

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

47th Legislative Day

May 18, 1983

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall have our invocation at 12 noon today rather than at the very beginning of the Session, because the Ukrainian Bishop will arrive at 12 noon. Mr. Vinson, will you be able to perform your duties between now and noon without some spiritual inspiration? Mr. Vinson."

Vinson: "I think Reverend McGann might be able to deal with the problem in the interim."

Speaker Madigan: "Who?"

Vinson: "Reverend McGann."

Speaker Madigan: "Okay. I'm sure we can all wait for the Ukrainian Bishop, but we will be led in the Pledge of Allegiance by Representative Ropp."

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

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

Greiman: "Yes, Mr. Speaker, Representative Christensen should be excused by reason on illness, and the record should so reflect."

Speaker Madigan: "Mr. Greiman, has Mr. Christensen's key been removed?"

Greiman: "His key has been removed, Sir."

Speaker Madigan: "Thank you. Let the record show that Representative Christensen is excused. Mr. Vinson, are there any excused absences?"

Vinson: "Mr. Speaker, we're all here and accounted for, prepared to vote 'no' on everything but Resolutions."

Speaker Madigan: "Thank you, Mr. Vinson. The Clerk shall take the record. There being 116 Members responding to the

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Attendance Roll Call, there is a quorum present. On page two of the Calendar, on the Order of House Bills Second Reading Short Debate Calendar there appears House Bill 73. Mr. Preston. Is Mr. Preston in the chamber? Is Mr. Preston in the chamber? Let the record show that this Bill was called. House Bill 115. Mr. Terzich. Is Mr. Terzich in the chamber? Do you wish to call that Bill? Mr. Terzich indicates that he would like to hold on the Order of Second Reading those Bills on the Order of House Bills Second Reading Short Debate Calendar which begin at House Bill 115 and run through House Bill 165. So those Bills shall not be called. House Bill 481. Mr. Stuffle. Is Mr. Stuffle in the chamber? Is Mr. Stuffle in the chamber? Is Mr. Woodyard in the chamber? Do you wish to call that Bill? The Sponsor indicates that he does not wish to call the Bill. House Bill 727. Mr. Saltsman. Is Mr. Saltsman in the chamber? Let the record show that that Bill was called. House Bill 842. Mr. Hastert. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 842, a Bill for an Act to add Sections to the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Madigan: "Third Reading. House Bill 952. Mr. Ebbesen. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 952, a Bill for an Act to amend Sections of the Illinois Optometric Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

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Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Ebbesen."

Ebbesen: "Yes, it merely gives it an effective date. Checked it with both the Chairman of the Committee of which it came."

Speaker Madigan: "The Gentleman mumbles that he wishes to adopt Amendment #2. Those in favor say 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Madigan: "Third Reading. House Bill 1090. Mr. Pierce. Do you wish to call your Bill? Let the record show that there was leave that Mr. Ebbesen's House Bill 952 shall remain on the Order of the Short Debate Calendar. House Bill 1090. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1090, a Bill for an Act to define self-service storage facilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are the any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1130. Mr. Nash. Is Mr. Nash in the chamber? Let the record show that this Bill was called. House Bill 1161. Mr. Peterson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1161, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Peterson."

Speaker Madigan: "Mr. Peterson."

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Clerk O'Brien: "Thank you, Mr. Speaker. Amendment #1 basically makes the eventual enactment of this particular legislation optional per the Election Authority, which in this case would be the County Clerk."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1165. Mr. Keane. Mr. Clerk, read the Bill. Let the record show that there is leave that House Bill 1161 shall remain on the Order of the Short Debate Calendar. Mr. Clerk, read House Bill 1165."

Clerk O'Brien: "House Bill 1165, a Bill for an Act to amend Sections of the State Comptroller Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendment?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1226. Mr. Birkinbine. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1226, a Bill for an Act in relation to the depos... deposit of certain funds. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Birkinbine."

Speaker Madigan: "Mr. Birkinbine."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is a technical Amendment that was called to my attention by the Legislative Reference Bureau and Democratic Leadership."

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

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Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that there is leave that this Bill shall remain on the Order of the Short Debate Calendar, and the Bill shall be placed on the Order of Third Reading. House Bill 1261. Mr. Ebbesen. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1261, a Bill for an Act to add Sections to the Metropolitan Civic Center Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1293. Mr. Hoffman. Is Mr. Hoffman in the chamber? Representative John Dunn. Do you wish to call House Bill 1293? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1293, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Topinka."

Speaker Madigan: "Representative Topinka. Is Representative Topinka in the chamber? Mr. Dunn, the Sponsor of the Amendment is not in the chamber. What is your pleasure? The Bill shall be taken out of the record and left on the Order of Second Reading. It was taken out of the record at the request of the Sponsor, Representative John Dunn. House Bill 1311. Representative Steczo. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1311, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Ropp."

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Speaker Madigan: "Mr. Ropp. Mr. Ropp, there is an Amendment filed to this Bill under your Sponsorship. Amendment #1 shall be withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Steczko - Keane."

Speaker Madigan: "Mr. Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Ho... Amendment #2 to House Bill 1311 does two things. First, it provides that the foster... that the rate reimbursed to counties for foster care shall be... shall be paid on that basis, or I should say through... on residential placement shall be pa... paid on that basis, rather than simply using the foster care rates. And secondly, ...would will raise the annual appropriation of funds from 1% to 3%, and I would move for the adoption of Amendment #2."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #2. On that question, the Chair recognizes Mr. Vinson."

Vinson: "Will the Gentleman yield?"

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

Vinson: "Representative, the effect of the Amendment is to increase cost to the state? Is that correct?"

Steczko: "The... the purpose of the Amendment is to reflect the actual cost being born by the private agencies that are currently placing these... the children of the Juvenile Court Act. Under the present... under the present situation, they are being reimbursed at the foster care rate; however, when they place these children in residential facilities the costs are... are a bit higher, so they would like to have parody in terms of... in terms of the kind of reimbursement they have."

Vinson: "So the cost to the State of Illinois would be increased by the... by the Amendment?"

Steczko: "It might be increased by the Amendment."

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Vinson: "Do you have any idea how much?"

Steczo: "I have no idea."

Vinson: "You have no idea how much?"

Steczo: "No."

Vinson: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Mr. Steczo, Mr. Vinson has filed a request for a fiscal note as amended. He did that while he was questioning you to give himself an opportunity to file this, Mr. Steczo. So the Bill shall be left on the Order of Second Reading to afford you an opportunity to amend your fiscal note to comply with Mr. Vinson's request. House Bill 1329. Mr. Slape. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1329, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1333. Mr. Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1333, a Bill for an Act to amend Sections of an Act relating to state finance. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendment."

Speaker Madigan: "Third Reading. House Bill 1336. Mr. Pierce.

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Representative Dan Pierce. Let the record show that that Bill was called. Ladies and Gentlemen, I wish to ask you again, if you know that one of your Bills is in the Order of Call, please be in the Chamber, so that we can move through this Order in an expeditious manner. And there upon appears Representative Dan Pierce. Mr. Pierce, you have Sponsored House Bill 1336, an Amendment to the Retailers' Occupation Tax Act. Do you wish to call that Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1336, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1400. Mr. Pierce. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1400, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1413. Mr. McAuliffe. Is Mr. McAuliffe in the chamber? Let the record show that this Bill was called. House Bill 1433. Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1433, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1463. Mr. Pierce. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1463, a Bill for an Act to amend

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Sections of the Revenue Act. Second Reading of the Bill.

Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Pierce."

Pierce: "I... I move the adoption of Floor Amendment #2 which is a technical 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 further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1483. Mr. Pierce. Let the record show that House Bill 1463 shall remain on the Order of the Short Debate Calendar. Mr. Clerk, read House Bill 1483."

Clerk O'Brien: "House Bill 1483, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1486. Mr. McMaster. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1486, a Bill for an Act to amend Sections of the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1490. Mr. Preston. Is Mr. Preston in the chamber? Representative Oblinger,

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do you wish to call this Bill? Let the record show that this Bill was called. House Bill 1492. Mr. McMaster. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1492, a Bill for an Act to amend Sections of the Illinois Nursing Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1498. Representative Topinka. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1498, a Bill for an Act to amend Sections of the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1501. Mr. Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1501, a Bill for an Act to amend Sections of an Act in relation to state finance. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1502. Mr. White. Is Mr. White in the chamber? Let the record show that this Bill was called. Let the record show that House Bill 1503 and 1504 were also called. House Bill 1593. Mr. Slape. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1593, a Bill for an Act to add Sections to the State Comptroller Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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Clerk O'Brien: "Floor Amendment #1, Slape..."

Speaker Madigan: "Mr. Slape."

Slape: "Thank you... thank you, Mr. Speaker. House Amendment... Floor Amendment #1 to House Bill 1593 has the words, 'And units of local government,' after the word, 'agencies', in the Bill, and I would ask for its 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 further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Slape - Keane."

Speaker Madigan: "Mr. Slape."

Slape: "Thank you. House Amendment... Floor Amendment #2 directs the Comptroller of the State of Illinois to prescribe a single standardized form to be used by local governments. I would ask for adoption of Amendment #2."

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

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

Speaker Madigan: "Mr. Slape."

Slape: "Yes, Amendment #3 removes a restriction on the Comptroller's Office and allows them to use his own in-house rules and regulations that he's already adopted, and I'd ask for adoption of Amendment #3."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and the Bill shall be placed on the Order of Third Reading. House Bill 1596. Mr. Slape. The Gentleman indicates that he does not

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wish to call the Bill. House Bill 1611. Mr. Laurino. Is Mr. Laurino in the chamber? Let the record show that this Bill was called. House Bill 1614. Mr. Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1614, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Hoffman."

Clerk O'Brien: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 adds a Section indicating that the State Mandates Act is not applicable, and I would move for its adoption."

Speaker Madigan: "Those is fa... for what purpose does Mr. Cullerton seek recognition?"

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Representative, when you try to exempt the Bill from the State Mandates Act, does that mean that you anticipate that there'll be some cost involved to local school districts?"

Hoffman: "There may be some cost involved in terms of the inspections. That's correct, but it's minimal."

Cullerton: "Do you have any idea how much that might be?"

Hoffman: "It is... it would depend on the district. It's difficult to estimate, because we're uncertain how many... how many districts are involved. In our discussion with the regional superintendents, they indicate that it would be... be minimal, because we were concerned about the application of the State Mandates Act."

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Cullerton: "But... but it's enough that you'd want the State Mandates Act to be exempted?"

Hoffman: "The... the Reference Bureau or somebody brought the... brought the issue to our attention. We checked it out, and so we want to make sure that it's clear, and so we've included it."

Cullerton: "Okay. Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and it shall be placed on the Order of Third Reading. House Bill 1652. Mr. Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1652, a Bill for an Act to amend Sections of an Act in relation to fire protection. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendment?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1667. Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1667, a Bill for an Act to amend Sections of an Act in relation to simultaneous tenure of certain public offices. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. Floor Amendment #2 is a request

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that would delete the highway commissioner from simultaneous holding of a county board office unless he holds both offices on the effective date of the Amendatory Act of 1983. It's a... it's a..."

Speaker Madigan: "Those in f..."

Keane: "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 O'Brien: "Floor Amendment #3, Hastert."

Speaker Madigan: "Mr. Hastert. Amendment #3. Mr. Hastert on Amendment #3."

Hastert: "Mr. Chairman, this Amendment simply puts in an exclusion that was agreed upon by the township officials and Representative Keane that allows township supervisors to also serve ser... simultaneously on the Board of Review."

Speaker Madigan: "The Gentleman moves for the adoption of Amendment #3. On that question, the Chair recognizes Mr. Johnson. Mr. Johnson withdraws his request. 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 O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 1680. Mr. Giglio. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1680, a Bill for an Act in relation to constructions of the statutes. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "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: "None."

Speaker Madigan: "Third Reading. House Bill 1683. Representative Zwick. Mr. Klemm, do you wish to call this Bill? Oh, Representative Zwick. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1683, a Bill for an Act to amend certain Acts in relation to ridesharing. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1708. Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1708, a Bill for an Act to amend an Act concerning the Department of Children and Family Services. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1709. Mr. Pierce. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1709, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "Amendments 1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1738. Mr. Shaw.

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Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1738, a Bill for an Act to amend Sections of the Illinois Wage Payment and Collection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. This... this Bill... this Amendment was put on at the suggestion of Representative Ropp. It merely adds a mental state to the criminal offense. It adds the word, 'knowingly'."

Speaker Madigan: "Mr. Cullerton moves for the adoption of Amendment #1. On that question, the Chair recognizes Mr. Piel."

Piel: "Question of the Clerk. Has this Amendment been distributed?"

Speaker Madigan: "The Amendment has not been distributed; therefore, the Bill shall be taken out of the record and placed on the Order of Second Reading. House Bill 1750. Mr. Brookins. Mr. LeFlore. Mr. Rice, do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1750, a Bill for an Act to amend the Minimum Wage Law. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #1, Cullerton, amends House Bill 1750 on page one line..."

Speaker Madigan: "Mr. Cullerton. Mr. Clerk, has this Amendment been distributed? Mr. Cullerton on Amendment #1."

Cullerton: "Yes, thank you, Mr. Speaker. This is also a technical Amendment. It changes the word, 'liquidated', to 'punitive', to bring the Bill in conformity with what the intentions of the Sponsor are, and I've asked for the

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adoption of Amendment #1."

Speaker Madigan: "Mr. Cullerton moves for the adoption of Amendment #1. On that question, the Chair recognizes Mr. Johnson."

Johnson: "Well, can you... can you tell me..."

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

Johnson: "There's obviously a difference in the law between punitive damages and liquidated damages. Can you tell me why we're making this change and how it fits into the Bill over all? It's a fairly controversial Bill, nine to four. I assume it has some significance."

Cullerton: "Well, Mr. Speaker, I would ask that the Bill be taken out of the record."

Speaker Madigan: "This Bill shall be taken out of the record. House Bill 1778. Mr. Klemm. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1778, a Bill for an Act to create the Chain O Lakes - Fox River Waterway Management Agency. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Klemm."

Speaker Madigan: "Mr. Klemm."

Klemm: "Yes, thank you, Mr. Speaker. Amendment #1 makes some technical language changes and also deletes the provision about bonding authority. And the Commission Members have worked on this to bring it into meeting our requirements, and I move its adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar and shall be placed on the Order of Third Reading. House Bill 1802."

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Mr. Stuffle. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1802, a Bill for an Act to amend Sections of the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1834. Mr. Terzich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1834, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1838. Mr. Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1838, a Bill for an Act to amend Sections of the Truth in Taxation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Capparelli."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Mr. Speaker, Amendment #1 provides that taxing districts are to file copies of their appropriation and budget ordinances, as well as estimates of... review... of revenue, excuse me. I move for 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 further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar and shall be

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placed on the Order of Third Reading. House Bill 1842.
Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1842, a Bill for an Act to amend
Sections of the Hospital District Law. Second Reading of
the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, DeJaegher - McCracken."

Speaker Madigan: "Mr. DeJaegher."

DeJaegher: "Mr. Speaker, what Amendment #2 would do was put
federal employees on the same status that you and I enjoy.
That they could accept these appointments to these various
hospital boards."

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 O'Brien: "Floor Amendment #3, McCracken."

Speaker Madigan: "Mr. McCracken. Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen,
Amendment #3 includes not-for-profit corporations as those
entities which can operate a hospital district, and further
amends the law to conform to a request from the Democratic
staff regarding not making the Act or that part of the
Amendment applicable to Cook County. I move its 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 further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain
on the Order of the Short Debate Calendar and shall be
placed on the Order of Third Reading. House Bill 1877.
Mr. Birkinbine. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1877, a Bill for an Act to amend Sections of the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1882. Mr. McAuliffe. Mr. McAuliffe. Is Mr. McAuliffe in the chamber? Let the record show that this Bill was called. House Bill 1917. Mr. Kulas. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1917, a Bill for an Act concerning sanitary districts. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1921. Mr. McAuliffe. Is the Gentleman in the chamber? Let the record show that this Bill was called. House Bill 1939. Mr. Olson. Do you wish to call your Bill? Is Mr. Olson in the chamber? Let the record show that this Bill was called. House Bill 1960. Representative Wojcik. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1960, a Bill for an Act to amend Sections of the Boiler Pressure Vessel Safety Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This also deals with a criminal Section of this Bill, and we again put in a mental state of knowingly operating or allowing the operation of a boiler to be the criminal offense. And we've also removed a presumption Section that was included in the Bill, and I would ask for

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the adoption of Amendment #1."

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 O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 1982. Mr. Tate. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1982, a Bill for an Act to amend various Acts in relation to Civic Centers. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 2046. Mr. Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2046, a Bill for an Act to amend Sections of an Act in relation to county zoning. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Hoffman."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is a clarifying Amendment. It takes the current language out of the Bill and puts in the same language in... in a different place, and I would move for the 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 further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain

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on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 2059. Mr. Vinson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2059..."

Speaker Madigan: "Mr. Clerk, take this Bill out of the record and leave it on the Order of Second Reading. House Bill 2085. Representative Oblinger. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2085, a Bill for an Act to amend Sections of the Dangerous Drug Abuse Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Oblinger."

Speaker Madigan: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, Amendment #1 puts in the Geriatric Commission with awards to medical schools. I have here a report from the American Medical Society which says that it's now necessary to have a change in the focus on geriatric medicine in the medical schools, and that the students should be exposed to this type of subject matter, because in the very near future 75% of their patients will be older people. And I'll give you an example of why this is important. If you are a young child and have pneumonia, you'll have a very high temperature and convulsions. If you are a person about the age of most of you, you will have a oscillating temperature that'll be up and down and up and down, but why you get to my age none of those systems are true. They are just terrible fatigue, and a lot of doctors do not recognize this. In fact, I've been going around with walking pneumonia because they thought I has a touch of the flu. I would appreciate your vote on this Bill to help the medical schools and the nursing schools do some work in geriatric medicine."

Speaker Madigan: "Those in favor of the Amendment say 'aye',

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those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall remain on the Order of Third Reading. House Bill 2100. Representative Barnes. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2100, a Bill for an Act to amend Sections of the Capital Development Bond Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Terzich."

Speaker Madigan: "Representative Terzich. Representative Terzich."

Terzich: "Yes, Mr. Speaker, Amendment #1 simply proposes to keep the current level of the authorization for library construction grants, and it increases it to its original amount \$15,000,000.00."

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 O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 2116. For what purpose does Mr. Johnson seek recognition? Mr. Johnson."

Johnson: "I realize that this Bill's now going to Third Reading, but I wish on Amendments like this... we... we raised an objection with this yesterday. It isn't changed any, and nobody could understand anything they said. I wish you'd ask the Sponsors to explain it, because he knows this is controversial or at least something that we want to talk

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about. I had no idea what he said. I couldn't hear it, and the Bill's on Third Reading, so I guess we'll just have to oppose the Bill on Third Reading. But I sure wish the Sponsors would let us know what these things are. In case they don't know, we just increased the bonding authorization by six times over what the Governor's budget was in this particular area."

Speaker Madigan: "Mr. Johnson, your point is well taken. House Bill 2116. Mr. Ropp. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2116, a Bill for an Act in relation to insurance. It amends certain Acts herein named. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, Mr. Speaker, this is a technical Amendment just correcting the spelling of the word, 'principle' (sic - to principal). I ask for the adoption of 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 further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar and shall be placed on the Order of Third Reading. House Bill 2135. Representative Oblinger. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2135, a Bill for an Act to create the Respite Demonstration Program which gives families relief from the responsibility for caring for frail and disabled

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adults. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Oblinger."

Speaker Madigan: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, Amendment #1 changes this Bill. When the Bill was originally drafted, it was drafted to be funded by General Revenue Funds. We now understand that we can do it through a foundation grant, and so what the Bill does is remove references to Title XIX and Title XX, because they'll no longer be the funding sources. And in addition, takes out those kinds of recommendations for the need of funding this, because the foundation will have its own guidelines on how to fund it. So we remove that. The Bill is now the Demonstration Grant which will be funded by a foundation."

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 O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 2178. Representative Younge. The Lady indicates that she does not wish to call her Bill. House Bill 2194. Mr. Ewing. Mr. Ewing. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 21..."

Speaker Madigan: "Mr. Ewing. Let... Mr. Ewing."

Ewing: "Mr. Speaker, I'd like the record to show we are waiting for an Amendment, and we hope to have it later today."

Speaker Madigan: "The Gentleman indicates that he does not wish to call his Bill. House Bill 2213. Representative Alexander. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2213, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Levin - Alexander."

Speaker Madigan: "Mr. Levin."

Levin: "Ask leave to withdraw Amendment #1?"

Speaker Madigan: "Amendment #1 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Levin - Alexander."

Speaker Madigan: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 was developed in conjunction with the Department of Human Rights Staff and also discussions with the Realtors and makes some technical changes in 2213 by amending the reference in the Municipal Code which is the underlying Bill, adding a reference to counties so that they would clearly be covered by this, and also putting a reference in the Human Rights Act. If there are any questions, I'd be happy to answer them."

Speaker Madigan: "Mr. Vinson."

Vinson: "Will the Gentleman yield?"

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

Vinson: "You say that now both counties and municipalities will be able to enact restrictions on discrimination."

Levin: "Yes, this... there were some technical... technical questions raised by the Department about the original Bill, and this clears up those problems."

Vinson: "Would there be a problem in conflict?"

Levin: "Pardon?"

Vinson: "Would there be a problem in conflict if the municipality has a code which conflicts with that of the county?"

Levin: "I'm sorry. Can you repeat your question?"

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Vinson: "If.. if the county has a code, an ordinance on this and the municipality has an ordinance on this, and if the two ordinances are in conflict, which ordinance applies?"

Levin: "The more strict one. Well, you know, it would be each local jurisdiction would enforce their own ordinance. The underlying Bill is intended to deal with a court decision, which held that local jurisdictions, home rule jurisdictions, did not have authority to promulgate ordinances dealing with civil rights that went beyond or included categories other than those in Human Rights Act. The intent of the Bill is simply to reverse that court decision."

Vinson: "Okay. So the stricter ordinance, if you have both the home rule county and the home rule municipality, the stricter ordinance would apply?"

Levin: "Well... believe so."

Vinson: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. House Bill 2221. Mr. Hannig. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2221, a Bill for an Act to authorize the Department of Transportation to convey certain land in Montgomery County to the City of Litchfield. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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Clerk O'Brien: "Floor Amendment #1, Hannig."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I'd like to withdraw Amendments 1 and 2."

Speaker Madigan: "Amendment #1 and Amendment #2 are withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments. Amendment #3, Hannig, amends House Bill 2221 by deleting everything after the enacting clause."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. House Amendment #3, which I'm offering, is drafted by the Department of Transportation, and correctly conveys the properties that are described in this Bill. It's just a technical Amendment to get it in proper order, and I would ask for its adoption."

Speaker Madigan: "Mr. Hannig moves for the adoption of Amendment #3. On that question, the Chair recognizes Mr. Johnson."

Johnson: "Just inquire of the Chair, or the Clerk, or the Sponsor, as to whether an appraisal has been filed?"

Speaker Madigan: "Mr. Clerk, Mr. Johnson has asked if an appraisal has been filed with this Bill. Mr. Johnson, it's necessary for us to call up to the Clerk's Office. Let us take this Bill out of the record and return to it when we get a response from the Clerk's Office. House Bill 2248. Mr. McMaster. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2248, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Curran - Hannig."

Speaker Madigan: "Mr. Curran. Mr. Curran."

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Curran: "Mr. Speaker, we'd like to withdraw Amendment #1."

Speaker Madigan: "Amendment #1 is withdrawn. Are there further Amendments?"

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

Speaker Madigan: "Mr. Marzuki."

Marzuki: "Ladies and Gentlemen of the House, I'd like to offer Floor Amendment #2, which is the least disruptive to the system. It eliminates the Superintendent of Public Instruction, which technically does not exist anymore, and makes that position annuitant position. Then both the contributing and the annuitants are represented on the board. And I move for its passage."

Speaker Madigan: "Mr. McMaster. Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. In discussing this legislation with Members of the other side of the aisle, an agreement was reached, to my understanding, that there would be one Amendment offered that would be agreeable to everyone. And it's my understanding that that would be Amendment #3, I believe, by Curran and Hannig. I would like to have Mr. Hannig respond to this proposed Amendment #2. You're going with #2? All right. Thank you. We'll go with #2, Mr. Speaker."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, I would ask if the Sponsor would accept Amendment #2, and we will withdraw Amendment #3."

Speaker Madigan: "Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. This is agreeable to me."

Speaker Madigan: "Mr. Hannig moves to adopt Amendment #2 to House Bill 2248. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Curran - Hannig."

Speaker Madigan: "Mr. Curran."

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Curran: "We move to drop Amendment #3."

Speaker Madigan: "Amendment #3 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. Mr. Clerk, are we prepared to return to House Bill 2221? House Bill 2221. Mr. Hannig. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time."

Speaker Madigan: "Mr. Clerk, there was a request from Mr. Johnson concerning the filing of an appraisal. Would you respond to Mr. Johnson?"

Clerk O'Brien: "There's no appraisal filed in our record."

Speaker Madigan: "Mr. Johnson."

Johnson: "Then I would direct... make the point of order, and direct the attention of the Speaker and the Body to Rule 34(g), which I think requires an appraisal under these circumstances."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I believe that this conveyance is to the City of Litchfield which is a governmental entity; and therefore, Rule 34(g) would not apply."

Speaker Madigan: "Mr. Johnson, Mr. Getty will respond to your inquiry."

Parliamentarian Getty: "On behalf of the Speaker, Rule 34(g) provides that, 'No Bill authorizing or directing a conveyance by the state of any particular interest in real estate to any individual or entity other than a governmental unit or agency may be voted upon in Committee

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or upon Second Reading unless a certified appraisal of the value of the interest has been filed." The Bill appears to be a conveyance by the state to a governmental entity, and accordingly, it is not subject to the requirement of the filing of a certified appraisal."

Speaker Madigan: "Mr. Johnson, are you seeking recognition?"

Johnson: "Well, I wonder if we could determine where in the Bill... I'm... I'm not correcting... questioning the correctness of the Parliamentarian, but where the conveying clause is... the conveyancing clause in the Bill? As I understand it, this is with respect to a certain project, Five Mile Lake Project. Is that right, Representative Hannig?"

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, just to respond to Mr. Johnson, on Amendment #3, which we just adopted, line 32, 'Title and interest of the State of Illinois in the following described land in Montgomery County to the City of Litchfield, Illinois.'"

Johnson: "Okay."

Speaker Madigan: "Have all questions been answered? The question is the adoption of Amendment #3. Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar and shall be placed on the Order of Third Reading. On page three of the Calendar, on the Order of House Bills Second Reading Short Debate Calendar there appears House Bill 727. Mr. Saltsman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 727, a Bill for an Act to regulate granting of assistance to the indigent war veterans and

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their families. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "Amendment #1 was adopted previously. There are no Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. DiPrima, on Amendment #2."

DiPrima: "Yes, Mr. Speaker, I'd like to move that we remove Amendment #2."

Speaker Madigan: "Amendment #2..."

DiPrima: "Table."

