479, Representative Mautino."

Mautino: "Thank you, Madam Speaker, I would like to... I would like to have leave to move House Bill 2479 from Third Reading back to Second Reading for the purposes of an Amendment."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave."

Clerk O'Brien: "Amendment #3, Cullerton, amends House Bill 2479 on page eighteen and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The change in the Bill of the state law restrictions on the location of restaurants with liquor licenses would be made inapplicable to Chicago with this Amendment. I would be happy to answer any questions and move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3 to House Bill 2479. And on that question, the Gentleman from Dewitt, Representative Vinson."

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

Speaker Breslin: "The Gentleman indicates he will not yield to a question."

Vinson: "Well, Madam Speaker, then in that event, I rise in opposition to the Amendment. Now, I'd like to apprise the Body of where we are. What we are dealing with is a Bill, as I understand it, that will permit liquor licensees to locate closer to churches and schools than they heretofore

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have been able to. The Amendment, which the Gentleman offers, will put the Bill in a posture where that won't be permitted in the City of Chicago but will be permitted downstate. I rise in opposition to the Amendment because I don't quite understand why we should be creating a situation where liquor licensees can locate closer to churches downstate than they can in the City of Chicago. Seems to me that there's a clear example of an issue where uniformity is desirable, and for those reasons I oppose the Amendment. I wanted to clarify the situation to determine if I was right about that, but as I perceive the Amendment that is the situation. And if that's the case I oppose it and ask for a Roll Call vote."

Speaker Breslin: "The Gentleman from Eureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker, I would like to respond to Representative Vinson, who I think misread the posture of the Bill. The Bill itself says that if you are a hotel or a motel or a store that was priorly within a hundred foot of an existing church and had conducted business and the majority of your business is not in the alcohol field, you could have a liquor license. This is not for anybody new who would move into that area within a hundred foot of a church. This Amendment says that within the City of Chicago they, the City of Chicago, by virtue of this Amendment, will have control of that initial authorization for licensure. This is not allowing downstate people to do anything differently than what they do now with grandfathered provisions for hotels, motels or restaurants that were put up and have been in existence as long as the church has been there. So, I think you're misunderstanding the Bill. It's local control for Chicago. That's what this Amendment does."

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Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Cullerton, to close."

Cullerton: "Yes, Representative Mautino, being the Sponsor of the Bill, I think accurately described what the Amendment does and put the Bill in the shape that he's request as a Sponsor. I'd move for the adoption of the Amendment?"

Speaker Breslin: "The question is 'Shall Amendment #3 to House Bill 2479 be adopted?' All those in favor vote 'aye', all those opposed vote 'no', voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 48 voting 'aye', 47 voting 'no' and 2 voting 'present'. This Bill, having received the necessary majority... Yes, Representative Vinson, for what reason do you rise?"

Vinson: "I'm going to request a verification on this because I'm very confused about the situation at this point."

Speaker Breslin: "The Gentleman... Representative Mautino, for what reason do you rise?"

Mautino: "I can see that Mr. Vinson is misguided. It's getting late. I don't want to cause any longevity. No, I'll take it out of the record now, and I'll go over and explain it to Sam."

Speaker Breslin: "Representative Mautino."

Mautino: "Run it... Roll the absentees."

Speaker Breslin: "Mr. Clerk, would you poll the absentees, and would you please vote when your name is called to be added to the Roll Call?"

Clerk O'Brien: "Berrios. Brunsvold. Bullock. Capparelli."

Speaker Breslin: "Representative Capparelli 'aye'.
Representative Brunsvold 'aye'."

Clerk O'Brien: "John Dunn. Greiman."

Speaker Breslin: "Representative Greiman 'aye'."

Clerk O'Brien: "Huff."

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Speaker Breslin: "Representative Huff. Representative Bullock asks leave to be voted 'aye'."

Clerk O'Brien: "Krska. Laurino. Levin."