Speaker Madigan: "Amendment #2 shall be withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the same page of the Calendar, there appears House Bill 481. Mr. Stuffle. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 481, a Bill for an Act to amend Sections of the Liquor Control Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker. I wish to withdraw Amendment #2."

Speaker Madigan: "Amendment #2 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the same page of the Calendar, there appears House Bill 1130. Mr. Nash. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "House Bill 1130, a Bill for an Act to amend Sections of the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. On page four of the Calendar, there appears House Bill 1596. Mr. Slape. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1596, a Bill for an Act relating to the preparation and review of annual audits. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. On page five of the Calendar, there appears House Bill 1750. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 1750, a Bill for an Act to amend the Minimum Wage Law. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This was taken out of the record. Representative Johnson had a question as to why we were changing the word 'liquidated damages' to 'punitive'. The Bill has to do with an action for unpaid wages against employers, and the Bill provides that the employer is liable for wages, and also a 2% fine, if you will, an additional amount of 2% per month of unpaid wages. So the Amendment changes the definition of that 2% fine from 'liquidated damages' to 'punitive damages' which is more

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descriptive of what the... the actual purpose of the fine is. So that's what the explanation of the Amendment is, and I would ask for the adoption."

Speaker Madigan: "Mr. Cullerton has moved for the adoption of Amendment #1. On that question, the Chair recognizes Mr. Johnson."

Johnson: "Well, I would first inquire of the Chair. We... I think we have filed a request to have this Bill removed from the Order of Short Debate. Is that correct, Mr. Clerk?"

Clerk O'Brien: "Yes, I have a... a Short Debate objection form."

Speaker Madigan: "Mr. Clerk... Mr. Clerk, what does the rule provide on an objection of this nature?"

Clerk O'Brien: "Relating to Short Debate, the Rules mention in opening to Full Debate, but there's no provisions to remove it from Short Debate."

Johnson: "My second question on this Amendment, Representative..."

Speaker Madigan: "Mr. Johnson, as I understood the Clerk, we are not able to comply with the request contained in your objection."

Johnson: "Well, I assume that it will be complied with when it's open to Full Debate on Third Reading."

Speaker Madigan: "So you're satisfied?"

Johnson: "Yeah, it's fine."

Speaker Madigan: "Okay. Thank you."

Johnson: "That's the intention of the Motion."

Speaker Madigan: "Mr. Johnson."

Johnson: "Representative Cullerton, is... does this Amendment contain a mental state such as you're prone to put in every other Bill. Is there a knowing standard in here? Knowingly? When you subject people to substantial punitive damages, is there a knowing standard?"

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Speaker Madigan: "Mr. Cullerton. Mr. Cullerton."

Cullerton: "Yes, since this Bill does not involve any criminal penalty, there's no mental state involved. It just is a... it's a... very clearly spelled out that an employer shall be additionally liable to the employee for punitive damages in the amount of 2%, the amount of any underpayments per month."

Johnson: "Punitive... punitive damages, do they not, serve the purpose that criminal law does in the criminal arena, namely, the compensation beyond actual loss, and serving as a warning to the public, or to employers in this case, not to commit certain acts. So doesn't punitive damages, in effect, before you assess them, ought not there to be a knowing standard?"

Cullerton: "Well, no. As... you're correct in saying that the purpose of punitive damages is sometimes called exemplary damages, is to set an example to other employers. And secondly, to be a punishment, if you will, for not paying the wages on time. But since there is no criminal sanctions here, just as there would not be in any civil case where punitive damages are awarded, there's no need for a mental state. And I do understand that you're opposed to the Bill; perhaps though..."

Johnson: "How do you understand that? I never told you that."

Cullerton: "Because you told me that you were."

Johnson: "No, I didn't."

Cullerton: "I think, perhaps, the Amendment, itself, is really more along the lines of a technical one. And perhaps, we could have this argument on Third Reading, when the Sponsor of the Bill can defend the Bill."

Speaker Madigan: "Mr. Cullerton has moved for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are

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there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Let the record show that this Bill shall remain on the Order of the Short Debate Calendar, and that it shall be placed on the Order of Third Reading. Mr. Vinson, I'd like to move off this Order of Business, temporarily, to take the Motions offered by Mr. Matijevich; therefore, on the Order of Motions there appears a Motion relative to House Resolution 278, a Motion relative to House Resolution 279, and a Motion relative to House Resolution 280. On those questions, the Chair recognizes Mr. Matijevich."

Matijevich: "Mr. Speaker, I move to suspend the posting requirement in Rule 20 in relation to... the following Bills... following Resolutions and suspend Rule 24. The Resolutions are 278, 279, and 280. I'm asking to suspend these Rules, so that these Resolutions can be heard in Rules Committee tomorrow at 12 noon in Room 14. We've discussed this with the other side of the aisle, and we'd like to have those Resolutions adopted in Rules Committee tomorrow."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I rise to support the Gentleman's Motion. The three proposed rules in question are rules that will improve the operation of the House substantially. The Gentleman's Motion, as I understand it, is to waive the posting rule and to permit the Committee to meet. It should be a very brief meeting. It should permit us to bring these three rules to the House and adopt them expeditiously. The three rules are rules that I believe all Members will approve of, and I believe they're rules which Members, after observing what occurred last week, will enjoy having in the rules and will make the entire process more orderly. I would just add, Mr. Speaker, that

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Mr. Daniels has asked me to request that you respond to his letter in addition to adopting this rule."

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

Friedrich: "Well, Mr. Speaker, if we do have a Rules Committee, I have a couple of Resolutions I'd like to have posted at the same time."

Speaker Madigan: "Mr. Friedrich, I didn't understand the nature of your request."

Friedrich: "I... I have introduced Resolutions for the hearing for the Rules Committee, and I say if we have a meeting of the Rules Committee, I'd like to have those posted."

Speaker Madigan: "Mr. Friedrich, if those were to be heard at the meeting which is proposed for tomorrow at 12 noon, you would need to move to suspend the posting requirements."

Friedrich: "All right. I'll have to get the numbers of those Resolutions, but I have them, and I will. Thank you."

Speaker Madigan: "Thank you. On the question of Mr. Matijevich's Motions, is there leave to journalize the adoption of these Motions with the use of the Attendance Roll Call? Leave is granted. They shall be so journalized. Mr. Matijevich would you come to the Chair?"

Speaker Matijevich: "On page four, House Bill 1490. Preston. Read the Bill."

Clerk O'Brien: "House Bill 1490, a Bill for an Act relating to the non-institutional health care services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "No... Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

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

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

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House. Amendment #2 just makes technical changes in the original draft of the Bill. What the Bill as amended does is requires the Department on Aging, the Department of Rehabilitation Services, Department of Public Aid to perform a pilot project or create a pilot project on prenursing home screening to alert people applying for nursing home placement of alternatives to nursing homes that exist within their own communities, if that's at all possible. And I ask for your adoption of this Amendment."

Speaker Matijevich: "The Gentleman asks for the adoption of Amendment #2. All in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain on the Order of Short Debate. Representative Friedrich, for what purpose do you rise?"

Friedrich: "Mr. Speaker, I would like to suspend the posting rule for House Resolutions 186 and 187, as suggested by the Speaker, for the Rules Committee."

Speaker Matijevich: "I think, Dwight, what the Speaker was alluding to, when you brought that up that you discuss that with the Majority Party before you... before you proceed with that. Would you... would you please do that? House Bill 73. The Majority Leader, Jim McPike."

McPike: "Thank you, Mr. Speaker, for an introduction. Students from East Alton Junior High School History Class, with their teacher, 'Meryl Rosenthal', and Mrs. St. Peters, are in the rear balcony. I'd like to welcome them to Springfield."

Speaker Matijevich: "Welcome. House... House Bill 73. Read the Bill."

Clerk O'Brien: "House Bill 73, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of

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the Bill. No Committee Amendments."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Ronan, amends House Bill 73 on page one, in line one and five and so forth."

Ronan: "Thank you, Mr. Speaker, Members of the House. Amendment #1 deletes the provision that provides that the reserve established shall not be less than \$10,000.00 for each policeman and each beneficiary under the pension fund. This Amendment is something that just basically clarifies current provisions relating to the reserve funds and requirements by deleting obsolete language. I know of no opposition to the Amendment. It's supported by the Pension Laws Commission and the Sponsor of the Bill."

Speaker Matijevich: "Representative Ronan moves for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain on the Order of Third... Short Debate, rather. House Bill 1413. Read the Bill."

Clerk O'Brien: "House Bill 1413, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1503... 1503."

Clerk O'Brien: "House Bill 1503, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amend..."

Speaker Matijevich: "Jes... Jessie, we're calling your Bill. White. White, don't leave. We're calling 1502."

Clerk O'Brien: "Amendments 1 and 2 were adopted in Committee."

Speaker Matijevich: "Motions from the floor?"

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Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments?"

Clerk O'Brien: "Floor Amendment #3, White, amends House Bill 1503 on page one in the first paragraph, Section 2-3.43 and so forth."

Speaker Matijevich: "The Gentleman from Cook, Representative White, on Amendment #3."

White: "Mr.... Mr. Speak... Mr. Speaker, Amendment #3 came about because of opposition to the Bill from the State Board of Education, and the Amendment will place any school district on probationary recognition status if they have not responded to the physical education requirements over a period of three years. If they've used up their three waivers, they will be placed on probationary status. That's it."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #3. If there's no debate, all in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Don't leave yet Jesse. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain on the Order of Short Debate. Jess, did you want 1502 and 4 called also. Move... All right. House Bill 1502."

Clerk O'Brien: "House Bill 1502, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1504."

Clerk O'Brien: "House Bill 1504, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of

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the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1882. McAuliffe.
Read the Bill."

Clerk O'Brien: "House Bill 1882, a Bill for an Act to amend the
Civil Administrative Code. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1921. McAuliffe.
Read the Bill."

Clerk O'Brien: "House Bill 1921, a Bill for an Act to amend
Sections of the Intergovernmental Law Enforcement Officers'
In Service Training Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill... On the Order
of Second Reading, page ten of the Calendar House Bill
1306, which is the next Bill to be called is... is Pangle
here? I don't see Pangle. Call... you... you want the
Bill called? Representative Mautino, for what purpose do
you rise?"

Mautino: "Mr. Speaker, the other day 1134 was called and one of
the Amendments was not on the Members' desk being adopted,
#2. I was wondering if you might go back to 1134."

Speaker Matijevich: "All right. House Bill 1134, the Amendment
has been printed. Read the Bill. 1134."

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Clerk O'Brien: "House Bill 1134, a Bill for an Act in relation to the insurance producers, limited insurance representatives, temporary insurance producers and registered firms. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Matijevich: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Mautino, amends House Bill 1134 on page one, line eleven and so forth."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #3 and go with Amendment #4."

Speaker Matijevich: "Leave to withdraw Amendment #3, and the Amendment is withdrawn. Further Amendment?"

Clerk O'Brien: "Amendment #4, Mautino, amends House Bill 1134 on page one, in line eleven and so forth."

Speaker Matijevich: "Representative Mautino on Amendment 4."

Mautino: "Thank you, Mr. Speaker. Amendment #4 is an Agreed Amendment that was recommended by Mr. Tom Duffy of the Municipal League, as it pertains to security bonds for insurance producers. In the Committee hearing, this Amendment put back the provisions that the producer must carry a bond in the amount of... not to exceed \$25,000.00 in total aggregate. Basically the bond costs 30 or 4... 30 or \$40.00 a year. It's acceptable, I believe, to both sides. It's been cleared with the Minority Spokesman, and I ask for its adoption."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #4. All in favor say 'aye', opposed 'nay', and Amendment #4 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1306. Read the Bill. The Lady from DuPage, Representative Diana Nelson,

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for what purpose do you rise?"

Nelson: "Mr. Speaker, I would make the same request that Representative Mautino. The other day House Bill..."

Speaker Matijevich: "Well, would... we'll hold back on all these requests. That one was made very, very early, and he had a commitment, and the Speaker now wants us to go through a lot of Bills on Second, so we can clean them up, but we'll get back to Diana. House Bill 1306. Read the Bill."

Clerk O'Brien: "House Bill 1306, a Bill for an Act to amend Sections of the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1313. McPike. Read the Bill."

Clerk O'Brien: "House Bill 1313, a Bill for an Act to amend Sections of the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1314. Piel. Read the Bill."

Clerk O'Brien: "House Bill 1314, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Pierce, amends House Bill 1314 on page two by deleting line twelve through twenty-four and so forth."

Speaker Matijevich: "Is Representative Pierce on the floor? Representative Piel, what's your pleasure? Oh... oh, here he is. Representative Piel (sic - Pierce), you have an Amendment #1 on Representative Piel's Bill. Representative

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Pierce."

Pierce: "Mr. Speaker, House Bill 1314 deals with lowering assessment by the Board of Appeals of the State Property Appeals Tax Board, and prohibiting the assessor from raising the assessment back during the quadrennial. What the Amendment does is take away some of the problems that the assessors had with the Bill, and allows the assessors to raise back the assessment if the lowering was only given for one year, or if the zoning conditions change, or if the... or if the... the reduced assessment is no longer accurate because of legal or factual' changes in the property. So it makes the Bill more palatable to the assessors. This Amendment was suggested to me by the Committee of the Chicago Bar Association, and it... it carries out the spirit and intent of Representative Piel's Bill, but at the same time would allow the assessor under certain circumstance to raise the assessment back during the quadrennial, after it's been lowered by the Board of Appeals or State Property Appeal Board. I move the adoption of Amendment #1."

Speaker Matijevich: "Representative Pierce has moved the adoption of Amendment #1. There's no debate. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "This Bill will be held on Second Reading. There's been a request for a fiscal note. House Bill 1328. DiPrima. Read the Bill."

Clerk O'Brien: "House Bill 1328, a Bill for an Act to amend Sections of the Retail (sic - Real) Estate Transfer Tax Act. Second Reading of the Bill. No Committee Amendment."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

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Speaker Matijevich: "Third Reading. Hold it on Second. Request of the Sponsor, the Bill will be held. House Bill 1330. Brummer. Read the Bill. Right?"

Clerk O'Brien: "House Bill 1330, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1331. Is Terzich here? I don't see him. Take it out of the record. House Bill 1332. Out of the record. 1334. Out of the record. 1339. Brummer. Read the Bill."

Clerk O'Brien: "House Bill 1339, a Bill for an Act..."

Speaker Matijevich: "Out of the record. House Bill 1342. Leverenz. Is Teddy back there? I don't see him back there. Take it out. 1344. Out. 1345. Krska. Read the Bill."

Clerk O'Brien: "House Bill 1345, a Bill for an Act to amend Sections of an Act concerning public utilities. Second Reading of the Bill. Amendments #1, 2, and 3 were adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1358. Marzuki. Read the Bill."

Clerk O'Brien: "House Bill 1358, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

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Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1363. Breslin - Braun. I don't see Breslin here. Braun, do you want to proceed? Oh, here she is in the middle. Read the Bill."

Clerk O'Brien: "House Bill 1363, a Bill for an Act to amend Sections of the Crime Victims Compensation Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motion filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1367. Stuffle. Read the Bill."

Clerk O'Brien: "House Bill 1367, a Bill for an Act to amend Sections of the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Stuffle - Ropp."

Speaker Matijevich: "Representative Stuffle on Amendment #1."

Stuffle: "Yes, Mr. Speaker, would you withdraw Amendment #1, please?"

Speaker Matijevich: "Leave to withdraw 1, and it is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Stuffle - Ropp - Woodyard."

Speaker Matijevich: "Repre... Representative Stuffle on Amendment 2."

Stuffle: "Yes, Mr. Speaker and Members of the House, Amendment #2 technically corrects the mistake that was made by an omission in Amendment #1, which was withdrawn. The Amendment deals with proposals made, in part, in Committee and, in part, in an agreement between the affected parties to this Bill, namely the bankers, the elevators, the farms,

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and those people who put the Bill together. The Bill provides with... the Amendment, rather, provides for notice in the place of selling of farm commodities. In this case, it would be the elevator or other affected areas of the provisions of this Bill with regard to criminal and civil penalties for the omission of individuals who fail to indicate the security interest that may be connected with the sale of certain farm commodities. The Amendment also provides for an effective date and indicates that the Bill would then apply to security transactions created or renewed after that effective date. And I offer Amendment #2 and ask for its adoption."

Speaker Matijevich: "Representative Stuffle has moved for the adoption of Amendment #2. If there's no debate, all in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1368. Read the Bill."

Clerk O'Brien: "House Bill 1368, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Stuffle - Ropp."

Speaker Matijevich: "Representative Stuffle on Amendment #1."

Stuffle: "Yes, Mr. Speaker and Members, I offer Amendment #1 to 1368. This Amendment... I know Representative Brummer... Representative Brummer, I see on the Republican side, this is the Amendment that you requested in the Committee on Agriculture regarding the landlord's interest in security, and also pro... the Amendment provides that a landlord may require a tenant to furnish the same type of information to him that other potential sellers do with regard to these

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two Bills which are companions. And again, this Amendment is by way of Representative Brummer's request in Committee. And I offer Amendment #2 and ask for its ad... Amendment #1 and ask for its adoption."

Speaker Matijevich: "Representative Stuffle has moved for the adoption of Amendment #1. There's no debate. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendment."

Speaker Matijevich: "Third Reading. House Bill 1369, Oblinger. Read the Bill."

Clerk O'Brien: "House Bill..."

Speaker Matijevich: "Take it out. All right. House Bill 1373, Hastert. Read the Bill."

Clerk O'Brien: "House Bill 1373, a Bill for an Act in relation to service occupation and service use taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Hastert, amends House Bill 1373..."

Speaker Matijevich: "Representative Hastert on Amendment #2."

Hastert: "Mr. Speaker, I move to table Amendment #1."

Speaker Matijevich: "Leave, the Gentleman asks leave to table Amendment #...Committee Amendment #1. Does he have leave? Leave, and Amendment #1 is tabled. Representative Hastert now on Amendment #2."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 is...the Bill needed a technical change. It also provided a...or presented a problem with some other areas, such as pharmacists and printers. This is an agreed...agreement between those areas. It's merely a

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bookkeeping Bill. This doesn't have any fiscal impact on the state."

Speaker Matijevich: "Representative Hastert has moved for the adoption of Amendment #2. All in favor, say 'aye'. Opposed, 'no', and Amendment #2...Representative McPike had...did have a question. Proceed, Representative McPike."

McPike: "Would you explain what Amendment #1 did?"

Hastert: "Amendment #1 was a technical Amendment, alright, that had changed the word to gross receipts. The way we are...Representative McPike, the way we are changing this thing, it didn't apply."

McPike: "Okay, and Amendment #2 then, does what?"

Hastert: "Amendment #2 allows the Department of Revenue, by rule and regulation, to provide alternate formulas, which may be used by taxpayers, and especially in this sense, people who sell auto parts and car parts and truck parts, to use the same method as pharmacists and those type...and printers in applying the service and use tax."

McPike: "And how does this differ from the requirements of the Bill?"

Hastert: "I beg your pardon?"

McPike: "How does this Amendment differ from the requirements of the Bill, itself?"

Hastert: "Well, what it did, we...the original, the requirements of the Bill said that the service and use tax...was just going to be changed from a 4% to a straight 5% of gross receipts. What this Bill does is let them, by rules and regs from the Department of Revenue, tax on the basis of cost...a cost factor. What the problem with the original Bill, Representative McPike, is that if it would have been applied across the board, it would have raised, for instance, one pharmaceutical chain down in your area,

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southern...eastern...southwestern Illinois, would have raised taxes or increased income about two hundred thousand dollars with a chain of five drug stores. It wasn't my intent to do that, and what I'm trying to do is work out a problem between the pharmacists and the printers and these people, so what we are doing is extending the procedure that applies to them also to this other area."

McPike: "So this watered...waters down the Bill."

Hastert: "It waters down the Bill, but it also..."

McPike: "Thank you."

Speaker Matijevich: "Representative Hastert has moved for the adoption of Amendment #2. All in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Let's go to House Bill 811. Diana, was that your number, Diana Nelson, 811? Alright. House Bill 811."

Clerk O'Brien: "House Bill 811, a Bill for an Act in relation to restrictions on solar energy use. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

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

Speaker Matijevich: "The Lady from DuPage on Amendment #2."

Nelson: "Thank you, Mr. Speaker, Members of the House. Amendment #2 was suggested by the Democratic side after staff had looked at the Bill. They decided that an Amendment that would tighten up what we are trying to do here should be adopted. The Bill, itself, has to do with encouraging solar energy installations. What the Bill would do is prohibit covenants or agreements that would say a solar

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installation is not allowed in a new subdivision, and all Amendment 2 does, is basically provide that the portion of the covenant that would be affected or stricken is only that portion of the covenant that speaks to the solar installation. I would ask for the adoption of Amendment #2."

Speaker Matijeich: "Representative Nelson has moved for the adoption of Amendment #2. Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Matijeich: "She indicates she will."

Cullerton: "Just so I understand what your intent is with respect to the Bill, as you now have amended it or expect to amend it. You're saying, however, that if surrounding homeowners don't want to have solar collectors because, for example, they would claim that it is violative of the natural setting or something like that, you're saying with this Bill that they...they can't prohibit solar collectors from being installed?"

Nelson: "Well, the Bill, Representative Cullerton, does not address surrounding homeowners. What the Bill says is that in a new subdivision where covenants or agreements are signed between the seller or the developer and a homeowner, that covenant or agreement cannot prohibit a solar installation. So, everyone who would be purchasing a home in that subdivision should, I should think, be well aware that that was in the contract that they signed."

Cullerton: "Alright, so the Bill then would restrict the ability to convey land in the...in the fashion that an owner may want to convey it, to the extent that they could not prohibit solar collectors from being present?"

Nelson: "If...Well, that is correct. If a new buyer refused to purchase a house because he was fearful that his neighbor would install a solar collector, you know, that would just

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come into play there."

Speaker Matijevich: "Representative Nelson has moved for the adoption of Amendment #2. All those in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Third...further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Let's return to a few Bills that we quickly passed over. House Bill 1331, Terzich. Read the Bill."

Clerk O'Brien: "House Bill 1331, a Bill for an Act to amend an Act to create sanitary districts and move obstructions in the DesPlains and Illinois Rivers. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Terzich."

Speaker Matijevich: "Representative Terzich on Amendment #1."

Terzich: "Yes, Mr. Speaker. This is simply in compliance with the State Mandate Act and it simply applies to the state mandate and I move for the adoption."

Speaker Matijevich: "Representative Terzich has moved for the adoption of Amendment #1. Representative Johnson, the Gentleman from Champaign. Representative Johnson."

Johnson: "Can you just explain what the Amendment does?"

Terzich: "Yes, there was a question whether or not the state mandate provision applied to this particular piece of legislation. It's a...it's a pay raise Bill, which is less than \$50,000 and all it does is simply state that the State Mandate Act does not apply to this particular provision."

Johnson: "Okay, thank you."

Speaker Matijevich "The Gentleman has moved for the adoption of Amendment #1. All in favor, say 'aye'. Opposed, 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Matijeovich: "Third Reading. House Bill 1332, Terzich.
Read the Bill."

Clerk O'Brien: "House Bill 1332, a Bill for an Act to amend the
Illinois Pension Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Matijeovich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijeovich: "Third Reading. House Bill 1334. Read the
Bill."

Clerk O'Brien: "House Bill 1334, a Bill for an Act to amend
Sections of an Act to create sanitary districts. Second
Reading of the Bill. No Committee Amendments."

Speaker Matijeovich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Terzich."

Speaker Matijeovich: "Representative Terzich on Amendment #1."

Terzich: "Again, Mr. Speaker, this is a similar Amendment with
regard to the State Mandate Act, and I would move for its
adoption."

Speaker Matijeovich: "Gentleman has moved for the adoption of
Amendment #1. All in favor, say 'aye'. Opposed, 'nay',
and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijeovich: "Third Reading. On page 7 of the Calendar,
House Bill...Representative Nash has a couple Bills, House
Bill 244. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 244, a Bill for an Act creating
ambulance study...the Ambulance Study Commission. Second
Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Matijeovich: "Amendments from...Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijeovich: "Amendments from the Floor?"

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

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Speaker Matijeich: "One moment. Representative Vinson, for what purpose do you rise?"

Vinson: "How did we happen to get to this Bill on the Calendar, Mr. Speaker?"

Speaker Matijeich: "Evidently...we're coming back to some Bills that were called yesterday and Amendments, evidently, weren't printed, and I have been trying to accommodate those Sponsors, like I just did Diana Nelson on your side, so...Al Ronan jumped up here, and I tried to accommodate him too."

Vinson: "Well, Mr. Speaker...Mr. Speaker, that Bill has been taken out of the record nine times. You can't bounce around the Calendar like that, according to the Rules, and it would be nice if you would go according to the Rules."

Speaker Matijeich: "Well, Vinson, I...I sort of agree with you, but I've got a Bill on Second Reading that was called nine times because the Amendment wasn't printed, so there is that possibility. Alright."

Vinson: "Do the Rules provide for you to be able to bounce around that way?"

Speaker Matijeich: "No, but I was hoping you'd say go ahead."

Vinson: "Will you behave according to the Rules after this Bill?"

Speaker Matijeich: "I'll...from now on I...I vouch for it, Sam."

Vinson: "Thank you."

Speaker Matijeich: "Long as you are looking over my shoulder. Proceed."

Clerk O'Brien: "Amendment #2, McAuliffe, amends House Bill 244, as amended on page 1, line 1 and so forth."

Speaker Matijeich "Representative Nash."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, we move to table Amendment #2."

Speaker Matijeich: "McAuliffe is here. Is that alright with you, Mac, leave to table Amendment #2? Leave, and

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Amendment #2 is...is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Tate-Zwick, amends House Bill 244, on page 1 and so forth."

Speaker Matijevich: "Representative Zwick on Amendment #3."

Zwick: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #3, please."

Speaker Matijevich: "Leave to withdraw Amendment #3? Leave and the Amendment is withdrawn. Further Amendments?"

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

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

Brunsvold: "Mr. Speaker, I rise for an introduction. In the right balcony is 'Wesmer' Junior High School. They are standing right now. The...with Mr. 'Ecker' and Miss 'Tiser', the instructors, 'Steve and Linda Dixon', and 'Darrell Nelson' as their chaperones. I'd like you to give them a warm welcome to Springfield."

Speaker Matijevich: "On Amendment #4 is Seth McAuliffe's. McAuliffe on Amendment #4."

McAuliffe: "Yeah, I want to table Amendment #4."

Speaker Matijevich: "Withdraw...Leave to withdraw Amendment #4. Leave, and the Amendment is withdrawn. Further Amendments"

Clerk O'Brien: "Floor Amendment #5, McAuliffe-Nash."

Speaker Matijevich: "McAuliffe on Amendment #5."

McAuliffe: "Amendment #5 creates the Commission on Medical Assistance Programs. We had a Committee that investigated this last year, and we are just simply trying to get the Commission enacted into law. Now, this Commission would look into Medicaid fraud, and I think there is a...is a rich field to help save the state a lot of money. There's a million dollars...or billion dollars spent a year on Medicaid fraud. There's a lot of it that...that is fraudulent."

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Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #5. On that, Representative Nash. Did you want to speak to that, Representative Nash?"

Nash: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #5 is a technical Amendment and Amendment #6 is one that creates the Commission that Representative McAuliffe described."

Speaker Matijevich: "Alright, #5 is a technical Amendment according to... Representative Bowman, no. Alright. Gentleman has moved for the adoption of Amendment #5. All in favor, say 'aye'. Opposed, 'nay', and Amendment #5 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, McAuliffe-Nash, amends House Bill 244, as amended, on page 1 by inserting after line 3 the following: Article I and so forth."

Speaker Matijevich: "Representative McAuliffe, on Amendment #6 now."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 is the one I just explained. I made a mistake. I thought it was Amendment #5. This is Amendment #6. It creates the Commission on Medical Assistance Programs. This Commission would investigate Medicaid fraud in Illinois. We are spending over a billion dollars a year on Medicaid in Illinois. This would be a chance to try to uncover some of the fraudulent activities that's taking place there, and it's to help save the state a lot of money."

Speaker Matijevich: "Representative McAuliffe has moved for the adoption of Amendment #6. On that, the Gentleman from Cook, Representative Bowman. Bowman."

Bowman: "No, that's okay."

Speaker Matijevich: "Alright. The Gentleman has moved for the adoption of Amendment #6. All in favor, say 'aye'."

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Opposed, 'nay', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Winchester-Nash, amends House Bill 244, page 1, by deleting line 1 and so forth."

Speaker Matijevich: "Representative Winchester on Amendment #7."

Winchester: "Thank you, Mr. Speaker. Amendment #7 creates the Rule Problem Study Commission. The Commission would study economic development, transportation, employment, crime, utility problems in rural areas, and I would ask for a favorable vote for the adoption of Amendment #7."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #7. All in favor, say 'aye'. Opposed, 'nay', and Amendment #7 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 245."

Clerk O'Brien: "House Bill 245, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motion filed?"

Clerk O'Brien: "No Motion filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. Representative Neff has asked that we go to House Bill 338. Is that alright, Sam?"

Vinson: "I thought we were going to get back to the regular order of call after 244."

Speaker Matijevich: "Well, I'm trying to accommodate...Clarence just walked up there. Is that alright?"

Vinson: "Well, at what point are we going to get back to the regular order of call?"

Speaker Matijevich: "As soon as there is one more that Representative Brummer had taken out that we called today to talk to your side now about the agreed Amendment. After

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that, then we go back to business, alright? One on each side and then back."

Vinson: "You are saying after 338 and then after Mr. Brummer's Bill, we will go to the regular order of call."

Speaker Matijevich: "Right, alright. Thank you."

Vinson: "That'll be delightful."

Speaker Matijevich: "That's right. House Bill 338, at the request of Clarence Neff. Call...read the Bill."

Clerk O'Brien: "House Bill 338, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. This Bill has been read a second time previously. Amendments 1, 2 and 3 were adopted."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Alright, and this was held for a Pension Impact. Has that been filed?"

Clerk O'Brien: "The Pension Impact Note is filed."

Speaker Matijevich: "As amended, alright. Representative Cullerton."

Cullerton: "I just would like to ask the Clerk, is that filed as amended with Amendment #3?"

Speaker Matijevich: "As amended...Neff tells me it has. I'll take the Clerk..."

Cullerton: "I'd take his word for it. He's the richest guy in the House."

Clerk O'Brien: "Pension Impact Note..."

Speaker Matijevich: "That's what I'm trying to take care of."

Clerk O'Brien: "...with Amendments 1, 2 and 3 to House Bill 338."

Speaker Matijevich: "Alright, it has been filed. Third Reading. Now, Representative Brummer has House Bill 1339. Read the Bill."

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Clerk O'Brien: "House Bill 1339, a Bill for an Act to amend Sections of an Act concerning public utilities. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Brummer, amends House Bill 1339 on page 1, line 11 and 15 and so forth."

Speaker Matijevich: "Representative Brummer on Amendment #1."

Brummer: "Yes, Mr. Speaker, I'd ask leave to withdraw Amendment #1."

Speaker Matijevich: "Leave to withdraw Amendment #1. Leave is granted. Amendment #1 is withdrawn."

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

Speaker Matijevich: "Representative Brummer on Amendment 2."

Brummer: "Yes, Amendment #2 is an Agreed Amendment with both sides of the aisle. It clarifies that the right of appeal from an interim rate order shall be applicable in instances both where the interim order granted rate relief and denied rate relief, and secondly, it allows the interim rate to go into play subject to a right of refund, should there be a reversal on appeal, if the Illinois Commerce Commission initially granted the interim rate relief. I would ask for adoption of the Amendment."

Speaker Matijevich: "Representative Brummer has moved for the adoption of Amendment 2. All in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Curran, for what purpose do you rise?"

Curran: "Mr. Speaker, I rise for a point of an...introduction. With us on the Democratic side of the House Gallery, we have the students of the eighth grade from Grant Middle School in Springfield. Their teacher is 'Robert Burt', and

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one of the students who contacted me, his father is 'Ken Bruce' of the IEA, that's 'Devon Bruce', with the red hair there in the front row. Stand up and take a bow."

Speaker Matijeich: "House Bill 1374, Saltsman. Read the Bill."

Clerk O'Brien: "House Bill 1374..."

Speaker Matijeich: "Representative Vinson, we're back in the right track now, okay?"

Clerk O'Brien: "A Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijeich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Saltsman, amends House Bill 1374, on page 1 in line 2, and so forth."

Speaker Matijeich: "Representative Van Duyne, for what purpose are you seeking recognition?"

Van Duyne: "Thank you, Mr. Speaker. Just to make an announcement. I thought I would get in while Mr. Curran was talking, but you didn't recognize me. I just wanted to announce that the cocktail party that is being put on at the Oakcrest Country Club tonight is going to be delayed in deference to our schedule, so it will not be from 5:00 to 7:00, as printed. It will be from 7:15 to 9:15 so we can all go after we adjourn this evening at the Oakcrest Country Club, east of town."

Speaker Matijeich: "Representative Saltsman on the Amendment. Saltsman moves the adoption of Amendment #1 on that Amendment. Did you...?"

Saltsman: "Yes, Mr. Speaker. This was done through the staff of the Governor to eliminate it from the Mandates Act."

Speaker Matijeich: "Representative Saltsman moves the adoption of Amendment #1. All in favor, say 'aye'. Opposed, 'nay', and Amendment #1 is adopted. Further Amendments?"

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

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Speaker Matijevich: "Representative Saltsman on Amendment 2."

Saltsman: "It's the same Amendment. They were filed back to back, so I want to drop Amendment #2."

Speaker Matijevich: "You want to withdraw which one?"

Saltsman: "Withdraw Amendment #2, they are the same."

Speaker Matijevich: "Oh, alright. Leave to withdraw Amendment #2. Leave, and Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1376, out of the record. 1378, 1378. Read the Bill."

Clerk O'Brien: "House Bill 1378, a Bill for an Act to amend Sections of the Consumer Fraud and Deceptive Business Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motion filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1379. Read the Bill."

Clerk O'Brien: "House Bill 1379, a Bill for an Act to amend Sections of the Illinois Anti-Trust Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1382. Read the Bill."

Clerk O'Brien: "House Bill 1382, a Bill for an Act to amend Sections of the Code of Civil Procedures. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Hower-Braun, amends House

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Bill 1382 on page 2, line 2 and so forth."

Speaker Matijevich: "Representative Homer on Amendment 1."

Homer: "Mr. Speaker, Ladies and Gentlemen. I would ask leave of this Body to withdraw Amendment #1."

Speaker Matijevich: "Leave to withdraw Amendment #1. Further Amendments?"

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

Homer: "Yes, Mr. Speaker..."

Speaker Matijevich: "Representative...Homer on Amendment #2."

Homer: "Amendment #2 provides some limiting language in the original Bill that was recommended in Judiciary Committee by Representative Braun, Representative Preston. This is agreeable and we would ask that Amendment #2 be adopted."

Speaker Matijevich: "Representative Homer has moved for the adoption of Amendment #3...2. All in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1383. Read the Bill."

Clerk O'Brien: "House Bill 1383, a Bill for an Act to amend Sections of the Illinois Anti-Trust Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1385, Saltsman. Read the Bill."

Clerk O'Brien: "House Bill 1385, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motion filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1386, Peterson.
Read the Bill."

Clerk O'Brien: "House Bill 1386, a Bill for an Act to amend
Sections of the Illinois School Code. Second Reading of
the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1389,
Ronan-Farley-Kulas-DiPrima, ought to be one of them here.
Read the Bill."

Clerk O'Brien: "House Bill 1389, a Bill for an Act to amend
Sections of the Illinois Horseracing Act. Second Reading
of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1396,
Keane-Hastert. Read the Bill."

Clerk O'Brien: "House Bill 1396, a Bill for an Act to amend
Sections of the Revenue Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Keane."

Speaker Matijevich: "Representative Keane, on Amendment #1."

Keane: "Thank you, Mr. Speaker. House Bill 1396, the...provided
real estate tax relief, reduced the assessment level to 25%
and did some other things. What we do with the Amendment
is we really gut the Bill and the Amendment of...this
Amendment to 1396 becomes the Bill, and very simply what it
does is it reduces the property tax assessment level to
30%, and it also exempts the Bill from the Mandates Act.
As I mentioned in Committee, the Bill is...is intended to
provide tax relief, real property tax relief in the event

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that we do have an income tax increase. I'd be happy to answer any questions on the Amendment."

Speaker Matijevich: "Representative Keane has moved for the adoption of Amendment #1. All those in favor, say 'aye'. Opposed, 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1399, Pullen. Penny around? I don't see Penny here. Piel, shall we call that Bill? Alright, read the Bill."

Clerk O'Brien: "House Bill 1399, a Bill for an Act to amend Sections of the Illinois Abortion Law. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1402, Pierce. Read the Bill."

Clerk O'Brien: "House Bill 1402, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1404, Capparelli. Read the Bill."

Clerk O'Brien: "House Bill 1404, a Bill for an Act creating the Illinois Offtrack Betting Study Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Nash-Capparelli, amends House Bill 1404 on page 1, Section 1, line 9."

Speaker Matijevich: "Representative Nash on Amendment #1."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 just increases the membership in the Commission. It

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adds one more member from each side of the aisle from the House and the Senate. I move for its adoption."

Speaker Matijevich: "Representative Nash moves for the adoption of Amendment #1. All in favor, say 'aye'. Opposed, 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1405, McGann. Read the Bill."

Clerk O'Brien: "House Bill 1405, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, McGann."

Speaker Matijevich: "Representative McGann on Amendment #1."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I'd ask leave to withdraw Amendment #1 to House Bill 1405."

Speaker Matijevich: "Leave to withdraw Amendment #1. Leave is granted. Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1410, Van Duyne. Read the Bill."

Clerk O'Brien: "House Bill 1410, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed? Do you want this out of the record, LeRoy? Alright. Out of the record. House Bill 1412, McAuliffe. Read the Bill."

Clerk O'Brien: "House Bill 1412, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

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Speaker Matijevich: "Third Reading. House Bill 1414, McAuliffe.
Read the Bill."

Clerk O'Brien: "House Bill 1414, a Bill for an Act to amend
Sections of the Illinois Pension Code. Second Reading of
the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Ebbesen, amends House Bill
1414 on page 1, in line 1 and 5 and so forth."

Speaker Matijevich: "Representative Ebbesen on Amendment #1."

Ebbesen: "Mr. Speaker, I'd like leave to withdraw the Amendment."

Speaker Matijevich: "Leave to withdraw Amendment #1. Leave is
granted. 1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, McAuliffe-Neff, amends House
Bill 1414 on page 1."

Speaker Matijevich: "Representative McAuliffe on Amendment #2."

McAuliffe: "I leave to Representative Neff."

Speaker Matijevich: "Representative Neff on Amendment #2. Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. Amendment #2 to 1414 would allow services for a
Conservation police officer to be combined with services as
an investigator under the State Employees Retirement
formula. I think there is probably just two or three
people that this would affect in the state, that I know of,
and I would appreciate the adoption of this Amendment."

Speaker Matijevich: "Representative Neff has moved for the
adoption of Amendment #2. The Gentleman from Cook,
Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Cullerton: "Representative Neff, so I don't have to file a
Pension Impact Note, could you just tell us how much this
will cost?"

Neff: "It could...far as costing the State of Illinois, they

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would have to pay in this so there'd be...they would have to pay in, and it would be a very nominal amount and I doubt whether there is over two or three people this would affect..."

Cullerton: "Okay, fine, thank you."

Speaker Matijevich: "Representative Neff has moved for the adoption of Amendment #2. All in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

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

Speaker Matijevich: "Representative McAuliffe on Amendment #3."

McAuliffe: "Well, originally in Committee this Bill said 25 years and out. There was some objections and they asked me if I would amend it on the House Floor, so the way it is amended, it says that at the age of 50, with 23 years of service, a police officer could retire."

Speaker Matijevich: "Representative McAuliffe has moved for the adoption of Amendment #3. Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Cullerton: "Will this have the effect of saving money...making the Bill less costly or more costly?"

McAuliffe: "Well, it will have...make it a lot less costly."

Cullerton: "Alright, fine, thank you."

Speaker Matijevich: "Representative McAuliffe has moved for the adoption of Amendment #3. All in favor say 'aye'. Opposed, 'nay', and Amendment #3 is adopted. Further Amendments?"

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

Speaker Matijevich: "Representative McAuliffe on Amendment 4."

McAuliffe: "Amendment #4 provides any reimbursement costs are not reimbursable by the state under the State Mandates Act."

Speaker Matijevich: "Representative McAuliffe has moved for the

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adoption of Amendment #4. All in favor, say 'aye'.
Opposed, 'nay', and the Amendment #4 is adopted. Further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. Mr. Clerk, there is
a request for a Fiscal Note, as amended, so the Bill will
remain on Second until that is complied with. House Bill
1425...Is Mautino on the Floor? Yes, he is. Call the
Bill...Read the Bill."

Clerk O'Brien: "House Bill 1425, a Bill for an Act creating the
Illinois Product Development Corporation. Second Reading
of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Mautino."

Speaker Matijevich: "Representative Mautino on Amendment #1."

Mautino: "Thank you, Mr. Speaker. I believe Amendment #1 is
the...is addressed by the Auditor General, Bob Cronson, to
make the Authority responsible to the audit of the Attorney
General...or the Auditor General's Office and that is what
it does. It spells out that it is a state agency."

Speaker Matijevich: "Representative Mautino has moved for the
adoption of Amendment #1. Representative...on that,
Representative Vinson from DeWitt."

Vinson: "Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will."

Vinson: "Does the effect of Amendment #1, when combined with the
bonding provisions in the...the Bill itself make the bonds
general obligation bonds?"

Mautino: "Run that by me again, Sam."

Vinson: "Does the effect of Amendment #1..."

Mautino: "No."

Vinson: "...when combined with the Bill and the Bill's
authorization of bonds make those bonds general

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revenue...general obligation bonds?"

Mautino: "No, not at all. The effect of the Amendment is basically for audit purposes for the Authority in total."

Vinson: "Thank you."

Speaker Matijevich: "Representative Mautino has moved for the adoption of Amendment #1. All in favor, say 'aye'. Opposed, 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1426. Read the Bill. Bullock."

Clerk O'Brien: "House Bill 1426, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1427, Steczo. Read the Bill."

Clerk O'Brien: "House Bill 1427, A Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1428, Capparelli. Read the Bill."

Clerk O'Brien: "House Bill 1428, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Capparelli, amends House Bill 1428 as amended."

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Speaker Matijevich: "Representative Capparelli on Amendment #2."

Capparelli: "Mr. Speaker, Amendment #2 provides that any person receiving a survivors' annuity on January 1, 1984, from the Cook County Employees' Pension Fund, shall have such an annuity increased by 10%. This was approved by the Cook County Board and 'George Dunn', and I would move the...adopt the Amendment."

Speaker Matijevich: "Representative Capparelli has moved for the adoption of Amendment #2. All in favor. say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

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

Speaker Matijevich: "Representative Capparelli on Amendment #3."

Capparelli: "Amendment #3 provides that the Sheriff of Cook County may elect to participate in...into the alternative retirement formula provided by members of the county police department. At the present time, he is a member of the county retirement and every other sheriff belongs to the county or sheriff's retirement fund and this will give him the opportunity to participate there. I would move that you adopt #...Amendment #3."

Speaker Matijevich: "Representative Capparelli has moved for the adoption of Amendment #3. All in favor, say 'aye'. Opposed, 'nay', and Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1434, Wait. Read it...Read the Bill."

Clerk O'Brien: "House Bill 1434, a Bill for an Act to provide for the deferral of payments, special assessments from property of senior citizens and disabled persons. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

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Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1436, Bowman.
Read the Bill."

Clerk O'Brien: "House Bill 1436, a Bill for an Act in relation to
funds received by the state on account of the use of motor
vehicles and amend certain Acts herein named. Second
Reading of the Bill. No Committee Amendment."

Speaker Matijevich: "Amendments from the Floor."

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1437, Hensel.
Read the Bill."

Clerk O'Brien: "House Bill 1437, a Bill for an Act to amend
Sections of the Illinois Beauty Culture Act. Second
Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

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

Speaker Matijevich: "Representative Hensel on Floor
Amendment...Amendment 2."

Hensel: "Yes, thank you, Mr. Speaker, Members of the House.
Amendment #2 is an Agreed Amendment between the beauty
culture industry and the Department of Registration and
Education that makes technical corrections to Amendment #1
that was adopted in the House Registration and Regulation
Committee. It also adds to the Bill an Amendment to
Section 13 of that Act, which addresses reciprocity, and I
would ask for the adoption of Amendment #2."

Speaker Matijevich: "Representative Hensel has moved for the
adoption of Amendment #2. All in favor, say 'aye'.
Opposed, 'nay', and Amendment #2 is adopted. Further
Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1442, Capparelli.
Read...read the Bill."

Clerk O'Brien: "House Bill 1442, a Bill for an Act concerning
public employees, employees authorization..."

Speaker Matijevich: "Out of the record. House Bill 1445,
Hastert. Read the Bill."

Clerk O'Brien: "House Bill 1445, a Bill for an Act to amend
Sections of the Illinois Vehicle Code. Second Reading of
the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1453, Nash. Read
the Bill."

Clerk O'Brien: "House Bill 1453, a Bill for an Act to amend
Sections of the Election Code. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1454, Nash. Read
the Bill."

Clerk O'Brien: "House Bill 1454, a Bill for an Act to amend
Sections of the Election Code. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1455, Nash. Read
the Bill."

Clerk O'Brien: "House Bill 1455, a Bill for an Act to amend

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Sections of the Election Code. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Taylor-Wash, amends House
Bill 1455 on page 1."

Speaker Matijevich: "Representative Taylor on Amendment #1."

Taylor: "Mr. Speaker, Members of the House, Amendment #1 is a
simple Amendment. It just raise the requirement for
Representatives of the General Section...General Assembly
for their signatures from 300 to 600. Move for the
adoption of Amendment #1."

Speaker Matijevich: "Taylor has moved for the adoption of
Amendment #1. The Gentleman from Cook, Representative
Piel."

Piel: "Has this Amendment been distributed?"

Speaker Matijevich: "Has this been distributed? No, it has...has
not. We take this out of the record for the...till this
Amendment is...distributed. House Bill 1459, Nash. Read
the Bill."

Clerk O'Brien: "House Bill 1459, a Bill for an Act to amend
Sections of the Election Code. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1460, Nash. Read
the Bill."

Clerk O'Brien: "House Bill 1460, a Bill for an Act to amend the
Election Code. Second Reading of the Bill. Amendment #1
was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Matijevich: "Third Reading. House Bill 1466, Leverenz.
Read the Bill."

Clerk O'Brien: "House Bill 1466, a Bill for an Act to amend
Sections of the Court of Claims Act. Second Reading of the
Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1473, Steczo.
Read the Bill."

Clerk O'Brien: "House Bill 1473, a Bill for an Act to amend
Sections of the Illinois Income Tax Act. Second Reading of
the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Steczo, amends House Bill
1473."

Speaker Matijevich: "Gentleman from Cook, Representative Steczo
on Amendment 2."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment
#2 is a clarifying Amendment that was discussed in the
Revenue Committee, I believe, and it further limits the
people who would be applicable under this change in the
Income Tax Act to those whose payroll factor exceeds 250%
of the average of the property factor and the sales factor,
and I would ask for the adoption of Amendment #2."

Speaker Matijevich: "Representative Steczo has moved for the
adoption of Amendment #2. All those in favor, say 'aye'.
Opposed, 'nay', and Amendment #2 is adopted. Further
Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1477, is Giorgi
around, Representative Giorgi on the Floor? Hold that."

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1480, out of the record. 1484, Hicks. Read...Read the Bill."

Clerk O'Brien: "House Bill 1484, a Bill for an Act to amend Sections of the Public Community College Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1485, Laurino. Read the Bill."

Clerk O'Brien: "House Bill 1485..."

Speaker Matijevich: "No, is Bill back there? I don't see him. Take it out of the record. 1489, Terzich. Read the Bill."

Clerk O'Brien: "House Bill 1489, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

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

Speaker Matijevich: "Representative Terzich on Amendment #2."

Terzich: "Yes, Mr. Speaker. Amendment #2 is the State Mandate Exemption Amendment and I would move for its adoption."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #2. All those in favor...Representative Karpziel, are you seeking recognition on that?"

Karpziel: "Yes, Mr. Speaker. I'm sorry, Bob. What Bill is this and why are we exempting it from the State Mandates Act?"

Terzich: "This has to deal with the exclusion of property tax for nonprofit health maintenance organizations, and at the request..."

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Karpiel: "For nonprofit what?"

Terzich: "Health maintenance organizations, HMO facilities, and this excludes it from the State Mandate Provision."

Karpiel: "We are excluding HMOs from the state...from the property tax?"

Terzich: "That's the provisions of the Bill, yes."

Karpiel: "Right, but that's what the Bill does? Is it your Bill?"

Terzich: "That is what...that is correct."

Karpiel: "Why are we doing that?"

Terzich: "Well, that's a part of the Bill, which I...I'm just putting the exclusion of the State Mandate Tax on. I mean I'm not on the explanation of the Bill."

Karpiel: "I realize that. Alright. Well, I object to the Amendment."

Speaker Matijevich: "Representative Terzich has moved for the adoption of Amendment #2. Those in favor, say 'aye'. Opposed, 'nay', and the Amendment...the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1494, Leverenz. Read the Bill."

Clerk O'Brien: "House Bill 1494, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Leverenz, amends House Bill 1494."

Speaker Matijevich: "Take it out? Out of the record. House Bill 1497, O'Connell. Read the Bill."

Clerk O'Brien: "House Bill 1497, a Bill for an Act to amend Sections of the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in

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Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Kaylor-Homer, amends House Bill 1497, as amended in the title and so forth."

Speaker Matijevich: "Representative Kaylor on Amendment #2. Representative Kaylor."

Kaylor: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to this Bill would clarify the original intent of the 'good time' provisions that have to do with prisoners seeking early release. It used to be that we had indeterminate sentencing with minimum and maximum sentences, and once achieved the minimum, they did have to...they did have...the Department of Corrections did have the discretion to ask the parole board to give an early release. Then the State of Illinois went to determinate sentencing, where they had a flat number of years in their sentence, and they could reduce this only one day at a time for every good day served without a problem. For example, if they had a twelve year sentence, they could reduce it one day at a time and eventually end up with a six...with serving six years, but the...the idea behind this was to take away the discretion that the Department had to let prisoners know that they had a sentence and that they had to serve that sentence. There were several types of 'good time' they could get. Number one, they could get the one that I just previously mentioned, and then there was also a second type that they could get. This was added as a little bit of a carrot so that they would have an...the prisoner would have an opportunity to receive a little more time off for good behavior and this was an additional 90 days that could be

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added at the discretion of the Director. But what has happened recently is that the Director of the Department of Corrections has been adding more and more 90 day periods of time, until we are now almost to the point where many prisoners are getting off an extra 200 days from their sentence, and not being able...and not having to serve that. Well, what this has led to is more and more violent criminals being released from our prisons early, and recently in the Bloomington and Normal area, we had a prisoner that was released and within a matter of three hours went home and murdered his wife. Things such as this has led to State's Attorneys throughout the State of Illinois becoming aroused over the early release program that has been instituted by the Department of Corrections and several law suits. Now, one of the law suits that was instigated by Ron Dozier from the Bloomington and Normal area, and also the State's Attorney from the Rockford area was to introduce a law suit that would require the Department of Corrections to implement the original intent of the legislation, which was to give 90 days and 90 days only off in 'good time', and that's what this legislation, this Amendment seeks to do. It gives them 90 days and 90 days only."

Speaker Matijevich: "Representative Koehler has moved for the adoption of Amendment #2...one moment. The Gentleman from Will, Representative Davis, for what purpose do you rise?"

Davis: "Well, Mr. Speaker, I don't have a copy of the Amendment. Has it been printed and distributed?"

Speaker Matijevich: "Has it been...no, it hasn't. Out of the record. We had about 10 electric lights lit up on this Bill too. Out of the record. House Bill 1500. Representative O'Connell, for what purpose do you rise?"

O'Connell: "Mr. Speaker, I would prefer that we, if we can, allow

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this to go to Third Reading. I would agree to bring it back, or strike that. Strike that."

Speaker Matijevich: "Yeah, that's a good idea. Let's return, with Sam Vinson's blessing, one of our Leaders had a meeting in his office, and...Giorgi, and we'll return to House Bill 1477. Representative Vinson wants a few words to say about Giorgi. Representative Vinson."

Vinson: "There are two issues. You know, any Leader or any Member can have meetings in their office, Mr. Speaker."

Speaker Matijevich: "I've been doing it for everybody."

Vinson: "But, Mr. Speaker, I object. We're not on that order of business. The Rules provide the order of call."

Speaker Matijevich: "Alright, okay, we'll get back to it sometime later, when one of Sam's guys needs...needs a Bill. We'll get back to it. House Bill 1500. We'll pair him off, right, Sam? Read the Bill, 1500."

Clerk O'Brien: "House Bill 1500, a Bill for an Act to amend Sections of the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Taylor, amends House Bill 1500 on page 1, line 22, by deleting..."

Speaker Matijevich: "Representative Taylor on Amendment #2."

Taylor: "Thank you, Mr. Speaker. Amendment #2 is just a housecleaning Amendment. It removes one word, 'distribute' from the record keeping Bill. I move for the adoption of Amendment #2 to House Bill 1500."

Speaker Matijevich: "The Gentleman moves for the adoption of Amendment #2. All those in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Matijevich: "Third Reading. House Bill 1507, O'Connell.
Read the Bill."

Clerk O'Brien: "House Bill 1507, a Bill for an Act to amend
Sections of the Revenue Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, O'Connell, amends House
Bill..."

Speaker Matijevich: "Gentleman from Cook, Representative
O'Connell on Amendment #1."

O'Connell: "Thank you, Mr. Speaker and Members of the House.
Amendment #1 is a technical Amendment. It simply provides
that instead of saying that the State's Attorney would
serve notice, it would require that he would mail notice.
It's a technical Amendment."