Speaker Breslin: "Representative Levin 'aye'."

Clerk O'Brien: "Rice."

Speaker Breslin: "Representative Rice 'aye'."

Clerk O'Brien: "Panayotovich. Satterthwaite. Shaw. Steczo. Taylor. Terzich."

Speaker Breslin: "Terzich 'aye'."

Clerk O'Brien: "Tuerk. Vitek."

Speaker Breslin: "Tuerk 'aye'."

Clerk O'Brien: "Wolf. Woodyard. No further."

Speaker Breslin: "Representative... Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, the Sponsor of the Bill has indicated that he will hold the Bill on Third Reading sufficiently for me to ascertain what the total situation is. And so at this point I withdraw the verification."

Speaker Breslin: "Mr. Clerk, what is the count? On this Amendment, there are 56 voting 'aye', 47 voting 'no' and 2 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 12 on your Calendar appears House Bill 1335, Representative Brummer."

Brummer: "Yes, I'm not sure exactly how we need to proceed with regard to this. It appears on the Calendar of Third Reading. We initially called it earlier today, and it was called to my attention that Amendment #1 did not appear to have been adopted. It was, in fact, adopted in Committee, and I think there was some miscommunication."

Speaker Breslin: "The Gentleman request leave to move this Bill back from the Order of Third Reading to Second Reading."

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Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. The Bill is on Second Reading. Proceed, Mr. Clerk."

Clerk O'Brien: "House Bill 1335, this Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On the Order...On the same Order of Business... You wish to leave this Bill on Third Reading, don't you, Representative Brunner? Yes, he does. On page 24 on your Calendar is House Bill 3072, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, I'd request leave of the House to move 3072 back to Second for a technical Amendment."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Clerk, read the Bill."

Brunsvold: "Amendment #1 failed to delete four lines on page two and is technically incorrect. Amendment #2 corrects that and adds the word 'knowingly' at the front, and I don't know where that came from. It adds 'knowingly' which I don't think does anything that the original Bill did. So, I would move for the adoption of Amendment #2."

Speaker Breslin: "Clerk, read the Amendment."

Clerk O'Brien: "Amendment #1 was adopted previously. Floor Amendment #2, Brunsvold, amends House Bill 3072 on page one line one and so forth."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3072. And on that question, the Gentleman from Dewitt, Representative Vinson."

Vinson: "Yes, will the Gentleman yield for a question?"

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Speaker Breslin: "The Gentleman indicates he will yield."

Vinson: "Am I correct in believing that Amendment #2 does everything that you did in Amendment #1, but does it correctly?"

Brunsvold: "Yes, the only thing Amendment 1 didn't do is delete the four lines on page two, which is incorrect. They should have been deleted with Amendment..."

Vinson: "In that event, would you want to table Amendment #1?"

Brunsvold: "I think...wouldn't Amendment #2, in fact, erase everything that Amendment 1 did?"

Vinson: "I think you might be on safer grounds. I am advised by Enrolling and Engrossing types that you ought to table 1 first."

Brunsvold: "That's fine. I would then move to table Amendment #1."

Speaker Breslin: "The Gentleman moves now to table Amendment #1 to House Bill 3072. And on that question, the Gentleman from Cook, Representative Piel. The Gentleman does not seek recognition. Is there any discussion? Hearing no objection to the tabling of Amendment #1, now all those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Amendment #2, has already been presented and discussed. The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker, will the Gentleman yield for a question, please?"

Speaker Breslin: "The Gentleman will yield to for a question."

Piel: "On the very last line on the Amendment, Representative, the question I would have, what does 'in any other manner' stand for? You're talking about advertising and it says 'in any other manner'. That to me would...you know, any scope of even talking about this why do they want 'in any other manner'? I can't figure out why they would want

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that. In other words, if you were trying to tell me about this, that would be a form of advertising if you were the doctor, correct?"