Speaker Matijevich: "Gentleman moves for the adoption of
Amendment #1. All in favor, say 'aye'. Opposed, 'nay',
and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1508, is Bullock
on the Floor? I don't see...Greiman - Flinn - Taylor, do
you want that Bill called? Read the Bill, Taylor says."

Clerk O'Brien: "House Bill 1508, a Bill for an Act to amend
Sections of the Illinois Banking Act. Second Reading of
the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1516, Jim Rea on
the Floor? Yeah, read the Bill."

Clerk O'Brien: "House Bill 1516, a Bill for an Act to amend
Sections of the Illinois Public Aid Code. Second Reading

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of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #2, Rea, amends House Bill 1516, as amended."

Speaker Matijevich: "Representative Rea on Amendment #2."

Rea: "Thank you, Mr. Speaker and Members of the House. This is strictly a technical Amendment proposed by LRB, and I would move for its approval."

Speaker Matijevich: "Representative Rea has moved for the adoption of Amendment #2. If there is no debate, all in favor, say 'aye'. Opposed, 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Rea-McMaster."

Speaker Matijevich: "Representative Rea on Amendment #3."

Rea: "Thank you, Mr. Speaker. Amendment #3 is strictly a technical and cleanup Amendment, and I would move for its adoption."

Speaker Matijevich: "Representative Rea moves for the adoption of Amendment #3. All in favor, say 'aye'. Opposed, 'nay', and Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Has...the Fiscal Note has been filed, I understand, Mr. Clerk?"

Clerk O'Brien: "Fiscal Note, as amended, is filed."

Speaker Matijevich: "Third Reading. Representative Zwick, your light is on and I don't see you around. Could you turn off Representative's...alright, thank you. House Bill 1520, Saltsman. Read the Bill."

Clerk O'Brien: "House Bill 1520, a Bill for an Act regulating wages of certain workers by anyone under contract for public work. Second Reading of the Bill. No Committee

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Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1521, Ronan.
Read the Bill."

Clerk O'Brien: "House Bill 1521, a Bill for an Act to amend an
Act regulating wages of certain workers for anyone under
contract for public work. Second Reading of the Bill. No
Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1526, Ronan.
Read the Bill."

Clerk O'Brien: "House Bill 1526, a Bill for an Act concerning
fair share agreements in public employment. Second Reading
of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1527, Hicks.
Read the Bill."

Clerk O'Brien: "House Bill 1527, a Bill for an Act relating to
the leasing of mineral interests. Second Reading of the
Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the...from the Floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1530,
McPike-Mulcahey. Read the Bill."

Clerk O'Brien: "House Bill 1530, a Bill for an Act to establish
the right of educational employees to organize and bargain
collectively. Second Reading of the Bill. Amendments #1
and 2 were adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed... Oh, there is a Motion filed."

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Speaker Matijevich: "Alright. Representative Stuffle."

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

Speaker Matijevich: "Representative Stuffle has moved to table Amendment #1. Representative Stuffle, you want to be heard on that or just..."

Stuffle: "I just pursue the Motion to table Amendment #1."

Speaker Matijevich: "Alright, Representative... Table moves... Stuffle moves to table Amendment #1. All those in favor say 'aye', opposed, 'nay', and Amendment #1 is tabled. Further Amendments?"

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

Speaker Matijevich: "The... Representative Vinson."

Vinson: "Several Members on this side, I believe, had their lights on to..."

Speaker Matijevich: "Not... Not until afterward... I didn't..."

Vinson: "Mr. Speaker, I happen to have watched Representative Nelson's light. I can see it from here. It's much closer to you. She had her light on at the time of that discussion. This is a very important Bill, and I don't think you want to embroil it any further in controversy."

Speaker Matijevich: "I didn't see it. I'm sorry. I didn't."

Vinson: "Would you recognize her then to speak on the Motion to table?"

Speaker Matijevich: "Alright. Well..."

Vinson: "You know what kind of trouble we get in when we try to move too fast, Mr. Speaker."

Speaker Matijevich: "I'm trying to do this by the rules, Sam. Is there a request for a Roll Call? Is that what you are asking for, Sam?"

Vinson: "Mr. Speaker, I believe the appropriate step would be to recognize Representative Nelson so she can speak on the subject. If you deny that request, then I would request a

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Roll Call."

Speaker Matijevich: "Okay, let's have leave to take from the table and allow a little time to let off some steam and get back to this. Alright? Alright. At the request of the Minority, as I have done all day, Sam, I'm going to open this matter up and hear now from the Lady from DuPage, Representative Nelson. This is on the Motion to table by Representative Stuffle."

Nelson: "Thank you, Mr. Speaker, Members of the House..."

Speaker Matijevich: "In other words, the Chair is saying that I did not see, and I didn't, by the way. I think my arm was over your light, by the way, and I did not see you. So to comply, we are...the Chair is...I fast-gaveled it, but not with intent. So, Representative Nelson."

Nelson: "Mr. Speaker, I do not doubt that you did not see my light, but I did have it on and my hand was raised. I object to the Motion to table Amendment #1, because this is a very important Amendment. This is in fact the Bill, and this is a collective bargaining Bill for educational employees, all educational employees whether or not they are teachers in the public schools or colleges and universities or whether they are employees of the State Board of Education or the educational service regions. We need to take the time to avoid a fast gavel to understand that what we are doing here is starting debate on a Bill of immense importance."

Speaker Matijevich: "The Gentleman, Representative McPike, for what purpose do you rise?"

McPike: "Thank you, Mr. Speaker. I believe that the Minority Party objected to you tabling that with a fast gavel, because they want us to follow the rules of the House and give everyone an opportunity to speak and everyone an opportunity to...to follow the rules. I believe that our

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current rules say that a Motion to table is not debatable; and, if that is the current rule, I would ask that you follow the rules of the House."

Speaker Matijevich: "We'll hold for one second. On that point of order, typically, Motions to table are not debatable, but a Motion to table an Amendment is debatable. So, I guess we are going to waste a little more time, unfortunately. The Gentleman from Will, Representative Davis."

Davis: "Well, just an inquiry of the Chair, Mr. Speaker. What posture are we in then? Are we in a posture that the Amendment is tabled and we are going to let Representative Nelson speak, or has the Chair reconsidered, or would you take a Motion to reconsider so that the Journal accurately describes..."

Speaker Matijevich: "No, I have...No, I think with leave of the House we have done that so that we are now on the Motion to table, and...I think you are through, aren't you, Diana?"

Nelson: "Mr. Speaker, I do not intend to waste the time of this House, but I certainly do intend to ensure that there is full debate of this issue. In Committee we spent some time listening to witnesses, but were cut short by the Majority who slammed that Bill through the Elementary and Secondary Education Committee. I'm here today not to waste the time of this Body, but to make it fully understood that this is an important piece of legislation and that to table Amendment #1 is to change the Bill that was debated in Committee. Amendment #1 became the Bill in Committee and to table it means that all those witnesses and all those people who worked to study Amendment #1, which became the Bill, have lost that opportunity. I would ask for a Roll Call vote on the Motion to table, Mr. Speaker."

Speaker Matijevich: "Gentleman from DuPage, Representative Hoffman on the Motion to table."

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Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this... to this Motion. Amendment #1 to House Bill 1530 was proposed in Committee and adopted in Committee, and it... it did a variety of... did a variety of things to the Bill and put it in such a condition that we could understand that through the creation of the Illinois Education and Labor Relations Act which established collective bargaining for public educational employees statewide, that this put the regional superintendent and the three-member Education and Labor Relation Board, which is involved in the administration of the Act, into place. And it made certain kinds of provisions, as far as union elections, multi-unit statewide collective bargaining relations are concerned. And it, you know, in terms of the scope that most of us understand in this area - wages, hours and terms of condition of employment - these items became negotiable. And it made some other provisions in terms of binding arbitration and those kinds of things, which some of us, you know, find objectionable. And one of the things that we found in it that was most objectionable was the agency shop provision. However, we did understand what the Bill did, and that it covered these particular areas. Whether we liked it or not, we could deal with it and prepare to make some suggestions on how we might make some changes to this so that this Body would have an opportunity to consider adjustments or changes to this Bill as it came to us. If this Bill is tabled, that opportunity will be denied us; because, when we talked about some of the areas that were covered in the Bill - the employee coverage, the relationship of the employee to the employer and how the administrative bodies were going to operate and how the employee recognition and unit determination was going to be

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made - you know, we understood that. We also accepted the idea that we would be grandfathering in those existing relationships and dealing with, you know, multi-unit bargaining, if necessary, in providing for election...union elections and those kinds of things that are necessary in order to get organized."

Speaker Matijevich: "For one moment, the Gentleman from Vermilion, Representative Stuffle, for what purpose do you rise?"

Stuffle: "Mr. Speaker, I rise on a point of order. You were good enough to let them debate the issue of tabling. He is not debating the issue of tabling. He's not even debating the subsequent Amendments as to their subject matter. I hope he would confine himself to the Motion to table. That is what is before us. Nothing else is before us at all. You were good enough to give them that opportunity, and we were able to come back to this. Even though I think you acted in the proper manner, he is not acting in the proper manner, because he is speaking to something that is not before us at all."

Speaker Matijevich: "I think the Motion is...the point of order is well taken. Confine your remarks to the Motion to table. One moment, the Gentleman from Champaign, Representative Johnson."

Johnson: "I think just for precedent purposes, Representative Stuffle's point ought to be completely discussed. Rule 75(d), as you have indicated, clearly provides that...or Motions to table are debatable. I don't know how one could debate a Motion to Table other than by discussing the merits of the underlying Amendment...or Motions to table Amendments are debatable. I don't know how one could do it, other than by discussing the underlying issues that Representative Hoffman is engaged in doing. I don't think

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we want to establish as a precedent of this House that 75(d) becomes a hollow... hollow rule when you can just discuss whether something ought to be tabled without discussing the underlying merits of the issue, and I think that is exactly what Representative Hoffman and others are doing."

Speaker Matijevich: "I think he is proceeding with the tabling debate and, by so doing, can allude to the Amendment, naturally. Because of the ruling and, by the way so all of the Members are certain, I think many Members are differentiating the Motion to table a Motion, which is not debatable, but we have, by practice and custom, always...and the rules, always allowed a Motion to table Amendment be debated. Representative Huff has some words of wisdom to add."

Huff: "Thank you, Mr. Speaker. However I rise for the purpose of an announcement. The St. Nicholas..."

Speaker Matijevich: "I knew there were words of wisdom there."

Huff: "The students from the St. Nicholas Cathedral School are gracing the General Assembly here today. They are here to commemorate the Ukrainian Famine of 1933. This school is represented by Representative Kulas and Senator Nezda, and they are being led by their principal, Sister Marie, and their teacher, Claude Higgins. I think they should deserve a round of applause."

Speaker Matijevich: "Welcome to the House."

Huff: "Thank you."

Speaker Matijevich: "Representative Hoffman, do you have some concluding remarks after all of this?"

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. And I'm glad you clarified the issue that, you know, what...what the debate was and my discussion was relative to the... the issue that you

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brought before the House and have so kindly given us all the opportunity to address and consider, and it seems to me that this particular Amendment is an extremely significant Amendment and one that this House cannot...cannot take lightly. Because if you look carefully at this Amendment, one of the things that the Amendment will surely show you that there is substance. And that is the kind of thing that this Body should be addressing; because, when we get into the issue of the petitions that are called for in this particular election which will require that they be submitted to the regional superintendent, and he then must go about acknowledging the receipt of these petitions and carry out an investigation and then fulfill his responsibility to call an election between these bodies. Now, you'll notice that in this an incumbent union is automatically placed on the ballot while the petitioner, the challenging union may receive 15% of its supporters' signatures to even get on. Now, we may agree or we may disagree with that, but at least we are well aware of the fact...we're well aware of what the content of that particular Amendment is. And if you want to have an election, as is indicated here with...by secret ballot, which is the way it ought to be, but you want to give 30 days notice, you have to provide the names and addresses of eligible voters available on request 15 days before that election and that...you need to have a choice of no representative on that ballot. Now, that is very important, Mr. Speaker, and I'm not certain that that is included in the attempt to make a substitute Amendment. The Amendments which follow this Amendment attempt to address some of these shortcomings, and its important that we do address these shortcomings so that this Body may make a conscious decision about how they want to approach this

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subject. Now, we may or we may not be in agreement with some of the terms of this...this particular Bill - the voluntary binding arbitration, the whole request of allowing agency shops to be agreed which in fact, you know, may very well be, from a lot of our points of view, a sweetheart kind of arrangement that is created between unions and management, which I'm sure, you know, those of us who represent the public on a general basis would certainly object to. Now, there is nothing wrong with mediation and fact-finding, if it is carried out properly. I have some concerns about whether the Amendment, as adopted in Committee, does this in fact, but that is the kind of thing that we ought to be debating on...on Third Reading. And if this Amendment is not tabled, this would give us an opportunity to make that kind of a debate and to make that kind of a determination not only on Third Reading, but prior to Third Reading as...as we have an opportunity to study and look at this Bill in its final form. However, if we are not allowed to submit the Amendments that are necessary to make the kinds of changes that ought to be made in this Bill, then our rights or the rights of the people who would like to make changes in the Bill are being denied. Now the fact of the matter is that when you look into this Bill, you will see that there are strike policies involved here. Now, the question is, Mr. Speaker, Ladies and Gentlemen of the House, do we want to get in the position of permitting public employees, under law, to go on strike? I think there is some serious questions about that, and it seems to me that, when you look at the factors that are included in this Amendment, I think it raises some serious questions about whether this Body would want to adopt that kind of policy or not. Now, there are some unfair labor practices mentioned in the

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Bill. There is no question about that. The fact of the matter is those unfair labor practices are only addressed to one side of the issue. The other party really has no clearly-defined objections that they can raise, and it seems to me like, if you are going to have fair employee/employer relationships, you are going to have to have it come down on both sides. Now, one cannot say that when we get into this area, that this isn't going to cost money. So the way we handle that, and the way we have always been handling it, we just exempt it out of the State Mandates Act. That way we drop it all on them. We say this doesn't apply or that we prefer to exempt it out, and we do which, of course, makes the State Mandates Act a very hollow, a very hollow piece of legislation. Now, that's no one's fault but our own. We have consistently, when we wanted to get out of it, we have consistently moved ourself out of it. There is no question that collective bargaining at this level has a cost. The fact of the matter is, it not only has a cost in its implementation, it has a tremendous cost in its effect. No one can argue that this is going to cost the taxpayers more money after the fact than before the fact. Now, there is another point that needs to be made and is frequently overlooked. Forty-eight percent of the school districts in this state already bargain collectively under the present circumstance and do it very, very well, and I think very reasonably in most cases. But that doesn't tell the whole story. The fact of the matter is that 85% of the teachers in this state are covered by collective bargaining agreements. And so, you know, it raises some very serious questions when there is an attempt to table this particular Amendment to avoid giving us an opportunity to come in...to come in behind with some suggestions about how this should be amended;

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and, for that reason, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Motion to table."

Speaker Matijevich: "The Gentlemen from Will, Representative Davis. One moment. Representative Hoffman, for what purpose do you rise?"

Hoffman: "Yes, thank you, Mr. Speaker. Following Representative Huff's lead, I would like to take the opportunity to introduce the junior and senior class from the Tri-County High School, which is located in the nearby community of Buffalo. Malcom DeHart-Reed is with them today, and I would like for us to recognize this fine group of young people from Buffalo."

Speaker Matijevich: "I was wondering why you put so much 'umph' into your speech, Gene. Welcome. If there is...if they are still here. Representative Davis."

Davis: "Well, thank you, Mr. Speaker. I think this is an extremely important and volatile issue, and everybody should pay very close attention to the tabling of this particular Amendment. What we face here is the fact that in Committee this Amendment, which is quite copious and lengthy and covers a variety of issues that impact on everybody in this state one way or another, that this Amendment was brought into Committee at the last moment; and, while there was lengthy debate in Committee, only the 17 or 19 people that were in that Committee room heard that debate. And the truth of the matter is we find ourselves in a position now where, if this Amendment is tabled, a subsequent Amendment down the line will once again come back to us and return to us on this Order of Business where, indeed, we will face another copious document with significant changes to the one that we already know about that none of us have had ample time to review and to discuss the issues involved and the modifications involved

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attendant to those issues. The issues are many involved in this particular Bill. This particular Bill has so many problems with it...or Amendment has a lot of problems with it and we recognize those problems. We also recognize that collective bargaining in this state probably will pass this General Assembly, probably will pass this House, probably will pass the Senate, and most probably will be signed by the government...by the Governor, and the government and everybody. But the truth of the matter is we have to make our impact on this Bill to make it the absolutely best Bill for the bargaining agents themselves, for the unions themselves and for the school boards who will be sitting on the other side of the table. That is absolutely intendent and incumbent on us to do that. For instance, in portions of the Bill that do business with strikes and strike policies, strikes are permitted under Amendment #1 but only under certain conditions, and I think even the school boards and unions recognize that despite the haven that we seem to have found in private relations throughout the economy of this country where strikes are practically unknown, Caterpillar notwithstanding, that mediation and arbitration has indeed brought the private sector into some form of harmony so that the strike itself has become an impasse that...an impasse procedure that generally is no longer necessary. It is generally conceded that that is not the case in the public sector and that the strike is still a tool that is available to the...to the unions themselves as a negotiating tool and certainly a lockout on the other side is the same. However, under certain conditions can strikes be permitted. I don't think that is fair. That issue hasn't been discussed on this General Assembly floor. I think perhaps strikes should be allowed in the public sector bargaining. I think that is a

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legitimate negotiating tool by unions. I think it's a legitimate negotiation tool on the other side. I also think that that perhaps should be modified to hold harmless some of the more untenable portions of striking activity so that the citizens of that district are not charged back with the additional dollars that it costs the local district activity and property taxes so, indeed, that strike provision does not cost additional dollars to it. Another thing that is in here that is particularly onerous in my mind is when they set up the gubernatorially-appointed Labor Relations Board. The Chairman of the Board is paid \$38,000 a year. That seems to me to be a rather excessive salary for an organization that probably won't have all that much to do, assuming a mutually compatible collective bargaining if this Bill should pass. The other members of the Board receive \$28,000, and the appointment itself is not really spelled out as to who provides the list for the Governors or if that gubernatorial appointment is right at his own particular discretion at any point in time. The wages, and the hours, and the terms and conditions of appointment, it provides for voluntary binding arbitration on contract terms but a limited amount of right to strike. Well, what in the world way is that to solve a collective bargaining dispute between two parties? They have binding arbitration on grievances but not necessarily on the money issues. And that raises up something that's very lacking in Amendment #1, despite the fact that we agree with most things in 1. And that's the reason we are not...we are opposing this Motion to table. The fact that binding arbitration, if the arbitrator is not a resident of the district or near-resident of the district, that, by George, you find yourself with some yokel from Philadelphia coming into

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Decatur, Illinois or Danville, Illinois and telling those people what their property taxes are going to be. And I think everybody finds that a particularly onerous provision that is not in Amendment #1 that should be in Amendment #1. And unfortunately, it's not in Amendment #7 either. So, all in all, Mr. Speaker, I can only tell you that this Amendment, while in scope needs to be debated more fully at this point in time and that subsequent Amendments need that same amount of debate. That we find ourselves in a very awkward position here of wanting to address Amendment #1 but not wanting it to be tabled, because we want to address ourselves to this Amendment and help the Sponsor put this Bill in the shape that virtually, I think, all people can support in the State of Illinois simply because collective bargaining in the public sector is practically defacto as it is. So, Ladies and Gentlemen, I would sincerely endorse a 'no' vote on the tabling...or excuse me. Excuse me. Yes, a 'no' vote. Where am I? A 'no' vote on the tabling Motion is the right vote so that we can go on about the business of addressing further Amendments to this sweeping concept that probably its time has come, and I predict to you it would pass. But let's make it as good as we can for both sides so that harmony can go forward in the State of Illinois and find ourselves in a position where the school boards, and local elected officials and the unions themselves can proceed with the harmonious and rightful collective bargaining procedure and eliminate the problems that we've seen with schools not opening in the past. Thank you, Mr. Speaker."

Speaker Matijevich: "The Speaker of the House, Mike Madigan. We're going to be at ease, we've got a little ceremony coming up."

Speaker Madigan: "Ladies and Gentlemen, we will change the Order

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of Business. I stated at the beginning of the day... If you could hang up the telephone, Mr. Preston. I stated at the beginning of the day that we would have our invocation at 12:00, rather than at 9:00. So, if the Members would be in their chairs. Would the Members please be in their chairs? We shall be led in prayer today by the Most Reverend Innocent Lotocky, Bishop of the St. Nicholas Eparchy for Ukrainian Catholic Church in Chicago. Your Eminence."

Bishop Lotocky: "In the Name of the Father and of the Son and of the Holy Spirit. Amen. Eternal Father, giver and sustainer of life, as we commemorate the 50th Anniversary of one of the greatest atrocities to befall humanity wherein over seven million Ukrainian lives were destroyed through the inhuman suffering of famine and starvation brought about not by nature, but by the hands of a godless communistic regime who sought to annihilate, dominate and manipulate human lives, the regime who does not comprehend the immutable values of brotherhood, compassion and basic human rights. Look graciously upon those victim men, women and children who gave life and who have gone before us. Permit their martyrdom to bring light to the minds of men so that oppression might cease. Let the sacrifice of these lives serve as a reminder of the evils that lurk around us here today and let all men see, know and understand that we must strive for the causes of human justice and the dignity of life. Heavenly Father, bless this distinguished Body of the Legislators and grant them the wisdom and the courage to respond to the just needs of humanity; that they and we may be sound instruments in making the world you have entrusted to our care a better and more hallowed place. These Legislators have chosen the path of service to your people. May their service be enlightened and one of noble

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integrity. Give them the strength to endure the difficulties of their tasks and to find respite in You alone. Bless, O Lord, our beautiful and freedom-loving America with the highest ideals and noblest aspirations, for in these only shall we continue to be free. We ask this through Christ, Our Lord. Amen. In the Name of the Father, and of the Son and of the Holy Spirit, God bless you."

Speaker Madigan: "The Chair will recognize Representative Myron Kulas, who will conduct a special ceremony, and the Chair would encourage the Members to give their attention to Representative Kulas and to the speakers who will follow him."

Speaker Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is my distinct honor today to introduce to you some of the community leaders from the Ukrainian community in Illinois. You have heard the invocation which was given by the Most Reverend Innocent Lotocky, who is the Bishop of the St. Nicholas Eparchy of the Ukrainian Catholic Church. We also have here on the podium the Very Reverend Marian Butrynsky, Pastor of the Sts. Volodymyr and Olha Ukrainian Catholic Church. We also have the Reverend Anatoly Sytnyk, the Pastor of the St. Andrew Ukrainian Orthodox Church from Addison, Illinois. We have the Reverend Oleksa Harbaziuk, the President of the Worldwide Olha Ukrainian Evangelical Baptist Fellowship and also the Pastor of the Ukrainian Baptist Church in Chicago. We have Doctor Myroslav Charkewych, who is the President of the Ukrainian Congress Committee of American in Illinois. And we have Professor Stephan Horak, a Professor of History from Eastern Illinois University. And also, we have Attorney Julian Kulas, who is the Chairman of the Committee to Commemorate the Great Famine in Ukraine in Illinois. He

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is also a Member of the United States Holocaust Memorial Council, and he is also my brother. The Ukrainian community in Illinois is here today in Springfield to commemorate the 50th Anniversary of one of the most tragic events in human history, the Great Famine in Ukrain. At this time I would like to call upon Professor Stephan Horak from Eastern Illinois University to address the General Assembly. Professor."

Professor Horak: "Thank you, honorable Representatives, Mr. Kulas, Mr. Speaker, honorable Representatives of the people of the State of Illinois, Ladies and Gentlemen, and you students from Chicago Ukrainian schools. I am deeply honored to appear before this distinguished Body, and I thank you for the privilege of sharing with you my knowledge of the subject touching every dignified human being, regardless of time and place of his manifestation. Just three weeks ago we all were reminded of the tragedy which had befallen the Jewish people in the 1943 Warsaw ghetto uprising, a singularly cruel experience in the process of extermination of some six million people because of their Jewishness. This was enough reason to the Nazis to kill old, young, women, men and even unborn children in the wombs of their mothers. The word 'holocaust' was coined a sadistic reminder of the potential beastiality of humans, and the fate of those six million Jewish people should neither be forgotten nor forgiven. And yet, the simple tragedy, of course, is not the only recorded witness of modern barbarity. While the holocaust was a product of Reichist doctrine, the tragedy forced upon the Ukrainian people in 1932/'33 was generated by and was carried out in the name of the Marxist-Leninist Doctrine of class warfare and of the class enemy concept. Indeed, although the underlying motives and rationalizations differ in those two

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exterminations, there is large... though however identical and even comparable in numbers with the Ukrainian victims variously estimated at some seven million people, or 20% of the total of Ukraine's population. With great sadness I turn the pages of history back to that distant time and place, and the justification for doing so is the fact that you, the Honorable Representatives of the people of Illinois, be informed of the evil of a system which refuses to be guided by the principles of moral values, justice and compassion for all people. By pronouncing in Jacobian fashion the Marxist Doctrine, a supreme reference as the highest as accountability, Stalin, upon inheriting Lenin's creation, built on the premises of the dictatorship of the Praetoria or as it is quite cynically referred to, as Marxist Paradise, decided to complete its historical destiny. His building of socialists in one country by orders from above rested on the maintenance of a centralized economy, and a totalitarian political regime, an always present fear and forceful implementation of the nationalization of all sectors of economy, industrialization and the characterization of agriculture. The prize paid for his consecrational scheme was formidable. The British historian of Soviet Russia, Roberts 'Conquest', estimated the number of peoples who perished under Stalin's dictatorship at 24 million. It is my assertion that this number should be revised upwards. Ukrainia, which came under Moscow's domination only after a prolonged war with Soviet Russia in 1919/1920 defending her newly regained national independence after the collapse of czarist Russia in 1917, experienced not only the Marxist class warfare for internal bloodshed and destruction, but national oppression as well. On one occasion, according to Nikita Khrushchev's revelations, Stalin seriously

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considered the punishment of Ukrainians for their resistance with the forceful resettlement of all Ukrainians to Syberia and only the sheer number of over 40 million prevented this diabolic plan from being carried out. Nonetheless, Ukrainians, especially the peasantry, the mainstay of the nation was singled out as the enemy of the social resistance for their stubborn refusal to comply with Stalin's collectivizations. With a long tradition as individual farmers and a commitment to liberty which they defended in the past, Stalin decided to destroy them as a social class and as the best representative of the nation which was historically committed to the ideas of ... freedom. On Stalin's order, hoards of organized cavalry brigades invaded Ukrainian villages and forcefully requisitioned its grain, leaving peasants without their food basic for survival. The results were tragic, which in few months this Stalin-ordered mass starvation had emptied hundreds of villages leaving behind skeletons of children, women, men, the old and the young. One of the richest lands in Europe, known before 1914 as 'The Breadbasket of Europe', with a soil as rich as ours here in Illinois, and not as a result of natural catastrophies such as flood or drought, became a huge graveyard. In contrast and just across the border and under very similar weather conditions and soil quality, but under different political economic conditions in Poland, not a single Ukrainian peasant died of starvation. It is also true that no Ukrainian peasants in Russia, but the soil is of poorer quality, did not suffer a famine. Even so, their material values declined too. These fact were clear the existence of the purpose for Stalin's policy in Ukraine with the intent to destroy the very fabric of Ukrainian society making it easy for the Kremlin to finally subjugate and terrorize people under

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communist regime. At the same time, the commissars in Moscow celebrated the victories of Stalinism and staged with caviar, vodka and Ukrainian bread receptions for the western sympathizers of Soviet Russia, who were misled by propoganda and assured the... of suppressing in the news about one of the greatest crimes in mankind's history. It is rather unpleasant to know that a New York Times correspondent in Moscow, 'Walter Durante', himself, one of the better known western fellow travelers, upon being informed about enormous extent of the famine in Ukraine. In his report in New York Times, he denied the fact of mass starvation, depopulating villages. 'Durate' was not the only one who willingly contributed to the falsification of history. Indeed, there were many. Some are still around who refuse to read Alexander Solzhenitsyn's Gulag Archipelago, or the accounts written by those who survived and who witnessed Stalin's socialism in action. But, as you might know, there are individuals who question and deny Nazi extermination of the Jewish people. Therefore, as I had mentioned earlier, I thank you for giving me the opportunity to share with you information which, for so long, has escaped the attention of the American people. It is befitting to commemorate the victims of this 50th Anniversary of events which, for the sake of human dignity and future, should not be forgotten or forgiven by those who want to defend freedom and liberty. I suspect that those who want us to forget or ignore Khrushchev's prophecy, 'We shall bury you'. Or perhaps, they would be delighted to see all of us defeated and dumped into the Marxist's graveyard. It is true that many Ukrainians were ignorant of the communist propoganda, and they became the first among Soviets' Russian victims. But, it is also true that their mistakes were bitterly committed by many others

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in the years to follow. The holocaust, having refused to learn from the past and history. Therefore, the holocaust of the Jewish people, as well as the genocide of Ukrainians, Cambodians and even presently the Afghan people must be seen as a real and imminent danger to the rest of the world and including all of us here. The refusal to study the past and to learn from the accumulated experiences of the past and to identify communism for what it stands amount to voluntary abdication of freedom as a right to property, life and dignity. In the silence, the victims of this horrible crimes of Nazis and communism expect us to speak on their behalf, be it a Ukrainian or Jewish mother, a young child, a Jewish merchant or a Ukrainian peasant. They all were humans innocent... human beings innocently killed or starved to death by tyrants. The tyranny from the right or left is equal beastly. Those of us who live under the system of freedom should dedicate ourselves to the perpetration of that freedom. And thank you for your attention, Ladies and Gentlemen and honorable Representatives."

Speaker Kulas: "Thank you, Professor Horak. I will now ask the Clerk to read the Resolution."

Clerk Leone: "House Resolution 281. Whereas, this year marks the 50th Anniversary of the genocide with few parallels in recorded history - the artificially created famine in the Ukraine; and whereas, the famine was deliberately created by Moscow to permanently suppress Ukrainian nationalism and the Ukraine's right and desire for self-determination; and whereas, in 1932 to 1933 Ukrainians were sentenced to a horrifying slow death from starvation; and whereas, during this period, over seven million Ukrainians died in an unprecedented mass resistance to tyranny and oppression; and whereas, this experience was inflicted a deep and

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lasting scar upon the Ukrainian community throughout the world and in Illinois and has established this tragic event as an everlasting memorial to the infamy of human (sic - memorial of infamy to human)cruelty and indifference. Therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois that we join the Ukrainian community in their commemoration of the Great Famine and that we call upon all the citizens of the State of Illinois to joint in a moment of prayer for the heroes and martyrs of the Ukrainian nation and to reflect upon the immense privileges of freedom that we all enjoy in this great country of ours."

Speaker Kulas: "On the Resolution the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, first, this House welcomes Bishop Lotocky, all other Ukrainian clergy, all Ukrainians, other dignitaries, all Ukrainians who have traveled here to Springfield, the students who have also traveled here to Springfield. By this Resolution we officially offer our sympathies to the Ukrainians as people and to those Ukrainian families who've suffered from this political genocide. We also, by this Resolution, are saying that we, too, will not forget the genocide that has been done to the Ukrainian people. I want to say also that we, as a House, are proud to have amongst our numbers the greatest of the Ukrainians, Myron Kulas. With all apologies to the other dignitaries, he is the greatest of all of you in our eyes. He is a warm and decent person, as all Ukrainians are decent and rightfully proud people. Mr. Speaker, I move for the adoption of this Resolution."

Speaker Kulas: "Thank you. On the Resolution the Gentleman from Cook, Representative Pederson."

Pederson: "The Ukrainian community's Immaculate Conception Church

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is located in Palatine, which is in the 54th District, my district. We're proud that they picked Palatine. We're very appreciative of the great contribution they have made to our community. We're deeply sympathetic to their cause and pray for the day when Ukraine is free again. So, I also second the Motion for adoption of this fine Resolution."

Speaker Kulas: "On the Resolution, Representative Vinson."

Vinson: "Mr. Speaker, Representatives, I would associate myself with the remarks that Representative Pederson and Representative Matijevich have made, and I would ask leave that all Members of the House be added as Cosponsors of the Resolution."

Speaker Kulas: "Is leave granted? Leave is granted. All those in favor of adoption of House Resolution 281 say 'aye', all against 'no'. The 'ayes' have it. House Resolution 281 is hereby adopted. Ladies and Gentlemen of the House, I thank you for your patience. I thank you for this opportunity for the Ukrainian community to appear in front of you and to let you know what is in their hearts, what is bothering them. Also, on an point of personal privilege, I would like to introduce in the gallery the children from the St. Nicholas Ukrainian Catholic School in their beautiful costumes, under the leadership of Sister Maria. We also have the children from the Ukrainian Saturday schools, the so-called ethnic schools and the Saturday schools from both parishes, and we also have the senior citizen clubs from St. Nicholas Parish and from Sts. Volodymyr and Olha Parish. So, welcome all to Springfield. ... to Springfield. I would also be remiss if I didn't introduce one person up in the gallery who has never been here, who has never seen me in action, and that is my mother. Mamma. Again, thank you very much, and let's go on with the

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business of the House."

Speaker Matijevich: "Somebody left their glasses up here? Anybody? No. I guess maybe... Alright, we will revert back to the business of the House. We were on the Motion. The House will come to order. We were on the Motion to table. On that, the Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. Speaking on the Motion, this is truly disturbing to me and especially as a freshman. We come down here with a thought that we can follow every Bill that goes through and learn quickly that that's very difficult and, in fact, impossible. We do the best we can with analysis and with the help of our colleagues. The reason I would oppose this Amendment... this Motion to table is because of the way I understand the process to have occurred here. And I'm on the Elementary and Secondary Education Committee that heard this Bill. The Bill was introduced, and then an Amendment, Amendment #1, which we are talking about, was produced on the morning of the hearing on the Bill. We had something like an hour or two or less to analyze that Bill and decide how we would want to amend it. We had no time to study the Bill. The Bill went through Committee, and we had some plans to allow that, in effect, and to amend the Bill... the Amendment which became the Bill on the House floor. Now, there is sitting on my desk what's marked as Amendment #7, which again is going to become the Bill and, in effect, knock out the affect of our Amendments 2 through 6, which would be our only attempts to amend Amendment #1 which became the Bill. In effect, this process has completely kept the Republican side of the aisle from getting any discussion on alternatives to portions of this very important Bill. And it's not fair, and it's a sham. And I would ask this

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Assembly to not allow that sham, but to allow free debate to occur and to vote. And when that debate is over on this Amendment, to vote 'no' on the Motion to table so that we can have valid Amendments regarding this Bill and have full discussion of them. Thank you."

Speaker Matijevich: "Representative Stuffle to close."

Stuffle: "Yes, Mr. Speaker and Members, what disturbs me are some of the suggestions on the other side. This Bill sat in Committee three weeks from the time it was introduced and sent to that Committee to the day it was heard. Certainly with that Bill in Committee, the other side could have proposed Amendments in Committee. They didn't do so. The Minority Spokesman suggested to you that it didn't get an expeditious hearing, and that's totally untrue. To go back to the record of the Committee, an hour and a half testimony was heard, and in fact the opposite is true. No Amendments came from that side of the aisle in Committee. And in fact, and instead of our effort to rush it through, giving it an hour in a half debate, the Minority Spokesman said, 'Attempted at 12 o'clock to prevent a vote on this Bill'. Also suggested that she had an hour and a half more questions to ask. I suggest to you the opportunity was there then to act, to offer Amendments. There was no obstruction. You've given them a fair chance today to debate this Motion, more than the fair chance that we would ever have gotten in the last Session of this House. Today's effort is a delaying tactic. We know that. The other side knows that. If they wanted Amendments, they could have suggested them then. I might point out to you I noted thirteen different arguments about problems alleged with this Bill. In fact, of the four Amendments they offer after this one and the second one, only one point, one point out of the thirteen mentioned by the two Republican

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leaders is even addressed in those Amendments. We put together an additional Amendment, as they said, that becomes the Bill. It is not substantively changed from the first Amendment in any way, shape or form. We're trying to move this Bill along. They know that, and we know that. This effort is a delaying tactic to offer more Amendments that could have been offered in Committee, that could have been offered prior to today, that could have been offered even since 7 has been published, printed and passed out on this House floor. No one has stopped anyone's effort on this Bill. They know that. We know that. You've been more than fair. I renew my Motion and ask for an 'aye' vote to table Amendment #1."

Speaker Matijevich: "Representative Stuffle has moved to table Committee Amendment #1. The question is, 'Shall Committee Amendment #1 be tabled?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 49 voting 'no', 1 voting 'present', and the Motion to table Committee Amendment #1 is adopted. And Committee Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Oblinger, amends House Bill 1530 as amended."

Speaker Matijevich: "Representative Oblinger on Amendment #3."

Oblinger: "Mr. Speaker and Members of the House, Amendment #3 did something that I think all of us should be willing to do."

Speaker Matijevich: "Representative McPike or Stuffle. You're pointing at each other. Stuffle."

Stuffle: "Well, obviously, Amendment #3, 4, 5 and 6 are now out of order. I would ask you to so rule with the tabling of Amendment #1. Each of these Amendments amend Amendment #1 per its Sections and Subsections; and, for that reason they

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are out of order."

Speaker Matijevich: "The House at ease for a moment. The Gentleman's point of order is well taken. With the tabling of Committee Amendment #1, Amendments #3, 4 and 5, I believe all are out... and 6 are all out of order. 3, 4, 5 and 6 are out of order. Further Amendments?"

Clerk Leone: "Floor Amendment #7, McPike - et al, amends House Bill 1530 as amended."

Speaker Matijevich: "Representative McPike on Amendment #7."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #7 reorganizes Amendment #1 and 2, puts them in the proper format and in essence becomes the Bill. Just briefly, I think this should be discussed at length on Third Reading, but briefly Amendment #7 does become the Bill. It is a collective bargaining Bill for school teachers, employees of elementary, secondary, junior colleges and four-year universities. It establishes a State Labor Relations Board, sets up certain rights and responsibilities both for employers and employees, provides for exclusive collective bargaining, ... I'm sorry, exclusive representation, provides impasse procedures, arbitration and mediation, and fact-finding. It allows, upon mutual consent, binding arbitration. It prohibits strike, except under the following conditions: a exclusive bargaining representative does represent the employees, a mediation has been used, a five-day notice of intent to strike has been given, any collective bargaining agreement has expired and, finally, that the employer and the exclusive bargaining Representative have not mutually submitted unresolved issues to find... final and binding arbitration. I think it's a Bill that provides rights for public school employees that have been given to other employees in this state and in this country since 1935. I

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think it's time that we give to the school teachers and other employees of the school systems in Illinois the same type of rights that are given to all of the other private sector employees in this state. I would move for the adoption of Amendment #7."

Speaker Matijevich: "Representative McPike has moved for the adoption of Amendment #7. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Matijevich: "He indicates he will."

Hoffman: "Representative McPike, just succinctly, how does Amendment #7 differ from #1?"

McPike: "I think... I don't think there are any substantive changes between 1 and 2 combined and Amendment #7. I think... with the one exception that in Amendment #7 we add dues deduction for Higher Ed that was not originally included in Amendment #1 and 2. Other than that substantive change, I don't believe there are any substantive changes in Amendment #7. Reorganizing and technical changes only."

Hoffman: "I notice on page 26, line 31, the addition of language after membership dues which says 'plus any payments or contributions'. Exactly what does that mean in the context in which it is included in this particular Amendment?"

McPike: "Would you repeat that, Bon?"

Hoffman: "Pardon me?"

McPike: "Would you repeat that question, please?"

Hoffman: "On page 26 of the Amendment, line 31, there's the addition of the language after membership dues, 'plus any payments or contribution'. In the context in which that language is added, exactly what does that mean?"

McPike: "This is a fair share provision that has been interpreted

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by the courts to mean the fair share contribution by those employees for the efforts put forth on their behalf by the exclusive bargaining agent."

Hoffman: "It said... Alright, let me just back into the language. Let me ask you the question a little differently. It says, if you go up to line 30, it says 'equal to the prorata share of the annual membership dues, plus any payment or contribution'. In the context of prorata share of annual membership dues, what does 'plus any payment or contribution' mean?"

McPike: "This language would require the payment by everyone represented by the exclusive bargaining agent to have a dues checkoff, which includes just what you've said, the prorata share of the annual dues, plus any payments or contributions. That is the amount that would be withheld from the employee's check."

Hoffman: "But what... what... Give me an example of a 'payment or a contribution'. I don't understand what that means when you add that to membership dues, because my understanding is, with the idea of the prorata share, we're talking about that portion of your membership dues which is used for the purposes of representing that employee in a negotiations with the employer."

Speaker Matijevich: "One moment. Representative Stuffle is chomping at the bit to answer that. The Co-chief Sponsor."

Stuffle: "If I may, since this language was suggested in part by myself. Representative Hoffman, I'm sure you're not deliberately confusing the two issues. What you're talking about on this particular page is not an agency shop provision. You're talking about on this particular page a deduction provision. The agency shop provision in the Bill is negotiable and follows the case law in this country. What this is is a deduction provision whereby that agency

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shop amount shall be deducted and, in addition, if the employee by his or her written consent only so provides, there may be an additional checkoff by the employer. And the language in there, I might add, is consistent with this, what already is in the law, to my understanding, on the downstate teacher situation. So, you're mixing apples and oranges if you're looking at this as an agency shop issue. It is not. It is a dues deduction issue - beyond that, a deduction on written consent not to be confused with agency shop at all."

Hoffman: "Then my... Mr. Speaker, may I address the question to the respondent?"

Speaker Matijevec: "One moment. Representative McPike is seeking recognition."

McPike: "Just to further clarify, if you look on page 21, lines 19 through 21. Page 21 on line..."

Hoffman: "Excuse me a moment, please. The type is very light..."

McPike: "Yes. It's very, very light type. We have a problem with the printers. If you'll hold it a little way away, you can read it."

Hoffman: "Well, that's why I put my glasses on, because my arms aren't that long. Alright. Yes, Sir. Where are we now?"

McPike: "Page 21."

Hoffman: "Yes, Sir."

McPike: "Lines 19 through 21."

Hoffman: "I see that."

McPike: "Okay. So, the language that you have questioned is identical to the current language in law. And all we're doing is extending the current language in law to four-year universities."

Hoffman: "My understanding is then this would include, by your explanation and the explanation of the previous Sponsor, that this would include such things as a credit union. In

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other words, if you..."

McPike: "Yes."

Hoffman: "... had a deduction for a credit union, this would what would be... You would want to contribute to the United Way?"

McPike: "Yes."

Hoffman: "That would be included, or the heart fund?"

McPike: "Yes."

Hoffman: "That would be included?"

McPike: "Yes."

Hoffman: "Fine. Thank you very much."

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

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did think that I should make one thing clear. Amendment #7 is the product of a great deal of effort. It is supported by both of the major teacher organizations in this state, whom had significant input into the crafting of it. And in accordance with the desire of so many people to have labor peace, it was our effort and it remains our effort to bring management into the picture on a meaningful negotiating basis. Accordingly, I convened, and chaired... more or less chaired a meeting with management people last week. I have been getting back some material from them. Today, we are proceeding, the managers... The four managers of this Bill, chose to proceed on the Bill, and that does not mean that between now and this Bill arriving on the Governor's desk, that it will... that it is written in stone or that it will not be changed. And I wanted to make clear to those organizations who have contacted me, some of whom have provided me, just yesterday with proposals for changes of language, certainly that is possible between now and the moment when this Bill reaches the Governor's desk.

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And I didn't want them to believe that there was any act of bad faith or any act to which would foreclose consideration of other issues. I believe that House Bill 1530 is a significant matter, to be considered a step forward in employee public... employee relations, and ask that it be adopted."

Speaker Matijevich: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker, may I ask the Sponsor a question, please?"

Speaker Matijevich: "She ... Indicates she (sic) will yield."

Oblinger: "Representative McPike, this is not dilatory. I voted for this Bill in Committee, but I didn't have the question answered then to my satisfaction, and I want to know why it's repeated in this Amendment? This is on page five. We create an Illinois Educational Labor Relations Board. I would suspect that the three people who are going to serve on it are going to be knowledgeable in this field. Why do we take away their authority when we are dealing with elementary, secondary and community colleges? Why doesn't the Board deal with all the issues? They will have the knowledge. I don't think regional superintendents do."

Speaker Matijevich: "Representative McPike."

McPike: "Representative, that's a subjective opinion. There are those that believe that we should not create a huge bureaucracy, but that it best can be handled on the local level. And so that we thought the regional superintendents, who are now handling it under current law, for K through 12 along with junior colleges, we think that their offices can adequately handle the requirements under this Bill. Four-year universities may be in a different category. So, we made them subject to this Board. It's a subjective decision as to who can best handle it, but I

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think that local problems can best be handled on the local level by people that are familiar with local politics and familiar with the local people."

Oblinger: "To the Amendment, Mr. Speaker. If this is true and the local level can handle it, then I don't see why we have to have a Labor Relations Board. I'm in favor of the Labor Relations Board; but, taking the regional superintendents out. I've talked to a number of them; and, if they know anything about labor law, then that light's out up there. And I think this is ridiculous when we have a Board where I would think we would have equitable people, people who are knowledgeable, not being able to make these decisions."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino."

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

Speaker Matijevich: "He indicates he will."

Mautino: "Representative McPike, for intention purposes, I'd like to go back to that page 26, line 31. For the intent of the legislation... It says 'contributions'. There was a recent federal determination as it pertains to pension funds of organized labor groups. In regard to that determination, is it your intent that the contribution provisions in this legislation address any possible unfunded liability in pension programs?"

McPike: "We will look into that. That point has never been raised. And I don't think the Bill, in any way, addresses itself to that subject, but I would give you a definitive answer on Third Reading."

Mautino: "That contributions in no way... What I'm asking for, in this context of the term 'contributions', that does not address pension funds in any way?"

McPike: "No. No, it does not."

Mautino: "Okay. That's what I'd like to know."

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Speaker Matijevich: "The Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Matijevich: "Yes, he will."

Nelson: "Couple of questions, Representative McPike. Others have covered some others. The Board, that is created under Amendment #7 is salaried, is it not?"

McPike: "Yes."

Nelson: "And what are these salaries in your Amendment?"

McPike: "Thirty-eight for that Chairperson and 28 for the other two."

Nelson: "Appointed by the Governor."

McPike: "Yes."

Nelson: "Okay."

McPike: "With consent."

Nelson: "At different points in your Amendment, you speak about the jurisdiction of the regional superintendents and then, at other points, especially on page 17, you talk about violating any of the rules and regulations promulgated by the Board in line 26. Would you explain to the Members here precisely how those powers and duties are differentiated, those of the regional superintendents and those of the Board?"

McPike: "I think I answered that partially to Representative Oblinger. The regional sup oversees K through 12 and junior colleges. The State Board oversees four-year universities. In order to have uniformity throughout the state, the State Board will promulgate rules and regulations, which the regional sups must abide by."

Nelson: "It seems to me that, as I look through here, I find a great deal of power given to the employee's side. And as far as I can tell, on page 5, the only addition or the

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difference between Amendment #1 and Amendment #7 is up at the top where employer rights is labeled 'Section 4', but the only right that's granted there is really not a right at all, in my mind, where they may select representatives to act in their interest. What other employer rights are in this Amendment #7?"

McPike: "They have the right to enter into and sign collective bargaining agreements. They have the right to fact-finding in mediation; and, with mutual consent, they have the right to enter into binding arbitration."

Nelson: "What I would like you to understand... To the Amendment..."

McPike: "They have right to injunctions under the Bill."

Speaker Matijevich: "To the Amendment."

Nelson: "To the Amendment, Mr. Speaker. Those of us who, on this side, speak for employer rights and for the public fear that with passage of this particular Amendment, which will become the Bill, because it is so one-sided, the public will not be served, that we will have in this State of Illinois more strikes and a continuing... a continuing deterioration of respect between teachers and school boards. I have served on this House Elementary and Secondary Education Committee throughout this entire term, and I have been extraordinarily bothered to discover that so many of the Bills that go through that Committee have nothing whatsoever to do with educational goals. The Bills have to do with turf. The Bills have to do with advancing membership. Like this one, they speak not at all to educational goals for our children. I believe that you and other Members of this Body that are interested in education have probably read A Nation at Risk, the report of the Federal Select Committee to look into what kinds of recommendations we need to debate on this floor, regarding

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educational opportunities for all our youth. And no where in that entire report that took two years of study is there any mention of granting mandated collective bargaining, with the right to strike, to teachers and other educational employees. I would suggest to you that this is a mistake that this General Assembly will regret; that a promise was given to me in Committee by Leadership from your side of the aisle that a chance would be offered for Amendments to the Bill and that in order for us to receive that chance we needed to take some time to slow down the process of this House, something we would not ordinarily do, but that we did today in order to discuss not only this Amendment, but some others that will be offered later. I would respectfully request that the Members vote 'no' on Amendment #7 to House Bill 1530."

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

Vinson: "Will the... Pardon me, Mr. Speaker. Will the Gentleman yield for a question?"

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

Vinson: "On page 15 of the Amendment, lines two and three, alternatively the Board may, on it's own Motion, initiate mediation during this period. And then the subsequent sentence beginning in line 7, 'if requested by the parties' and so on'. Are those two provisions in conflict; and, if they're not, how do you read them together, Representative? What would be the process?"

McPike: "Oh, I don't think they're in conflict. Maybe you could be more specific in your question."

Vinson: "Well, if the Board is not requested by the parties, may the Board, on it's own Motion, initiate mediation fact-finding, etcetera?"

McPike: "Yes. Yes."

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Vinson: "So, it is not necessary for either or both of the parties to request the Board to involve itself?"

McPike: "Correct."

Vinson: "What's the philosophy behind that? I mean, if both the union and the School Board don't want the state agency involved, why should the state agency be involved?"

McPike: "Well, we would hope that one of the purposes of this Bill is to provide for labor peace. And if the Board feels that mediation and fact-finding may be helpful, and it will lead to labor peace in a certain area, I think we all should be for that."

Vinson: "Well, one of the things that's always bothered me - I come from a union family that's been involved in the railroad industry, and Taft-Hartley has frequently been invoked in railroad disputes. And my question is, aren't we kind of getting into the same kind of situation with this? Is there ultimately binding arbitration in the Bill or not? I haven't read the full Amendment."

McPike: "No. If both sides mutually agree, then they can have binding... mutual binding arbitration."

Vinson: "But both sides have to agree to have binding arbitration."

McPike: "That's correct."

Vinson: "The state agency can't impose binding arbitration."

McPike: "That is correct. The state agency cannot impose."

Vinson: "No Circuit Court in this state is authorized to impose binding arbitration?"

McPike: "That is correct."

Vinson: "Now, if ultimately the union does not want binding arbitration, ultimately, their right to strike is preserved in this?"

McPike: "That is correct. If the employer does not want binding arbitration or if the employee representative does not want

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binding arbitration, then the employee representative may strike."

Vinson: "Okay. Now, on page 17, lines two through six, would you explain what that language... that language contemplates for me?"

McPike: "Well I think it's rather clear. It's an unfair labor practice. Refusing to bargain collectively in good faith is it... constitutes an unfair labor practice."

Vinson: "But can you describe for me typically what a pattern... what kind of a factual pattern constitutes refusing to bargain in good faith? Let me... let me give you an example. I mean, I'm the... I'm the school board, and I don't think there's any more money available than what I offer in my first offer. Am I then, because I do not come back in with a series of higher offers, am I refusing to bargain in good faith?"

McPike: "No, not necessarily. I think, under those circumstances, you'd want some fact-finding to determine if you are, in fact, bargaining in good faith. But it... but not necessarily. I mean, you're not necessarily not bargaining in good faith because you say 'this is my bottom-line offer and I'll never change'. Perhaps you're telling the truth the first day you came to the bargaining table. Often times, as you well know, both sides come with positions that they're not going to settle on. They're going to move from the right and from the left to the middle. That's usually the process of collective bargaining."

Vinson: "Okay. So, good faith means honesty in fact?"

McPike: "It's a state of mind. Yes."

Speaker Matijevich: "We could use a little of it, Sam."

Vinson: "There is not binding arbitration anywhere in the Bill, and ultimately the union preserves its right to strike."

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And ultimately the school board is not compelled to settle by anything in the Bill?"

McPike: "Correct."

Vinson: "Thank you."

Speaker Matijevich: "The... Representative Mays on the Amendment."

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

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

Mays: "On this Education Labor Relations Board, how much are you planning for that to cost the state, or how is it going to be funded?"

McPike: "It's funded out of general revenues."

Mays: "These are the same funds that go to fund our schools, state aid distribution and all this? How much are you anticipating that it would cost?"

McPike: "Fiscal note as filed that it covers \$94,000."

Mays: "Is that... that salary alone?"

McPike: "Yes."

Mays: "That does not cover the fact that they've got to provide a list of people for mediation and all of the other duties and responsibilities that you're giving the Board? Does it give them any administration, any staff, anything like that in that \$94,000 fiscal note?"

McPike: "No. The General Assembly will rule on that through our normal appropriation process as we rule on everything else."

Mays: "Yeah. Okay. Do any of the provisions of this Act, Jim, in any way supersede contracts that may already be in existence? What? Eighty percent, 48% of the school districts are already involved in collective bargaining. They already have agreements with... When those agreements expire, then would this be the absolute agreement for each

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and every one of those school districts that are already collectively bargaining? Or would it start right now and supersede the agreements that are already in existence?"

McPike: "No. This only allows collective bargaining agreements to be collectively bargained, and to be signed and to be legal under law."

Mays: "We're... This proscribes the method by which school districts shall bargain though, should the exclusive representative be selected. And in those school districts that already do have collective bargaining, they already have the terms that they have negotiated amongst themselves before them, and this would set another tier that they would have to comply with. Is that correct?"