Brunsvold: "I think the language there is trying to - instead of pinpointing every form of advertising, trying to blanket it and make sure they have got everything covered. They have listed some circulars, posters, motion pictures, but I think they're trying to encompass everything that someone could think about as far as advertising some sort of false impression that their going to...going to give somebody something that they're actually not going to do for them, was what... what Section 1 says."

Piel: "I...that's basically what I thought. I would suggest that what they would try and do would be to possibly clear it up when it got over to the Senate, if it gets over to the Senate... and because your sitting there and your really opening up a Pandora's Box by, you know, or any other manner. I mean that was in writing, I wrote you a note and told you or mentioned it to you verbally. That could be classified in a court of law as advertising of some sort. That's all I have. Thank you."

Brunsvold: "Okay."

Speaker Breslin: "Is there any further discussion? Hearing no further discussion, the Gentleman from Rock Island, Representative Brunsvold, to close."

Brunsvold: "I would simply ask for the adoption of Amendment #2."

Speaker Breslin: "The question is 'Shall Amendment #2 to House Bill 3072 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen I have been asked to announce that the House will be in Session on

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Friday, all rumors to the contrary. We have been scheduled to be in Session, and we will be in Session on Friday. Agreed Resolutions."

Clerk O'Brien: "House Resolution 931, Greiman; 932, Greiman; 933, Greiman; 934, Koehler; 935, Mautinc; 936, Topinka; 937, Barger; 938, Johnson - Woodyard and Stuffle; 939, Oblinger; 940, Keane; 941, DeJaegher; 942, Currie - Bowman and Zwick and Johnson; 943, Krska; 944, Daniels et al; 945, Daniels et al; 948, Curran; 949, Daniels - Madigan; 950, Hallock and Giorgi."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, Greiman's 931 notes a retirement. 932 by Greiman heralds a 100th birthday. 933 by Greiman honors some distinguished Greek-Americans. 934 by Koehler honors Mrs. Ailene Miller. 935 by Mautino congratulates the city of Sterling, Illinois. 936 by Topinka congratulates the Moravian Club. 937 by Barger congratulates an Eagle Scout. 938 by Johnson honors the girl that appeared here today being chosen Miss Illinois Teenager. 939 by Oblinger notes a retirement. 940 by Keane congratulates Barbara Bevan. 941 by DeJaegher enjoys an eighty-fifth birthday. 942 by Currie commends Sister Candida Lund. 943 by Krska recognizes a 100th anniversary. 944 by Daniels says good things about a James W. Graham. Daniels, 945 recognizes the Illinois small business owners and small business week. 948 by Curran notes heroic service to the City of Springfield. Daniels, 949 notes the efforts of the Lawyers Trust Fund. 950 by Hallock congratulates Diane Victor. I move for the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted."

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Death Resolutions."

Clerk O'Brien: "House Resolution 946, McGann - Farnes, with respect to the memory of Major Paul Hein. House Resolution 947, Ryder, with respect to the memory of Major Milton L. Hocking."

Speaker Breslin: "Representative Giorgi, moves the adoption of Death Resolutions. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1371, Neff - Homer, a Bill for an Act making...amending an Act to make an appropriation for educational purposes. First Reading of the Bill. Senate Bill 1460, Tuerk and Saltsman, a Bill for an Act to appropriate \$10,000 of the Department of Commerce and Community Affairs for the Illinois Valley High School...High School's participation in international band festival. First Reading of the Bill."

Speaker Breslin: "Introduction and First Reading of House Bills."

Clerk O'Brien: "House Bill 3276, Matijevich, a Bill for an Act to provide occupational safeguards for operators of video display terminals. First Reading of the Bill."

Speaker Breslin: "There being no further business, Representative Brummer moves that the House stand adjourned until 9:00 a.m. tomorrow morning. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. This House stands adjourned until 9:00 a.m. tomorrow morning."

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