McPike: "No."

Mays: "Does this in any way affect private education?"

McPike: "No."

Mays: "Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed on the Amendment."

Mays: "To the Amendment. This is one more of the Amendments that have come down from on high suggesting that public employees are second-class citizens, suggesting that, under any and all circumstances they should be given the right to collectively bargain, a right which may or may not be universally accepted. It's a far-reaching Bill. Indeed in one Section, the Education and Labor Relations Board is even empowered to determine whether a charitable institution is religious or nonreligious. That's a subject matter that we in the General Assembly have been unable to address in the last two and a half years, to my knowledge. It provides the mechanism for binding arbitration; and, in the event that that is not implemented, the mechanisms for strike. And it seems to me, that this General Assembly and those that preceded us, have felt that education is a

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proper domain of the state; that if the state is not involved in providing that service, that it may not be provided in the way that our children should have it provided. And so in this Bill, we are also providing for a disruption of that essential service, in addition to all of those other things mentioned before. I would, therefore, urge this Assembly to reject this Amendment and look at the Bill when it comes on Third."

Matijeich: "Representative McPike to close."

McPike: "Well, I do think that this should be properly and fully debated on Third Reading. And for that reason, I would just ask for a favorable Roll Call on the Amendment."

Speaker Matijeich: "Representative McPike has moved for the adoption of Amendment #7. All those in favor signify by saying 'aye', those opposed by saying 'no'. And the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #8, Nelson, amends House Bill 1530 as amended."

Speaker Matijeich: "The Lady from DuPage, Representative Nelson on Amendment #8."

Nelson: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #8 strikes the State Mandates exemption, which is Section 22 of the Amendment that was just adopted. It is ludicrous to say what is said in Section 22, when the Sponsor of Amendment #7 has just said that the General Revenue Fund will have to pick up the tab for this Bill and that since the Labor Relations Board, which is created under this Bill, only the salaries of those three individuals who make up that Labor Relations Board will cost \$94,000. We're going to look like fools if we adopt a piece of legislation that says the General Assembly finds this isn't going to cost over \$50,000. That makes absolutely no sense. And I should think that the Sponsor

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of Amendment #7 that included this language in his Amendment would be embarrassed by it. What I would do is strike Section 22, inequitability of the State Mandates Act. I am striking this language. 'The General Assembly finds that this Act imposes additional duties on local educational employers and regional superintendents of schools', all true, which can be carried out by existing staff and procedures at no appreciable net cost increase. Untrue. The increased additional annual net costs resulting from the enactment of this Act would be less than \$50,000 in the aggregate - blah, blah, blah, etcetera, etcetera. That is absurd on its face. If you look at the fiscal note, which has been filed on House Bill 1530 signed... it came from the State Board of Education. It says that the fiscal note pertains to cost associate with aspects of 1530, in no way could possibly, possibly cover the total costs. The State Board of Education projects that the fiscal year cost of the Labor Relations Board for Board member's salaries is \$94,000, but there are other board expenses, including staff salaries, travel, supplies and other expenses which, of course, we will appropriate for that Board if we passed this Bill. The State Board of Education further projects that the mediation costs of House Bill 1530 will be at the very least \$60,000. To get that figure they assume that the average mediator will be paid \$300.00 a day, and that a specific mediation case will average two days, and that perhaps mediation will be required in 100 cases - a very, very conservative estimate. Therefore, I would ask your support for House... Amendment #8 to House Bill 1530. So we, Members of the General Assembly, do not look like we are either telling lies or smoking something here on the floor. And I would appreciate a 'yes' vote on Amendment #8. Thank you."

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Speaker Matijevich: "Representative Nelson has moved for the adoption of Amendment #8 and blah, blah, blah and etcetera. Right?"

Nelson: "Mr. Speaker?"

Speaker Matijevich: "Yes, Representative Nelson."

Nelson: "I would request a Roll Call on Amendment #8, please?"

Matijevich: "You're going to get it. And on that Representative Stuffle."

Stuffle: "Yes. Representative McPike and I, as the hyphenated Sponsors, would rise in opposition to Amendment #8. The Sponsor suggests things are ludicrous and absurd; but, if she read her Amendment, she might find that it may be what's ludicrous. Given the fact that the Bill already provides the mediation costs picked up by the state, ceases to be a mandate on local government. Local governments and the employees have the ability, by mutual consent, to enter into arbitration and pay those costs in the Bill. That's a decision they have to make if they want to submit to arbitration. I don't think you can suggest on one hand that, erroneously, as it has been down here that we force arbitration and, on the other, suggest the opposite that while the Bill allows it mutually consented that you're forcing the cost on them. I don't think you can have it both ways. The state picks up the mediation costs. That's not mandated. The other costs are determined by the parties willingness to participate in arbitration impasse provisions and proceedings to avoid strikes. That's what the whole Bill is about. For those reasons, I would ask the Members to oppose Amendment #8."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman on Amendment #8."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Notwithstanding the comments of the previous

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speaker, I believe that the maker of this Motion or the person who submitted this Amendment is absolutely right. And in our hearts we know that that's correct; that it will, in fact, impose a greater cost on the public with the enactment of this legislation than without it. There's... You know, it isn't even debatable. The response of the principal Sponsor in terms of the cost to one of the previous speakers said, 'Well, that we would determine by the appropriation process'. That's the cost to us. The fact of the matter is that the additional cost that will be placed on local units of government will far exceed the amount included in the Mandates legislation. And it's for that reason that I concur with the Sponsor of this Amendment, and I concur in requesting a Roll Call vote on this issue."

Matijevich: "Representative Nelson to close."

Nelson: "Thank you, Mr. Speaker and Members of the House. It is the other side that is trying to have it both ways. Please ask yourself, why was it we passed the State Mandates Act in the first place? The reason we passed the State Mandates Act was precisely to avoid passing more Bills in this State House that imposed costs upon local governments and local school districts. I would ask for an affirmative vote on Amendment 8."

Speaker Matijevich: "Representative Nelson has moved for the adoption of Amendment #8. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 46 voting 'aye', 57 voting 'nay', 3 voting 'present, and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #9, Hoffman, amends House Bill 1530 as amended."

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Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman, on Amendment #9."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #9 very simply takes this part of Section (B)... or Subsection (b) out of Section 12 on page 12 of Amendment #7 and provides that, as rewritten, that no statute enacted by the General Assembly may invalidate any provision of a collective bargaining agreement specifically authorized in this Act. What this Amendment does, Mr. Speaker, Ladies and Gentlemen of the House, is make collective bargaining real collective bargaining where there are no options barred, where the kinds of agreements can be arrived at in the context of the school district or college involved. What this means, Ladies and Gentlemen of the House, is that if you want to deal with the issue of tenure, you want to deal with the issue of a placement on the salary schedule, if you want to deal with any other issues which have been negotiated into the state statutes over the years by employ organizations are now going to be set aside. And that, at the table, the parties involved can arrive at agreements without any limitations placed on them by previous Sessions of the General Assembly. Now that, Ladies and Gentlemen, is where you have an opportunity to negotiate. Hopefully, in that setting, in the best interest of not only the public, and not only the employees, but perhaps and just perhaps we might get to dealing with some issues that are good for kids and are concerned about what is in the best interest of children. And it is for that reason, Mr. Speaker, Ladies and Gentlemen of the House, that I propose to you for your consideration Amendment #9."

Speaker Matijevich: "Representative Hoffman moves for the adoption of Amendment #9. The Gentleman from Cook,

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Representative Greiman."

Greiman: "Well, Mr. Speaker, if ever there was a provision that would bring about labor strife in Illinois, this one is it. I suspect that the Gentleman from DuPage must be going to law school at nights and will become a lawyer negotiator, because nobody other than a lawyer negotiator could possibly want this kind open-ended thing. We will be setting... We will be essentially... We will be essentially repealing the School Code if we accept this Amendment. Even matters of pension would not be on the collective bargaining agreement. Any matter, any matter, years and years of legislation on this floor would suddenly be strife... open to strife at the table. We would indeed be causing, with the adoption of this Amendment, the greatest labor strife in Illinois' history. And the Gentleman proposed this thing, I suspect, because he'd like to have us fail. This one should definitely be defeated."

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

Stuffle: "Mr. Speaker, I don't think I can say it any better than Representative Greiman did. This would open Pandora's Box to labor strife and warfare between the two parties. The Bill already provides in the Section, this Amendment attempts to strike the necessary language to keep in place those things historically that have been put in place by this General Assembly so that we can act to mediate impasses with this Bill, so that we can negotiate in a reasonable manner, so that parties can't turn their back one on the other. Representative Greiman is absolutely right. This an Amendment designed to kill the Bill and create even more consternation in a situation we're already trying to solve problems in by the Bill. Anyone who wants really to settle differences between labor and management,

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to keep the kids in the school, to protect the taxpayer doesn't really want this Amendment. And I'd ask for a 'no' vote."

Speaker Matijevich: "Representative Hoffman to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My position, I think, is very clear with this Amendment. You want to bargain? Bargain. Why should one side of the bargaining issue have already 'X' number of issues locked up on the basis of negotiations that they've done previously at the state level through the General Assembly? Ladies and Gentlemen, if you want to bargain, bargain. Let's have the issues open. Let's not hide behind the statutes. Let's put some of those issues out there that you and I know ought to be out there, ought to be out there and ought to be able to be discussed in relation to salaries, wages and conditions of work. No, those people who are for this legislation don't want to really negotiate on that basis. They want to negotiate on the basis of those conditions of salary, wages and working conditions that they already have locked up in the box down here. I suggest to you, Ladies and Gentlemen, that's not in the best interest of the public. And it's for that reason I propose this Amendment."

Speaker Matijevich: "Representative Hoffman has moved for the adopt..."

Hoffman: "And I would ask for a Roll Call vote."

Speaker Matijevich: "Well, I was afraid you were going to say that. We got a problem. The machine's out of order. So, the Bill will be out of the record now. Representative Vinson, for what purpose do you arise?"

Vinson: "I move that the House now stand adjourned until 12 o'clock."

Speaker Matijevich: "You weren't recognized for that, and you

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know it. So what we're going to do, we're going to move on to Bills, and I would ask the indulgence of both sides of the aisle that there not be any ridiculous request for Roll Calls. In other words, just to delay the proceedings of the House. If one is sincere in their request for a Roll Call, that's one thing and that Bill then will be taken out of the Record. We're going to try to do some business on Second Reading where there are no request for Roll Call. So, the next Bill will be called will be 1538, Levin. The Clerk will read the Bill."

Clerk Leone: "House Bill 1538, a Bill for an Act in relationship to disclosure of gifts to institutions. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Matijevich: "Amendments on the floor?"

Clerk Leone: "Floor Amendment #2, amends House Bill 1538, on page 1 and so forth, Representative Levin."

Speaker Matijevich: "Levin. Alright. I'm sorry, I didn't see him. Take that Bill out of the record. I thought he was on the... in his chair. We've got good news for whoever wants to move House Bill 1530. We think the equipment is fixed. So, let's return back to House Bill 1530. And Represent... And we were on Amendment... I thought it was 9. Was it 8 or 9? 9. And Representative Hoffman has moved for the adoption of Amendment #9. 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 42 voting 'aye', 63 voting 'nay', 4 voting 'present', and the Amendment fails. Further Amendments?"

Clerk Leone: "Amendment #10, Hoffman, amends House Bill 1530 as amended."

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Speaker Matijevich: "Representative Hoffman on Amendment #10."

Hoffman: "Thank you, Mr. Speaker. I'd like to withdraw 10."

Speaker Matijevich: "#10 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #11, Kirkland, amends House Bill
1530 as amended."

Speaker Matijevich: "The Gentleman from Kane, Representative
Kirkland, on Amendment #11."

Kirkland: "Thank you, Mr. Speaker, Members of the House.
Amendment #11 would delete Section 4 and replace it with
another Section 4 regarding management rights. Now Section
4, if I can find it. Section... Just a moment. Section
4 in the Bill, as presently Amendment #7, reads as follows:
'Employer rights. Educational employers may select
representatives to act in their interest in any collective
bargaining with representatives of educational employees.'
Now that's wonderful. Thank you for that right. That's
quite a nice thing to do. I don't think that's necessary,
frankly, and I believe any court would interpret that right
as there without that language. Amendment #11, which would
replace it with a Section regarding management rights,
gives a more... would add some balance to the Bill and set
out, in three paragraphs, the kinds of management rights
that are set out in any kind of balanced collective
bargaining Bill. Now, Section 1 - it indicates nothing in
the Act would interfere with the right of the employer to
carry out the mandate duties and goals assigned to the
employer relative to utilizing personnel methods and means
in the most appropriate and efficient manner possible.
And I wonder who can dispute that. I'll be interested to
hear. Section 2 - 'manage the employees of the employer,
including but not limiting the hiring, promotion, transfer,
assignment or retention of employees in positions under
its jurisdiction'. Again, I'll be interest to hear why

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that kind of language should not balance a Bill of this nature. And third, 'the employer would retain the right to suspend, demote, discharge or take other appropriate disciplinary action against the employer for just cause, or layoff employees in the event of lack of work or funds or under conditions where continuation of such work would be inefficient and nonproductive'. Again, I think logic speaks to the fact that those are the kinds of rights that management should have and that should be set out in a collective bargaining Bill. What I think this Bill does, when it has no management rights action, is it sends its signal to local governments, sends a signal to the school districts and the school units that this is a labor Bill. And that this Bill is... did not take into regard all sides on the issue. It may have listened to... had some meetings with management but, in fact, cared not even enough to give management some semblance and indication in the legislation of their own rights. Now, I spent five years on a city council where we bargained with five different units, and we never failed to have a management rights Section. It never caused any problems. It balanced out the bargaining that occurred. We never had any strikes, and things went well. I think, and I assume that's what the proponents of this Bill are aiming also to have happen, not to have strikes, not to have difficulty, not to have one side feel that they're having the Bill leaning toward one side. Mr. Speaker, with that I would ask that this Amendment be adopted, Amendment 11, and would ask for a Roll Call. Thank you."

Speaker Matijevich: "Representative Kirkland has moved for the adoption of Amendment #11. On that the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, this sounds good if you only

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think about what it sounds like. If you think about what Representative Kirkland said himself, he said in those negotiations that he talked about that they negotiated management rights. They didn't have it by divine right. They didn't have it lying out there for their use. If you look at this Bill, the only real things enumerated as employer rights or employee rights are the right to bargain. That's the basic right in the Bill. The rest of the Bill is open to negotiation as it ought to be. Look at this Amendment, how vague this Amendment is. It talks about just cause, and suspension and dismissal. Who decides that? The school board decides to lay someone off outside the issue of economic reductions in force. That's already in the statute. RIF is. It's still there. But interestingly enough, this Sponsor suggests that that ought to an issue in the management rights, whereas he just voted for an Amendment that did just the opposite that would have allowed them to negotiate away the existing law in RIF by way of Representative Hoffman's Amendment. All this does is set up something that the employee does not have. There aren't any enumerations of employee rights here or employer rights, except organization and bargaining. This gives a lopsided, vague right to management to dictate the situation. It let's them hang their hat on anything they don't want to negotiate simply by saying, 'If we have Section 4, that's a management right'. And that to me is absurd. That ought to be negotiated in the process if you listen to their own arguments. For that reason I ask for a 'no' vote."

Speaker Matijevich: "Representative Kirkland to close."

Kirkland: "Yes, just one other statistic that we tried to put together. Simply that among approximately mid thirties... Excuse me. Mid thirties - 35 states that have collective

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bargaining laws, approximately 24 or 25 of them have management right Sections. And I think it's important that this have a management right Section to show it's a balanced Bill and not send the wrong kind of signal to management when this Bill goes out of this House. Over the noon hour, there was reference to a workers paradise, and I think, with the rejection of all the Amendments being proposed here, that's what we have here. I ask that this Amendment be approved. Thank you."

Speaker Matijevich: "Representative Kirkland has moved for the adoption of Amendment #1 (sic - #11). Those in favor signify by saying 'aye'... Oh, a Roll Call? Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Hoffman to explain his vote. The Gentleman from DuPage, Representative Hoffman, to explain his vote."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. If I'm not mistaken, the language of this Amendment was taken out of Representative Stuffle's... one of Representative Stuffle's Bills, House Bill 1423. And for that reason, I'm voting 'aye'."

Speaker Matijevich: "Have all voted who wish? The Clerk will take the record. On this question there are 48 'ayes', 58 'nays', 2 voting 'present'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Nelson, amends House Bill 1530 as amended with references to Sections and Subsections numbers..."

Speaker Matijevich: "The Lady from DuPage, Representative Nelson, on Amendment 12."

Nelson: "Thank you, Mr. Speaker, Members of the House. Amendment #12 substitutes some language that speaks to the strike provisions. What Amendment #12 says is that a strike would

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be unlawful if the striking employees are not in a certified bargaining unit. A strike would be unlawful during the pendency of actual negotiations. That's an important point. If negotiations are continuing, there is no good reason to strike, to send the kids home, to send them out on the streets. And thirdly, a strike would be unlawful if it was during the term of the actual collective bargaining agreement. Secondly, Amendment #12 allows the employer to discharge or discipline an employee who is participating in an unlawful strike. It does not speak to any kind of punitive action for an employee who is participating in a strike which would be lawful under the language of Amendment #12. Furthermore, Amendment #12 requires the employer not to pay an employee for the days in which he or she has been engaged in an unlawful strike. And finally, and really this is most important, what we are doing in Amendment #12 is exempting the employer from the requirement to make up lost school days. This ensures that days lost because of a strike will not result in any loss of state aid at the same time. So that we are not going to punish schools by cutting their state aid, but what we are going to do is to ensure that the leverage on both sides is somewhat equitable. It is unfair for employees of school districts to go on strike, forcing a settlement, when they know that in fact they will never, never have to come to any kind of an unhappy situation because they are on strike, because, you see, those days, under our present School Code, will have to be made up. There is no leverage. There is no punishment. There is no reason to hesitate, to even think a second time about striking unless language like that of Amendment #12 is included in this Bill. To reiterate, I would ask you to think very carefully about what it means to bargain collectively. It

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means to sit down to try to work out differences, to try to give management rights as well as employee rights. But for those sides both to have the power to say to one another, 'Okay', if then that power to say, 'If you strike, then you will lose', does not belong to management; because, if teachers strike, they do not lose. They do not lose salary, and they do not lose in any way, because that time under our School Code always has to be made up. When people at Caterpillar go on strike, people at Caterpillar know that they are, in effect, making it hard on their families if the strike lasts a long time, because their families will suffer if unemployment benefits or the unions benefits run out. That same situation does not exist in the case of teachers who strike, because, under the School Code, those days must be made up. And I would ask you, if you are a thinking person, to carefully consider what Amendment 12 would do. It is not unreasonable. It is not a hammer held over employees. What it is is an Amendment that adds equity, and I would respectfully request 'yes' votes on Amendment #12."

Speaker Matijevich: "The Lady from DuPage has asked for a Roll Call vote and moved for the adoption of Amendment #12. On that, the Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I suppose it might be an oversimplification if I pointed out to the Lady from Cook that we maintain these schools not for the benefit of the teachers or for the benefit of the school boards. We hopefully maintain them for the benefit of the students that may... I thought that was what she was talking about earlier in the afternoon, but apparently she's forgotten that we maintain these for the benefit of the students. Now the General Assembly, in its wisdom or otherwise, has decided that so many school days ought to be offered to

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young people in the schools. They... they may not even be happy about that; but, nonetheless, that's what our judgment is on that issue. And what the Lady from Cook would do is to punish the children, to punish the school children. The teachers can't get along with the management. Management board can't get along with the teachers. Hell, let's punish the students. Now, this makes absolutely no sense to say, 'We're going to give you less days of education, because those folks there can't seem to work out their labor-management problems.' And I don't care whether you come from the prospective of a labor person or a management person. I can tell you that as a parent, I... that's another perspective that I have, as a parent and someone who cares about the education of children, I want those children to have all the days, all the days, that they're entitled to and that this General Assembly has determined they should have. Now, it may be of interest to the Lady from Cook that an Illinois Appellate Court has recently ruled upon that provision and has held that indeed a labor organization and management cannot, ought not, to shorten the school year as a part of labor negotiations. That's something we take away from the school boards, we take away from the unions. We keep it here, because we believe that children in all parts of the state are entitled to a minimum education. And that's... but however, I notice that the Spokesperson in Education would take away that minimum education rights from the children. That's why I'm going to vote 'no' on this."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If the previous Speaker was interested in the education of children, he wouldn't be supporting this

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legislation in the first place. In the second place, this is the only, in the long run... In the long run the children will benefit. And the reason they'll benefit is because, if this in fact goes into place, you won't have the number of strikes that you've had. Let me tell you, as a person who's been through two... two strikes at a... in a school setting, there is nothing that will even up the scales any more than this particular Amendment. And I would be the first to agree that, in the short run, being out of school, those particular children are not going to be helped. There's no question about that. On the other hand in the long run, by having this language in place, there will be fewer strikes. Children will be in school more days. If you want to talk about comparing public employee bargaining with private... with the private sector, then you have to agree that this kind of language has to be in it. Otherwise, you are talking about apples and oranges of a much larger size and a much greater difference than you are with this language in it. It's for that reason, Ladies and Gentlemen, that I support this Amendment."

Speaker Matijevich: "The Gentleman from Versillion, Representative Stuffle, on the Amendment."

Stuffle: "Well, briefly, this Amendment takes out the provisions that are in the Bill, wherein there's an injunctive proceeding that there'd have to be a showing of clean hands. Under this Amendment, the employer can seek the injunction and, in a willy-nilly fashion, simply turn its back on the negotiating process. Importantly too, if you talk about looking at strikes, we've had strikes. Anyone that's been in office a term or more has had a strike in their district. If you look in my district, at least one particular strike I can think of last year, if this

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provision were enforced suggesting you don't make up any days, that school district, I don't think, would have been back yet, because they simply would have stayed out until Hell froze over. And that's what this Amendment's going to do. Representative Greiman's absolutely right. It doesn't... doesn't do anything for the benefit of stopping strikes. I think rather just the opposite occurs. You're going to promote them, because the students are going to be out. Because if the board decides it's going to act capriciously or the teachers decide to stay out on the other hand, they're going to stay out. It's going to be prolonged. They're not going to go back. They're not going to make up the days, and no one's really going to benefit."

Speaker Matijevich: "Representative Nelson to close."

Nelson: "Thank you very much, Mr. Speaker. The other side is wrong. If you look at statistics nationwide, those states that have some kind of strike penalty, whether it is loss of pay, whether it is that the days not have to be made up, whatever it is that is the strike penalty in those other states around the nation, those are the states that have the lowest incidents of strikes. And I am terribly disappointed that Representative Greiman would even suggest that I do not have the interest of the students of this state at heart. He knows the ages of my children. He knows they're in public schools. He knows that I have spoken on that Committee for the interests of students in this state, and I was... well, just speechless when he got up and suggested that I did not have the children at heart. I do, and the reason for Amendment #12 is very clear. The reason for Amendment #12 is to prevent strikes in this state, and that can only be done if there is leverage on both sides and if there is equity. I would appreciate a

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'yes' vote. Thank you very much."

Speaker Matijevich: "Representative Nelson has moved for the adoption of Amendment #12. Those in favor signify by voting 'aye', those opposed by voting 'no'. And Representative Greiman to explain his vote, and personal privilege and all that other... other stuff."

Greiman: "Well, actually, person privilege and all that. Least there be any doubt, I believe that the Representative who's sponsoring this Amendment is a sensitive, thoughtful, caring, and fine Representative, and I have always been glad to work with her and proud to disagree with her on many issues."

Speaker Matijevich: "Let... let the record show that Nelson is all of those things and more. Have all voted who wish? The Clerk will take the record. 40 voting 'aye', 63 voting 'nay', and on... this Amendment does fail. Further Amendments?"

Clerk O'Brien: "Floor Amendment #13, Kirkland, amends House Bill 1530 as amended by deleting all of Section 30 concerning..."

Speaker Matijevich: "The Gentleman from Kane, Representative Kirkland, on Amendment 13."

Kirkland: "Thank you, Mr. Speaker. Amendment #7, which became the Bill, has Section 30, which reads, 'This Act shall take effect on January 1'... excuse me, 'on July 1, 1983'. Amendment 13 would change that date to January 1, 1984, and I think there's good reason to change the date. This Bill has no provisions for transition from a situation where there is no state collective bargain..."

Speaker Matijevich: "One moment. The Gentleman from Vermilion, Representative Stuffle, for what purpose do you rise?"

Stuffle: "We'll surprise you and save your time, and we accept Amendment #13."

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Speaker Matijeich: "Number 13 becomes lucky for you. Representative Kirkland has moved the adoption. All in favor say 'aye', opposed 'nay', and Amendment #13 is adopted. Representative Hicks, for what purpose do you rise?"

Hicks: "Yes, Mr. Speaker, for a point of introduction, please. I'd like to ask the Members to join me in welcoming a group from Comp Services in Mt. Vernon, a group of about 45 people up in the Speaker's gallery. Welcome to Springfield."

Speaker Matijeich: "Alright. Welcome to the House. Further Amendments?"

Clerk O'Brien: "Floor Amendment #14, Kirkland."

Speaker Matijeich: "Withdraw Amendment #14. Further Amendments?"

Clerk O'Brien: "Floor Amendment #15. Vinson."

Speaker Matijeich: "Representative Vinson from DeWitt on Amendment 15."

Vinson: "Thank you, ... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I do not believe that Amendment #15 will be a cause of any controversy. I suspect that the Sponsors will agree to it. It simply establishes the fact..."

Speaker Matijeich: "Representative Stuffle... No, no, go ahead. I don't think there's agreement yet."

Vinson: "Well, there may be controversy on the Amendment. It simply establishes the fact that this... this Bill become... when it becomes law supersedes all other authority on the subject and specifically supersedes any ordinances of home rule units on the subject."

Speaker Matijeich: "The Gentleman has moved for the adoption of Amendment 15. On that Representative Stuffle."

Stuffle: "Well, Mr. Speaker and Members, Representative Vinson is

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very crafty and very creative, and this is probably one of his best efforts to date. What this says is that this Bill is a limitation on home rule. School districts are not home rule, as we all know. He may have some convoluted logic to the contrary, but they aren't home rule units. They have never been home rule units. They're not so in the Constitution, and this is an attempt to put in the Bill an effort that would increase the number of votes that takes to pass it. It ought to be seen for what it is. I take my hat off for creativity, but not to the Amendment, and ask for a 'no' vote."

Speaker Matijevich: "Representative Davis from Will County."

Davis: "Well, I hadn't planned to speak on this, but I think I'm going to give Representative Stuffle the convoluted logic that is hidden behind the Amendment. And at least... and probably you ought to think about this, Representative Stuffle, as this Bill winds its way through the process. The logic may be a little more subtle than... than you might suspect, but there is one school district in the State of Illinois, at least, that is coterminous with the home rule unit, and that's the City of Chicago. And if arbitration in the Chicago school effort, at this point and time under this Bill, brings forth a tax increase possibility and requirement for the City Council of the City of Chicago, then you haven't effectively limited their home rule power to deny that increase property taxation or any other taxation that's necessary to fund the arbitration agreement made in extremis or in... even in honest and... and peaceful arbitration agreements. That's the logic. And despite maybe not applying this to any other impacted area throughout the state, I think you probably should consider that this is a limitation on Chicago's home rule powers and probably adopt this Amendment."

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Speaker Matijevich: "Representative Vinson to close."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, in my judgment, perhaps I'm wrong, but I have been advised by counsel on this, but in my judgment, this will have no... adoption of this Amendment will not have an impact on the number of votes required for passage of the Bill. The... what the Amendment will do is to supersede and make exclusive the state's exercise of authority on this subject. The purpose for the Amendment, I think, is very simple. Many of you have been treated to the on going contest between various teacher groups in this state on this issue. Now some of you may be aware of the fact that one particular teacher group has surprising degree of power in the City of Chicago. Another teacher group substantially represents most of the downstate and suburban teachers. If this Amendment is adopted, you would not have the potential situation where a teacher group, which organizes and represents many of the teachers in the City of Chicago, can then go to the City of Chicago City Council and get the City of Chicago City Council to adopt a City ordinance regulating collective bargaining among educational employees. I don't think that after you go through the torture of adopting a collective bargaining Bill in the state level you then want to see that superseded by home rule units which do have the authority to regulate in this field. I think there ought to be one law state-wide on the subject. I again repeat, in my judgment as advised by counsel, this will not require more votes if this Amendment's adopted to pass the Bill than without the Amendment, and I would ask for your favorable support on the Amendment."

Speaker Matijevich: "Representative Vinson has moved for the adoption of Amendment #15. Those in favor say 'aye', those

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opposed say 'no', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Amendment #16, Cowlshaw, amends House Bill 1530 as amended."

Speaker Matijevich: "Representative from Cook, Representative Piel, for what purpose do you rise?"

Piel: "Question of the Clerk. Has this Amendment been distributed?"

Speaker Matijevich: "No, it hasn't. The Amendment has not been distributed. Further Amendments? Any others been distribut... Is there a Motion to table the Amendment 15... 16 rather? Has it been... Representative McPike?"

McPike: "Thank you, Mr. Speaker. I believe this Bill has been on Second Reading for two or... two or three weeks, and I would like to move it to Third Reading. For that reason, I believe there's been adequate debate on the issue, I would move to table Amendment #16."

Speaker Matijevich: "Representative McPike moves to table Amendment #16. Representative Piel, the Gentleman from Cook."

Piel: "Thank you, Mr. Speaker. You know, I... I... it's too bad that all of a sudden that every thing seems to happen on one day. We have one tabled, and then all of a sudden there's another one introduced, and then a person wants to, you know, say, 'Well, it's been on Second Reading for a long time.' Well, we don't know what Amendments are going to be adopted and which ones are going to fail. Now, we have been on an orderly progression through the past weeks that if one had been filed, that had not been passed out that, you know, they would take it out of the record until the... the... we got the Amendment. Now all of a sudden, because we come up with some touchy situation that they want to table the Amendment, and I think, you know, what's

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fair for one is fair for all. I think that we should just do what we've been doing in the past, and not sit here and bring partisan politics into it, Jim."

Speaker Matijevich: "I think what we've also been doing, Representative Piel, we've been tabling Amendments of those where the Sponsor of the Amendment isn't on the floor, so this is not out of order. But I understand now the Amendment is distributed, so all of this is moved now. So Representative Cowlshaw on Amendment #16. Representative Cowlshaw."

Cowlshaw: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #16 to House Bill 1530 as amended, I believe, would provide a certain degree of balance in that proposal. I think of House Bill 1530 as it now stands in terms of a teeter-totter. We have on one seat a three hundred pound labor leader and strike organizer. On the other side, we have a one hundred pound individual representing the taxpayer or the school board member in Illinois. We don't have the student on the teeter-totter at all. Because House Bill 1530 gives public school teachers in Illinois the right to strike, it seems only fair that if they are going to choose to do that, they should be placed in the same position financially as persons in the private sector who chose to strike. In the private sector, if persons go on strike for five days, they lose five days of pay. Generally, in the case of public school teachers, if there's a five day strike, those five days are tacked on to the end of the school year, and consequently the teachers receive the same salary for that school year as they would have received had they been working on those strike days. All that Amendment #16 provides is that those teachers, who have chosen to go on strike, thereafter shall work for two days for each one day

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of pay that they were... that is the equivalent of the number of days that they were on strike. It seems to me that that is, in fact, one way to provide a little more weight at that end of the teeter-totter upon which House Bill 1530 presently places the deplorably light weight taxpayer and school board member in Illinois. I move for the adoption of Amendment #16. Thank you, Mr. Speaker."

Speaker Matijevich: "Representative Cowlshaw has moved for the adoption of teeter-totter Amendment #16. On that, the... are you the teeterer or the totterer? Representative Stuffle from Vermilion."

Stuffle: "Yes, will the speaker yield to a question?"

Speaker Matijevich: "I probably should have called on the three hundred pounder. Representative Greiman had his light on too, but go ahead, you're close enough to it."

Stuffle: "No, I'm way under that, closing in. Would the Sponsor yield to a question, Mr. Speaker? Representative..."

Speaker Matijevich: "She indicated she will. Proceed."

Stuffle: "I hate to ask the obvious question, what if the school board Member weighs three hundred pounds and the teacher a hundred, and I won't. My question is this, doesn't the way your Amendment's structured provide that if the school board simply refused to negotiate, and the teachers went on strike, even for a day, and you went into court, and the court found the school board didn't have clean hands in the situation, the teachers still would have to teach two days to make up that day, even though the board was in... at fault?"

Cowlshaw: "Representative Stuffle, I believe that that would be a matter for the court to decide according to the provisions of House Bill 1530 as amended."

Stuffle: "Well, if the court decided that there wasn't clean hands on the part of the board, and said, 'Well, you just

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failed to negotiate. That's the reason they were out. We're not going to issue the injunction at this point.' If they're out a day or two days, you're Amendment still requires them to teach two days for every one, even if they were not the party in... in... in wrong... in the wrong. Isn't that true?"

Cowlshaw: "I believe that we might perhaps, in this case at least, trust the court system to administer justice."

Stuffle: "I just said that if the court did administer justice on the side of the teacher, you're Amendment would still require them to teach the two days for one. Isn't that true?"

Cowlshaw: "I am not certain."

Stuffle: "To the Amendment, I think it's obvious..."

Speaker Matijevich: "Proceed."

Stuffle: "... what this Amendment does, and it does just exactly that. It lets situation accrue that the teacher has to teach two days for one. Sh... The Sponsor, I think, you know, is making a good faith effort, but I'd like to know also where in public or private employment we require anyone to work two days for one day on strike, or to teach two days for one day on strike. We might as well make it three or four, or make it as onerous as possible, as to do this, because this doesn't even deal with the issue of who's right or wrong. It puts this in place even if the teacher organization's absolutely right. There's no showing of clean hands in an injunctive proceeding, and the board simply said, 'We're not going to negotiate.' The Amendment should be defeated."

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

Greiman: "Well, merely to add to the Gentleman from Vermilion, that indeed there is no discretion left to court. There is

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no room for a court to find justice or do equity. The court merely has to... would have to say if there's a strike, not an illegal strike, but any strike, they would lose their time. Now, if I was going to give this particular Amendment a name that we could all kind of give short hand reference, I would call it the Involuntary Servitude Amendment of 1983, and I think we... we probably should be beyond involuntary servitude."

Speaker Matijevich: "The... Representative Cowlshaw to close."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the purpose of this Amendment is absolutely clear. As I mentioned before, it seems to me that it just provides for a certain degree of balance in a proposal which, in my opinion, otherwise is very much unbalanced, much like the teeter-totter I mentioned before. I move for the adoption of Amendment #16."

Speaker Matijevich: "Representative Cowlshaw has moved for the adoption of Amendment #7... 16. Those is favor signify by saying 'aye', those opposed... those... favor say 'aye', those opposed say 'no', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #17, Mays."

Speaker Matijevich: "Representative Mays on Amen... Amendment 17. Mr. Clerk, has this Amendment been distributed? I see Representative Piel's arm waving. It has not been distributed. Further... any further Amendments? Oh... Representative Stuffle moves to table Amendment 7... Representative Hoffman."

Hoffman: "Yes, Mr... Mr. Speaker, inquiry of the Chair."

Speaker Matijevich: "Proceed."

Hoffman: "Rule 36 provides that we cannot adopt an Amendment unless it's been reproduced and is on the Member's table, or on the Member's desk. And my inquiry is, does that rule

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not imply that the same would be true if you are not going to adopt the Amendment? Well, Mr. Chairman, I've noticed that my..."

Speaker Matijeich: "That sounded like you were saying the same thing, but I don't know."

Hoffman: "No... Mr... Mr. Speaker, what I'm suggesting is that Rule 13... or 36(c) says you can not adopt an Amendment unless it's been reproduced and is on the Member's table. I would suggest that this by implication says that an Amendment can not be tabled unless it has been reproduced and is on the Member's table. But I see that that question..."

Speaker Matijeich: "If your purpose was to delay so that the Amendment was printed, you've done a good job, so..."

Hoffman: "Let it never be said Mr. Speaker that I was..."

Speaker Matijeich: "Representative Mays on Amendment #17."

Mays: "Thank you very much, Mr. Speaker. Just a side note. I want to applaud the effort of the Clerk's Office in getting these Amendments out as quickly as they have."

Speaker Matijeich: "They do a hell of a job, don't they?"

Mays: "Now..."

Speaker Matijeich: "Even... even when we don't want them to."

Mays: "In line... in line with that bipartisanship gesture, Amendment #17 addresses two issues that have been addressed in two previous collective bargaining Bills that have come before the chamber, and I think they both merit our consideration. The first major provision of Amendment #17 deals with the fair share agreement Section 13, of House Amendment #7. In that, under Section 13, it reads as follows, 'Nonmember Proportionate Share of Payments. When a collective bargaining agreement is entered into with an exclusive representative, it may include in the agreement provisions requiring employers to deduct,' and so on and so

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forth, provisions for fair share. What we're doing by allowing that is to have the exclusive representative and the employer in their own right, the union hierarchy and the employer in con... collusion allowing for the deduction of these payments from employees' paychecks. What we do with Amendment #17 is add the language that, yes, that's okay, provided that at least two-thirds of the eligible employees voting in favor of this by referendum. And this was a provision incorporated in a fine Bill by Representative Stuffle, House Bill 1423, which is of course, somewhere in nether-nether lands. But it was a fine provision, which allows the union membership, the employees, who selected that exclusive representative, the right by referendum to have their agency shop fair share provisions deducted from their paycheck. The second portion, major portion of this Amendment, address a question which I, by Amendment, agreed to by AFSCME, not agreed to by the Sponsors of the Amen... of House Bill 826; however, provides for an audit of the books. And it provides for those names and the addresses of the organization to be public, and names of the local agent for service of process, and so on and so forth. So it's a reasonable Amendment addressing two major concerns I have with the Bill as it stands right now, and I urge its adoption."

Speaker Matijevich: "Representative Mays has moved for the adoption of Amendment 17. The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Thank you, Mr. Speaker and Members of the House. Representative Mays and at least one other person's referred to House Bill 1423 of which I was the Sponsor. Some of us are aware of when we make mistakes and accept Bills from people before we read them in detail. When we

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do that, and we know how bad they can be in some parts, we table them. That's what I did. That's what he ought to do with this Amendment, because it requires a two-thirds referendum vote after a negotiation's been made where a majority representative's already been picked. That's rather absurd to me. This Bill already puts in place the ability to negotiate an agency shop provision. It puts it in place where the majority has picked the bargaining agents. There's no need to go to the next step and have a referendum. The absurd end of this would be to continue to put everything to a referendum after you have an agent in place. It was bad in the Bill that I had, as I recognized and I tabled it. It's bad in this particular Amendment. And I think if you read on through the Amendment also, I think the language in this, in terms of the agency shop provision and the dues deductions, probably, well flies in the face of the case law in the way the Bill's already drafted to be consistant with the case law in terms of what can be deducted and what is included in a fair share agency shop provision. For those reasons, I would urge a 'no' vote."

Speaker Matijevich: "Representative Mays to close."

Mays: "Well, it sounds very reasonable what I have in this form here. I would just ask you and every Member on that side of the aisle that has voted consistantly against Amendments offered by the Republicans to this measure to try to improve the Bill, what are you afraid of? You want to close the books. You want to keep them from being audited on fair share provisions, what you call fair share, and then, you also want to deny the members of that employee organization the right to determine whether they should have their agency fee deducted or not. What are you afraid of? Adopt this Amendment. It will improve the Bill

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drastically."

Speaker Matijevich: "Representative Mays moves for the adoption of Amendment #17. Those in favor say 'aye'. How many are asking? I see some shouting. All right. 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 38 voting 'aye', 69 voting 'nay', 1 voting 'present', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. There is a request for a fiscal note as amended and a pension impact note, I understand. I mean not a pension, a state mandates note. The Gentleman from Vermilion, Representative Stuffle, for what purpose do you raise?"

Stuffle: "Well, on that issue, first of all, regard to the fiscal note and the Mandates Act, we provided the exemption in there. Request was made of the Office of Education, the pertinent agency with regard to that, and their indication was that it doesn't apply in terms of the Mandate Act, because we've provided an exemption, number one. Number two, the fiscal notes been filed with regard to the Bill as amended. The Amendments added to it do not change in any way the specific substantive provisions of the Bill, so I'd ask the Chair to rule that number one, the fiscal note that is filed is adequate, which it is, given the situation, as the other side admitted at one point, that the language of 7 does not substantively change the Bill at all. And number two, the Mandates Act Note does not apply for the reasons noted, and please move the Bill to Third Reading for those reasons. I think those are sufficient arguments on the basis of the Bill as amended and on the basis of the exemption contained with regard to the Mandates Act to move

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the Bill to Third Reading at this time. And I would ask you again to so rule."

Speaker Matijevich: "The Gentleman from DeWitt on that issue, Representative Vinson."

Vinson: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the question of whether or not one is for this Bill should have nothing to do with this particular vote. There are two points that particularly need to be discussed. Number one, the effective date in the Bill's been changed. That's got to have an impact on cost. Number two, with regard to the... the mandate impact, even though there may not be a fiscal impact on the state, because of exemption from the Mandates Act, I would call the Chair's attention to the... to Section 8(b) of the Mandate Act where it says that, 'The impact on the local districts shall be determined and shall be included in the note.' That is the purpose for the... the impact statement, and that is what, I believe, the Gentleman is requesting, and he has every right to do that. And it would be a gross abuse of the Chair to rule that it's inapplicable, because there's clearly a potential cost impact on local governments as a result of this Act. And because of that, the Chair ought not make a ruling that there's no impact on local governments. We ought to get... we ought to find out what the impact is, and the fact that the Bill has been amended and been amended in a fashion which clearly changes its impact should require a new note at this time."

Speaker Matijevich: "The Chair will be at ease for a moment. The Gentleman from Adams, Representative Mays, on... on that issue."

Mays: "Thank you, Mr. Speaker. Simply to supplement the point made by Mr. Vinson, transcripts of the debate on Amendment #7 and #8 would both indicate that the fiscal note that was

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filed is woefully inadequate, as it only pertains to the actual salaries of the board members themselves. We've discussed at length the numerous other obligations that are required of the board, including mediation and a number of other things. And... so I wanted to raise that point in supplement to Representative Vinson's point."

Speaker Matijevich: "Representative McPike, for what purpose do you rise?"

McPike: "Well, while we're at ease, I would like to take this opportunity to welcome to the House floor Representative Gary Hannig's mother, Lowanda Hannig and his aunt Jane Rash."

Speaker Matijevich: "Welcome... welcome to the House. The Gentleman from Vermilion, Represent... hold on. The Gentleman from Vermilion, Representative Stuffle, for what purpose do you rise?"

Stuffle: "I rise for the purposes of a Motion on this. I think our point has been made and pursuant to the provisions in the statute with regard to the Fiscal Note Act, I would now move pursuant to those statutory provisions that we take the position that the fiscal note as filed with the Bill as amended is sufficient, and I would so move, and my understanding is, it takes a simple majority of those present."

Speaker Matijevich: "The Gentleman from Vermilion moves that the fiscal note as filed is all that's needed according to his statement evidently, and on that the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, pursuant to the rules, I would request that that Motion be reduced to writing."

Speaker Matijevich: "You're entitled to that. Fast hand Stuffle is writing. Representative Rea, you're getting nervous. What purpose do you rise?"

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Rea: "Not that I would want to stall for any time, but Mr. Speaker, Members of the House, I would like to take this opportunity to introduce some people from my home district representing the Franklin Williamson County Workshop, up here in the... on the right hand side in the gallery."

Speaker Matijevich: "Representative Stuffle, while you're writing I think you better add something about the State Mandates also. It'll just take a little longer to write. Right, Ed? So be it. Everybody has a little fun. Monroe Flinn, for what purpose do you rise?"

Flinn: "Well, Mr. Speaker, this is the first time today we've caught up with the printers. I suggest we hurry up."

Speaker Matijevich: "We're trying, I'll tell you. I thought Stuffle could write faster. He's doing pretty good. Motion being filed by Carol Lampardt. Let the record show. Representative Davis, for what purpose do you rise?"

Davis: "I... I just thought it would be appropriate for the Membership to note that I watched Representative Stuffle write out the Motion, and it's in red ink."

Speaker Matijevich: "Alright. It could have been green. Do we have the Motion, Mr. Clerk. The Motion's in writing. And all those in favor of the Mo... yes,... point of order. Representative Vinson, for what purpose do you rise?"

Vinson: "Pursuant to Rule 71, the... the Motion, when put in writing, must be stated by the Clerk."

Speaker Matijevich: "You... you're entitled to that too. O'Brien, can you read Stuffle's writing?"

Clerk O'Brien: "Motion."

Speaker Matijevich: "If you can, God bless you. Try it anyway."

Clerk O'Brien: "'Pursuant to the Fiscal Note Act, I move the House accept the fiscal note on House Bill 1530 as amended by what...'"

Speaker Matijevich: "By the time we get to St. Louis."

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Clerk O'Brien: "... be accepted without an added note, and that the Mandates Act does not apply. Signed, Representative Stuffle."

Speaker Matijevich: "You've heard the Motion. Representative Vinson."

Vinson: "I move to divide the question."

Speaker Matijevich: "So... all right. There's been a Mo... a request to divide the Motion. So we shall vote on the first half of the Motion, and that... that is respect to the fiscal note. Those in favor of the Motion signify by voting 'aye'. That's the first half of the Motion. Those opposed by voting 'no'. I... yes, Representative Vinson to explain his vote I guess."

Vinson: "Well, Mr. Speaker, I thought there were three parts to the Motion. I thought he said..."

Speaker Matijevich: "Two."

Vinson: "... that the fiscal note be accepted, that it satisfied the Fiscal Note Act, and the mandates question. I thought there were three parts..."

Speaker Matijevich: "There's only two. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 6... 67 'ayes', 39 'nays', and the Motion prevails. And now as soon as we get that out of the voting machine... Representative Stuffle has moved that the State Mandate Act does not apply. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, the Fiscal Note Act clearly has provision in it where a Member of the House may move that the chamber rule that it not apply. The State Mandates Act contains no such provision. Because of that, the Gentleman cannot suspend the Mandates Act and its application, and I would ask the Chair to so rule. And if the Chair does not so rule, I'd like the Chair to direct me where in the Mandates

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Act it states that there is such a provision."

Speaker Matijevich: "On that the Gentleman from Ver... Vermilion,
Representative Stuffle."

Stuffle: "He didn't read the Motion, because the Motion I filed
says that the Mandates Act does not apply to this Bill, the
reasoning being that we have made an exemption which is
also provided for in the Mandates Act within the Bill, from
the provisions of that particular Mandates Act."

Speaker Matijevich: "The Chair will rule that it is in order.
The Motion is in or... order, because of the provisions of
the Bill. The Gentleman from DeWitt, Representative
Vinson, for what purpose do you rise?"

Vinson: "Mr. Speaker, the provision which the Gentleman refers to
in the Bill is a provision which says that there is no need
for state reimbursement, because of the... because of this
Act. What the Mandates Act also states, 'In the case of
Bills having a potential fiscal impact on school districts,
the fiscal note shall be prepared by the State
Superintendent of Education.' What the... what is required
in there is that if there is a cost impact on the local
district, not on the state, but on the local district,
there has to be a note prepared for the districts. There
is no provision..."

Speaker Matijevich: "Mr... Mr... Mr. Vinson, I hate to interrupt
you. The Chair has ruled in that regard, and so the Motion
is in order..."

Vinson: "Mr... Mr. Speaker."

Speaker Matijevich: "Yes."

Vinson: "What has the Chair ruled?"

Speaker Matijevich: "That the Motion is in order."

Vinson: "The... the Chair rules that under the Fiscal Note Act,
under the State Mandates Act, that it is not required to
have a Mandates Act Note where there's a cost impact on

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local government. Is that the ruling?"

Speaker Matijevich: "I didn't rule that. I ruled..."

Vinson: "Well, what's the ruling?"

Speaker Matijevich: "... the Motion is in order, because of the provisions of the Bill."

Vinson: "Well, what's the ruling though?"

Speaker Matijevich: "That the Motion is in order."

Vinson: "Why?"

Speaker Matijevich: "Because of the provisions of the Bill, just as I said. Now the Motion is... those in favor of the Motion shall 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 61 voting 'aye', 46 voting 'nay', 1 voting 'present', and the Motion prevails. Are there any fur... nothing else? Third Reading. Hooray. House Bill 1547. Jaffe. Oh... oh, that's 1538. Levin. Clerk will read the Bill."

Clerk O'Brien: "House Bill 1538, a Bill for an Act in relation to the disclosure of gifts in excess of \$100,000.00 to the institutions of higher education by foreign governments or individuals. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Levin, on Amendment #2."

Levin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, let me first say that about three hours ago, I rushed back from my office cause I noted that this Bill was about the fifth Bill down. I'm glad we finally finished the last Bill. Amendment #2 is purely a technical

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Amendment suggested by staff to clean up the bad reference."

Speaker Matijevich: "Representative Levin has moved for the adoption of Amendment #2. Those in favor... favor signify say... saying 'aye', those opposed 'nay'. The... those in favor say 'aye', those opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1547. Jaffe. Cl... read the Bill."

Clerk O'Brien: "House Bill 1547, a Bill for an Act to amend Sections of the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading. House Bill 1549. Jaffe. Read the Bill."

Clerk O'Brien: "House Bill 1549, a Bill for an Act to amend Sections of an Act in relation to Cook County Police and Corrections Merit Board. Second Reading of the Bill. Amendment numbers 1 and 2 were adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Steczo, on Amendment 3."

Steczko: "Mr. Speaker, before Amendment 3, I would ask leave of the House to table Amendment #2, because there are technical errors that will be..."

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Speaker Matijevich: "Table Committee Amendment #3. Leave, and Committee Amendment #3 is ta... 2, rather, Committee Amendment #2 is tabled. Representative Steczko on Amendment #3."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #3, basically, is Amendment #2 in proper form, and it still indicates that the Cook County Sheriff's Department Officers shall be prohibited from engaging in political activities while on duty. And I would ask for the adoption."

Speaker Matijevich: "Representative Steczko's moved for the adoption of Amendment #3. Those in favor say 'aye', those opposed 'nay'. Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1551. McGann. Read the Bill."

Clerk O'Brien: "House Bill 1551, a Bill for an Act to amend Sections of the Public Community College Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Further Amendments?"

Clerk O'Brien: "No Floor Amendments?"

Speaker Matijevich: "Third Reading. House Bill 1558. Steczko. Read the Bill."

Clerk O'Brien: "House Bill 1558, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1559. Breslin."

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Read the Bill."

Clerk O'Brien: "House Bill 1559, a Bill for an Act in relation to the settlement of differences between state employees and state... state employers and state employees and providing for collective bargaining. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "There has been a request for a fiscal note. Has it been filed?"

Clerk O'Brien: "The fiscal note has not been filed."

Speaker Matijevich: "Oh... hold it on Second Reading. House Bill 1560. Younge. Read... out of the record? Out of the record. House Bill 1561. McGann. Read the Bill."

Clerk O'Brien: "House Bill 1561, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1562. McGann. Read the Bill."

Clerk O'Brien: "House Bill 1562, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1563. Read the Bill."

Clerk O'Brien: "House Bill 1563, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

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Speaker Matijevich: "Third Reading. House Bill 1564. Read the Bill."

Clerk O'Brien: "House Bill 1564, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Read the Bill... Third Reading. House Bill 1565. Read the Bill."

Clerk O'Brien: "House Bill 1565, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments?"

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1566. Read the Bill."

Clerk O'Brien: "House Bill 1566, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the... Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. The Lady from Cook, Representative Pullen, for what purpose do you rise?"

Pullen: "Mr. Speaker, if I may interrupt the Order of Call for a moment, I would like to introduce a History Class from Taft High School in Streamwood, Illinois, who are here in the rear balcony with their instructor Bill 'Damish'. And they are represented by Representative Hensel and Representative Karpel."

Speaker Matijevich: "Wel... welcome. House Bill 1571. Read the Bill."

Clerk O'Brien: "House Bill 1571, a Bill for an Act relating to

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nonresident alien ownership of real property used for farming. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Stuffle - Woodyard, amends House Bill 1571 on page two on line thirty-five..."

Speaker Matijevich: "Representative Stuffle on Amendment #1.

Stuffle: "Yes, Mr. Speaker and Members, Amendment #1 by Representative Woodyard and myself is an attempt to take care of at least part of the problems, if not all the problems, addressed on this Bill by the Illinois Coal Association that had concerns about the limiting language of the Bill as it applies to farm ownership where there are coal extraction rights in place. What the Amendment does is specifically provide that the coal people may hold, with their extraction rights, may hold agricultural land, may continue to hold it, may later actually mine it. In the interim, however, when they're not mining it, provides for leasing that land for agricultural purposes until they do so mine it, or extract from that land. And then provides after all other... all other conditions are extinguished and all laws are met and reclamation is done that it's turned back over to agricultural purposes, sold, if you will. The concern in Committee was that we had too restrictive of an Amendment in the Bill that provided that the coal people had to actually utilize farm land in a three year period. This Bill wipes that out and provides an exemption for them, so that they can continue to hold land for extraction purposes and still... until they do wish to make extraction, and thereafter, they would have to make sale after reclaiming the land. And it also provides only as to agricultural purposes that they lease the land to farmers, if you will, until such time as they decide to

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extract from the land coal. And I would move its adoption."

Speaker Matijevich: "Representative Stuffle has moved for the adoption of Amendment #1. Representative Davis."

Davis: "Would the Sponsor yield? He said, 'No', but I think he will. He said, 'Yes'. Representative Stuffle, the Amendment is probably going the right direction to a horrible Bill, but the truth of the matter is, why did you pick just coal? There's gravel. There's oil, for all I know, diamonds under the... under the corn fields of Illinois. And why... why just coal? Why wouldn't this provision be extended to all those who would extract minerals from underneath the soil of Illinois?"

Stuffle: "It is. It provides for those who are extracting mineral resources who are businesses."

Davis: "When you say the provision is, 'when reclamation is occurred,' is reclamation in... in... in the form of oil ownership of land? Let's say someone buys land, a major oil company buys land, with the intention of extracting oil from underneath that land, and they do indeed extract some, and they put pumps on that land that are pumping oil. Does... does your Amendment mean that at completion of the pumping twenty-five years hence that this provision now, and reclamation, and the pumps and the tanks have been removed that then it has to be sold for farm land purposes. What... where are we on that?"

Stuffle: "Well, if they continue to leave the pumps there, the way I read it, I would assume that it continues to be used for extraction purposes. At the point that they cease doing that, or at the point they cease extracting coal, and then they went through all the statutory provisions that apply as to reclamation, not until then would they have to make any sale of the land back for agricultural purposes."

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Davis: "Let me ask you this further question, and maybe this is a little subjective and maybe even rhetorical but, in the instance of coal, for instance, when strip mining is done and the reclamation is completed, or for that matter I suppose oil, but let's talk about coal. At that point in time, when you say agricultural purposes, is there a farmer in his right mind who would then buy something without mineral rights to that underneath the soil, and if so, would you expect the company then to take a loss by the extraction of that coal having also gained a profit from that extraction? I understand. But would you expect him to sell that land at a discount?"

Stuffle: "I would assume that the value obviously to the land changed, that the sales price would go down. That'd be a negotiable item in the sale. I wouldn't think that the... the coal company or whatever company involved in the extraction that was involved would expect to get as high a price after they extracted all the minerals as they did before."

Davis: "Well, let me just... one final question, in your legislative intent then, I want to be perfectly clear. If an oil company or an exploration company, or an alien being of some sort from Mars buys Illinois corn fields or Illinois bean fields for the purpose of extraction of mineral rights under those bean fields, is there then a period of time in which they have to begin extraction, in which they have to complete extraction? Where are we as far as a time frame of beginning and ending in relation to the minerals extracted from the land?"

Stuffle: "The answer to the first part is no. That was their problem with the original Bill. It required them to take an action to ex... to extract within three years of the purchase. This Bill does not have any restriction on how

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long it takes them to actually go into extraction. As they indicated, it might be ten years. It might be twenty years. Who knows? The provision applies to five years after the reclamation of land is completed. Bonds are released. All statutes provisions are met, but it doesn't apply to when they start. Only once they've finished, and once they do all the things they have to otherwise do in the statutes, then the five years runs after that."

Davis: "So I am British Petroleum, and this is... I want to make absolutely clear on the intent. I am British Petroleum, and I buy 5,000 acres of Illinois corn fields or bean fields with the intention of extracting oil. My time in limit... is limitless to begin extraction. Is that correct?"

Stuffle: "That is absolutely the way I read this Amendment, and I don't think it can be read any other way."

Davis: "Thank you very much."

Speaker Matijevich: "Representative Stuffle moves the adoption of Amendment #1. Those in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1573. Stuffle - Woodyard. Read the Bill."

Clerk O'Brien: "House Bill 1573, a Bill for an Act relating to ownership of agricultural land by certain corporations, partnerships and trusts. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Stuffle - Woodyard."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle, Amendment #1."

Stuffle: "Again, this Amendment was purposed in part by the Committee. I think by Representative Brummer. In one

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case, it has three parts. It attempts to tighten and does, in fact, tighten and clarify the definition of a family with regard to the exempted businesses that are exempted from reporting under the Bill. It provides how the lineage relationship is... is determined. Secondly, it tightens and simplifies the provisions regarding violations of the Act and tightens up the fines that are possible. We had a set of fines that were tiered in the Bill. This provides for a fine up to a maximum. Clearly defines that there has to be a willful violation of the Act and defines what a willful violation constitutes in order for there to be fine put in place. And third, and importantly, it provides the manner in which trial shall proceed under the Bill with regard to those cases where trial may commence outside the county where an infraction occurred. If there's a belief that there cannot be a fair trial in that particular county, it allows it to be heard in Sangamon County, and I would ask for adoption of the Amendment."

Speaker Matijevich: "Representative Stuffle has moved the adoption of Amendment #1. Those in favor say 'aye', opposed 'nay'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1579. Yourell. Read the Bill."

Clerk O'Brien: "House Bill 1579, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 1583. Bullock. Read the Bill."

Clerk O'Brien: "House Bill 1583, a Bill for an Act authorizing

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and regulating greyhound racing. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Bullock - Giorgi."

Speaker Matijevich: "Representative Bullock on Amendment #1."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 is sort of a technical Amendment which makes some minor changes, and in one case a substantive Amendment. The first part of Amendment #1, in fact, says that the parimutuel tickets to be paid out of the greyhound racing fund would go into the state housing fund, rather than the veterans' rehab fund. Amendment #1 also clarifies a technical deficiency in the legislation regarding the disbursement of the wagering handles retained by the licensee. And in this case, we would exclude the breeder, stud dog awards for the Illinois premiums. The key is the Illinois premiums. Amendment #3, which is a substantive Amendment, authorizes the Department of Law Enforcement expenses for investigating services rendered to the race track, and once that is billed to the organization licensee who in turn pays the amount billed to the state housing fund, rather than to the ag prem fund. And fourthly, and most importantly, the substantive Amendment, this Amendment deletes references to the Greyhound Racing Receipt Advisory Commission, which is a nonentity, and replaces this with the creation of a state treasury fund, and more specifically, the industrial training program and development fund, which is to receive revenues received by the state from the privilege tax. Ladies and Gentlemen of the House, in essence, what we have in Amendment #1 is that we're targeting the revenues from the greyhound racing fund into the industrial training program, which is in the Department of DECCA under Commerce and Community Affairs,

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which in essence, would be used to train dislocated workers who have lost their employment and have no hopes of regaining that employment to their former employer. This would go an awful long way to alleviating and mitigating against the high unemployment in our state. I offer this Amendment for your consideration. It would create a reserve of state funds specifically designed to express..."

Speaker Matijevich: "Representative Bullock has moved for the adoption of Amendment #1. Those in favor say 'aye', opposed 'nay'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Bullock - Giorgi."

Speaker Matijevich: "Representative Bullock on Amendment #2."

Bullock: "Secondly, Mr. Chairman, this Amendment is somewhat substantive. It merely establishes a protection for the existing harness racing in our state and by prohibiting greyhound racing licensee from operating a track in Cook County or any place within the County, within thirty miles of a harness racing track. I know of no opposition to the Amendment."

Speaker Matijevich: "Representative Bullock moves the adoption of Amendment #2. Representative Piel, for what purpose do you rise?"

Piel: "I didn't quite pick up the entire gist of what you just said. Basically, what you're saying by this Amendment, correct me if I'm wrong, is that they would not be able to operate any greyhound track within thirty miles of any existing horse track in Cook County. Is that correct?"

Speaker Matijevich: "That's what he said."

Piel: "Is that what you said?"

Bullock: "Yes, Sir."

Piel: "In other words, basically, what you're saying is that you cannot operate any greyhound track in Cook County."

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Bullock: "No, Sir. What we're saying, Representative Piel, and I'd like to defer to the powerful man from Rockford, on this one. Representative Giorgi has sponsored this Amendment. Mr. Speaker."

Speaker Matijevich: "Representative... Winnebago, the Gentleman who's going to the dogs, Representative Giorgi."

Giorgi: "Larry, what is this?"

Speaker Matijevich: "What was that?"

Giorgi: "Number 3?..."

Speaker Matijevich: "2, they wanted... they wanted..."

Giorgi: "Oh, this is... this is a protective feature in the Bill to allow the thoroughbreds and the harness tracks in operation now so that..."

Speaker Matijevich: "Representative Giorgi, Piel's question is, 'Can they have a greyhound racing in Cook County?'"

Giorgi: "Yes. The existing horse tracks and harness tracks in Cook County can avail themselves of greyhound racing."

Piel: "Okay, but according to the way the... the Amendment... the way Representative Bullock stated, I'm just trying to clarify it, is that the greyhound tracks could not be built within thirty miles of an existing race track in Cook County."

Giorgi: "That's correct."

Piel: "Okay, that's correct. Now what you're saying that they would have to be at least thirty miles away from any race track in Cook County?"

Giorgi: "Any... any race track in Illinois."

Piel: "Okay... thirty miles. But let's just take Cook County, because we've got more tracks in Cook County than any other area of the state. What areas of Cook County would you be able to build a track?"

Giorgi: "At this point, I don't think you could build a track in Cook County, unless the harness and the thoroughbred tracks

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relinquish this protective clause we've given them."

Piel: "In other words..."

Giorgi: "In other words, we feel that the people most threatened would be thoroughbred and harness racing people. To give them that feeling that we're not threatening their demise, we say to them, 'You can avail yourself of dog dates if you want them. Use your existing facilities for greyhound racing'. That's Arlington, Sportsman, Hawthorne, Balmoral, and all of them. Now if they don't want to get into the dog racing Bills we'll come back with an Amendment, so that... so that as a dog track could be built within the thirty mile limit."

Piel: "Why do they have in the Amendment? I'm just trying to figure out. I don't have the whole Bill in front of me, Zeke, but it has in there, '... or in counties of population of three million.' Now, is this bringing Cook County in with the rest of the state or is it just excluding Cook County alone?"

Giorgi: "It's to give them that protection."

Piel: "Thank you."

Speaker Matijevich: "Representative Leverenz."

Leverenz: "The Gentleman yield?"

Speaker Matijevich: "Indicates he will."

Leverenz: "Would this not then effectively... the little guy up here, would this not effectively stop a new dog track in DuPage County? You'll be thirty miles out. You'd have to locate a new one up there in the lake. Is that correct?"

Giorgi: "Well, if DuPage... if... you know, I know DuPage should have been a part of Cook, at one time or another in its history, so what we're trying to do... There are about fifteen populated areas in Illinois that might avail themselves of a greyhound racing facility, even... and they have to go back to the local units of government for the

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proper zoning, the proper complying to local legislation. What we're trying to do here is to provide another form of entertainment for the fifteen populated areas of Illinois that don't avail themselves of the horse and harness racing in Cook County. If this area of DuPage happens to fall in the thirty miles, you know, we're sorry. We can't do anything about it at this point."

Piel: "My last question then, is this endorsed by the third most powerful person in Rockford?"

Giorgi: "I didn't know that you we're going to make that a part of the record, but in as much as WROK did conduct an extensive survey, I don't want to go into it. You can go into it later, but I... I'm Cosponsor of the Bill."

Piel: "Thank you."

Speaker Matijeich: "Representative Topinka."

Topinka: "Yes, if I might ask some questions of the Sponsor. May I have leave? All right. You were saying that this would be thirty miles outside of an existent track or outside of a metropolitan area?"

Giorgi: "No, of any... of any horse racing track in existence today."

Topinka: "Now there is land thirty miles, let's say, outside of Balmoral, but it would not necessarily, you know, be in a county of 8,000 people... 8 million people or more. You could effectively put one into DuPage right across the boarder or thereabouts and cause some grief for Balmoral, could you not?"

Giorgi: "No, because we feel, you know, the... that same area of Chicago takes in the heavy populated area of DuPage County. We don't want to jeopardize the..."

Topinka: "It's in Will County. I'm sorry."

Giorgi: "... you know, we don't want to jeopardize what we're trying to do by threatening the existinction of the tracks

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that have been so good to us over the last forty years. From the tracks in Illinois, we've gleaned \$1,300,000,000.00 in taxes, and we don't want to hurt them for the effort that it put forth previously. But we'd like to give Illinois greyhound racing, but we can't if we're going to threaten the existence of the existing tracks that have done such a good job."

Topinka: "All right. Now is it possible, therefore, that an existent track could... a horse racing track, harness, or flat racing, could have a greyhound track on the interior of its current track, cause in the... in the metropolitan area there doesn't seem to be much room to build a new one."

Giorgi: "Representative Bullock will continue on in this dialogue."

Topinka: "All right."

Speaker Madigan: "Represent... Representative Madigan in the Chair. The Chair recognizes Representative Bullock. Mr. Bullock."

Bullock: "Thank you, Mr. Speaker. Representative Topinka, as a Sponsor of this Amendment, I am going to say to you that the intent here is quite simple, and that is to make certain that within a thirty mile radius within Cook County that a dog racing track would not be established that would in any way be in competition or cause financial hardship to the existing harness racing track. That is the intent. That is what the Amendment says, no more, no less."

Topinka: "But you do have a tendency to limit it by virtue of this Amendment seemingly to a county of 8 million people or more. That's Cook. Now what you could conceivably put a track in a surrounding collar county and still be within a thirty mile radius."

Bullock: "Yes, absolutely. That is... that is exact language of

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the Amendment. You are correct."

Topinka: "Would that... could you not even get it closer to that, because you're limiting it again to Cook County, but here you've got a little bit of area to play with on the outside of Cook and still could be awfully close to..."

Bullock: "Well, Representative Topinka, the... Amendment #2 before us is exactly as you understand it. I certainly would be willing to work with you and anyone else that wishes to offer an additional Amendment, but Amendment #2 is very specific in terms of what it addresses."

Topinka: "All right. I have one more question and that is, how does the Racing Board and the race tracks that we currently have in Cook County now, what is their feeling toward your Amendment?"

Bullock: "Well, I've had no expressed opposition to the Amendment, Representative, as of this date."

Topinka: "If I might just add that my race tracks are not particularly happy with it. So for whatever it's worth, I pass that on to you."

Speaker Madigan: "Mr. Davis."

Davis: "Well, thank you, Mr. Speaker. Representative Bullock, I have to echo the same sentiment that Representative Topinka just echoed. I am from Will County. A great portion of the patrons of Balmoral Race Track come from the south end of Cook County, but another substantial portion of those patrons for that track come from the metropolitan Joliet area, which is within the scope of your Amendment. And I can envision a situation where a dog track could be licensed to the west of Joliet or in the immediate Joliet Metropolitan area, just outside the thirty mile radius, and the Balmoral Race Track would find itself denuded of some thirty to thirty-five percent of its current patrons. I think your perimeter of thirty miles is a bit low, and I

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apologize to you that I do not have an Amendment to raise that now. If... if you'll nod your head and willingly work with me on this basis, we, you know, we'll have no objection."

Bullock: "Representative Davis, it certainly is my intention and that of Representative Giorgi to work with any and all groups. As you know, this Bill has been on the Calendar for a couple of weeks. The Amendments have been offered for a week, almost two weeks. We have every intention of working with you... anyone else. Let me just add one caveat here, that... which will be discussed on Third Reading. The clientele for the dog racing in... in our research is entirely different from that clientele... Representative Davis, I'm responding to your question. It's entirely different than the clientele of harness racing, so the later part of your statement that one constituent group would actually have an unweighted advantage toward another has not been the case in other states. Be glad to provide you information on that. But we will work with you in whatever way we can relative to your objections."

Speaker Madigan: "Mr. Slape."

Slape: "Thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Madigan: "Mr. Bullock. Mr. Bullock indicates that he will yield."

Slape: "Representative Bullock, Representative Giorgi alluded that that thirty mile prohibition was state wide. For the record, would you clarify that that is strickly a Cook County provision?"

Bullock: "Yes, for the record, Mr. Speaker, the Amendment deals with the County of Cook, as previous speakers have clearly indicated, and the intent here is, in fact, that dog tracks operated in Cook County would not be within the thirty mile

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radius of existing horse racing tracks. That does not preclude, however, the fact that some of those existing tracks that wish to operate harness racing could not do so if there was a joint agreement."

Speaker Madigan: "Mr. Ropp."

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

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

Ropp: "Representative, just a quick question, and I don't have the Amendment in front of me, but you mentioned that it would be thirty miles away from a race track. Does that include or exclude county fair race tracks that are in existence now?"

Bullock: "Well, Representative Ropp, I certainly have long desired to have more county fairs in Cook County. And if the county fairs operated in Cook County, they would fall within the jurisdiction of this Amendment. Unfortunately Chicago Feast has not received the definition as a county fair and does not have a harness track, and I know of no county fairs harness tracks in Cook County."

Ropp: "No, but I had reference to other counties throughout the state that do have county fairs that may want a dog track that under this proposed legislation might be excluded."

Bullock: "Well, Representative Ropp, if you know of another county in the State of Illinois that has a population in excess in 3 million other than Cook County, then this would apply."

Ropp: "Well, populations are growing."

Bullock: "We'll change it once it grows."

Speaker Madigan: "Mr. DeJaegher."

DeJaegher: "I think I need clarification from... from Zeke pertaining to this particular Amendment. The understanding that I get on the Amendment... this will practically eliminate greyhound racing from going into Cook County."

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But I think when Giorgi give an explanation that there would also be a restraining order of thirty miles where there's a track presently operating, but then also I heard from him, if there was a track presently in operation, that you could establish a dog track within that track structure. Now you've got me confused, Zeke. Is... is that what you're telling me then?"

Speaker Madigan: "Mr. Giorgi."

Giorgi: "You might consider that the existing tracks in existence today have grandfather rights in greyhound racing. All they must do is petition the Greyhound Racing Board when it's constructed and ask for racing dates. That's their only problem. They are grandfathered in the Bill. Existing tracks are grandfathered in for greyhound dates."

DeJaegher: "All right then, Zeke, to give you an example of what I'm talking about, presently there is a race track in my legislative district. Now if these people could exercise an option, if they wanted to run greyhound along with their horse races, they could."

Giorgi: "Correct. Very correct."

DeJaegher: "And if they... and if they decided not to... there would

Giorgi: "They don't have to."

DeJaegher: "... there would no other track located within thirty miles of that facility?"

Giorgi: "That is correct as I understand it. That's what we intended. We don't intend to give any harness or thoroughbred racing tracks in existence today any trouble with this greyhound racing Bill. We intend them to have support of... a virtual monopoly within thirty miles. That's our intention. If it isn't done, we'll do it."

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

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Clerk O'Brien: "Representative Bullock and Giorgi."

Speaker Madigan: "Mr. Bullock to close."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment #3 to this legislation attempts to establish a thirty mile limit for the construction and operation of greyhound racing, and it's, in fact, mandates or specifies that there will be no greyhound racing within the County of Cook, within a thirty mile radius of any existing tracks to, in fact, conduct those greyhound racing dates. I think the Amendment has been thoroughly explained, and also, we assert in this particular Amendment an immediate effective date. I would request an affirmative vote."

Speaker Madigan: "The question is, 'Shall Amendment #2 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 74 'ayes', 20 'nos'. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Bullock - Giorgi."

Speaker Madigan: "Mr. Bullock."

Bullock: "Yes, Mr. Speaker, we're going to... I think we just explained Amendment #3. I don't know if the Clerk has that... those Amendments numbered correctly. We have just adopted Amendment #3, according to my record. It was #2. All right. Then we've got them misnumbered. I have it #3. Number... Amendment #3 should be tabled. We have another Amendment that's being drafted to include those provisions, so we will withdraw Amendment #3, and... Amendment #3 should be withdrawn. We will have a subsequent clean-up Amendment, which is dealing with some errors that were put in the original drafting of the Bill. Okay. Mr. Speaker. Mr. Speaker... Madigan, could... I'm withdrawing Amendment

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#3. We have another Amendment that is being drafted. I'd like to move it to Third and then bring it back if that's possible."

Speaker Madigan: "Amendment #3 is withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Bullock - Giorgi."

Speaker Madigan: "Mr. Bullock on Amendment #4. Mr. Giorgi on Amendment #4."

Giorgi: "There's some language in Amendment #4 that is a cleanup Amendment that has to do with where... where the money is going from greyhound racing. It's the intent of the Bill to put the money in... under the Department of Commerce and Community Affairs for some redeployment training programs, also we've got a... a fund, the industrial training program and development fund and... The money's going to the Department of Commerce and Community Affairs to provide for some special training programs in conjunction with the unemployment insurance program, rather than putting it in the agricultural premium fund of the harness and thoroughbred racing funds. And incidentally, the tax structure on the greyhound racing Bill is comparable to the tax structure on the Harness and Thoroughbred Racing Bill, so it's exactly the same. The both get treated alike. We expect both the same type net in tax dollars. I mo... urge the adoption of the Amendment."

Speaker Madigan: "Mr. Giorgi moves for the adoption of Amendment #4. Those in favor, say 'aye'. Those opposed, say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Vinson."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 deals very simply with the

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distribution of the revenues realized by the privilege tax on the sport. What the Amendment would do, would be to put the money into the general revenue fund. A number of you have seen people today wearing buttons that say, 'There is a way'. What those buttons symbolize is their desire to get additional necessary funding for services like mental health, services for disadvantaged children, the mentally ill. In addition, you've all seen the problems created by the shortfall in state revenues for the funding of education in Illinois. What this Amendment would do, would be to put those revenues realized from this sport into the general revenue fund so that they will go to fund education, mental health, services for the needy. That's the purpose of the Amendment, and I would urge its adoption."

Speaker Madigan: "Mr. Bullock."

Bullock: "Mr. Speaker, the hyphenated Sponsor, Representative Giorgi, would like to respond. I'd like to be called on after him, if that's possible."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, the entire assemblage here, elected in the General Assembly during last Session, during...the last election campaign went the length and breadth of Illinois and what they were telling us is they were more concerned in economic recovery in jobs and the huge unemployment...number of people that are unemployed that couldn't be retrained because employment had left the area and there were no jobs except in the minimum wage category. I agree with you that education needs money. I've supported education from my very first Session in the General Assembly. I was a Cosponsor of special education Bills that has made special education available to the students from three to twenty-one. I have voted for every

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mental health Bill that has come down the pike. I think my record compared to the previous speaker's record...you probably couldn't compare them. I...it's, you know. I hate to demean the last speaker, but my...my record is the epitome of...of human services and social services support. Now...thank you very much. Now, I might suggest to you, Representative Vinson, the paragon of virtue from Central Illinois, there are a couple of other Bills that you could introduce and push them through to...culmination. Offtrack betting, casino gambling, pick your own Bill, Sam. Let...Leave our Bill alone. We want our Bill to go for what we intended it. We did all this work and we don't like you intruding, so...support...help kill this Amendment."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to Amendment #5. Amendment #5, be it ever so laudable, is inappropriate for this legislation. I have gone on record in support of the Governor's tax increase proposal for a two year limit. I think that in that proposal, we'll get 1.6 billion dollars to fund day care and education, maybe even transportation, but this legislation, House Bill...1583, is a jobs Bill, it's a Bill that is intended to retrain the three quarters of a million people in our state that are out of work. I can think of no higher priority, Representative Vinson, than getting people back to work, making certain that they can provide for their families and stay off of welfare. This Amendment would not help the Bill. As a matter of fact, I doubt seriously if it would get us any additional votes, and for that reason, Mr. Speaker, I would urge a 'no' vote on the Gentleman's Motion."

Speaker Madigan: "Mr. Vinson to close."

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Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I do appreciate Representative Giorgi clarifying the record to indicate that his record in no way reflects mine. I appreciate that. To the substance of the Gentleman's remarks, I would state that I can't think of anything more important to the mentally ill, the developmentally disabled, the kids in the schools and those Chicago schools who may not be able to have those schools open to Representative Bullock. Brother Bullock, I would hope you would join me in this Amendment. Reconsider your position on it. It's important that we do something for people in need in this state. This Amendment, if you adopt it to this Bill, could have a substantial impact in that regard. You might find that it could pass your Bill and get your Bill signed. What it...what I'm really concerned about is this concept that when you introduce a Bill, it's your private preserve. When you introduce a Bill in this House, that Bill becomes the property of the people of the State of Illinois, and it's the people of the State of Illinois who ought to determine how that money is spent. I believe, in this case, the people of the State of Illinois would like that money spent on education, they'd like that money spent on the developmentally disabled and the mentally ill, and I would ask you to vote 'yes'. A vote 'yes' is a vote for compassion. A 'no' vote...a 'no' vote would be a dishonorable thing."

Speaker Madigan: "The question is, 'Shall Amendment #5 be adopted?' Those in favor, signify by voting 'aye'. Those opposed, by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 42 'ayes', 65 'nos'. The Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Madigan: "Mr. Bullock, what is your pleasure concerning the order? The Bill shall be placed on Third Reading. House Bill 1587, Mr. Ronan, do you wish to call your Bill? Mr. Clerk, Read the Bill."

Clerk O'Brien: "House Bill 1587, a Bill for an Act relating to the physical facilities of Illinois public community college districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Committee Amendments?"

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

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. Amendment #2 is a technical Amendment. It removes an unnecessary phrase on page 2. I move for its 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 further Amendments?"

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

Speaker Madigan: "Mr. McGann on Amendment #3."

McGann: "Alright, thank you, Mr. Speaker. This Amendment #3 to House Bill 1587, what it does is it adds three languages to clarify that the authority to levy the tax addressed in the Bill includes community college districts in cities of 500,000 or more inhabitants. I'd ask for support of Amendment #3 to House Bill 1587."

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 O'Brien: "No further Amendments."

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Speaker Madigan: "Third Reading. The Chair recognizes Representative Bullock for the purpose of an announcement."

Bullock: "Thank you, Mr. Speaker. I'd like to apologize to the Assembly and the Speaker for interrupting, but in the Gallery to my right, we have some fine students from one of the finest parochial schools in the City of Chicago under Father 'George Clement'. I'd like for you to give a round of applause for the student from Holy Angels School in the 23rd District. Let's give them a big hand."

Speaker Madigan: "House Bill 1594, Mr. Keane, do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1594, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1597. Mr. Klemm, do you wish to call your Bill? Is Mr. Klemm in the Chamber? For what purpose does Representative Friedrich seek recognition? Mr. Friedrich, Mr. Dwight Friedrich, are you seeking recognition?"

Friedrich: "An inquiry, Mr. Speaker. When did you contemplate having that Rules Committee meeting. I think in view of what's happened here today, it might be well to act on those rules."

Speaker Madigan: "Thursday, May 19, at twelve noon...twelve noon, Room 114 of the Capitol Building."

Friedrich: "Thank you, sir."

Speaker Madigan: "Thank you. House Bill 1603, Representative Virginia Frederick. Mr. Clerk, call the Bill, and read the Bill."

Clerk O'Brien: "House Bill 1603, a Bill for an Act to amend Sections of an Act to revise the law in relation to

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counties. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. House Bill 1607, Representative Zwick. Representative Breslin, do you wish to call 1607? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1607, a Bill for an Act to amend Sections of the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Madigan: "Third Reading. House Bill 1610, Mr. Davis. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1610, a Bill for an Act to amend Sections of the township law. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Davis, amends House Bill 1610 on page 1 and so forth."

Speaker Madigan: "Mr. Davis."

Davis: "Well, thank you, Mr. Speaker and Members. Amendment #1 was brought to me by the Township Officials Association and some downstate supervisors who requested this be attached to 1610. What it does is allow townships to acquire property by condemnation in the manner provided by law and eminent domain for community development programs in accordance with the provisions of Chapter 69 of the United States Code, and to hold such properties for the use of its inhabitants and again to sell and convey the same. Essentially, what it...I guess what is happening is in

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rural townships all over the state, there are deteriorating buildings in unincorporated areas that are abandoned that are problems and the townships seek the right of eminent domain to acquire these properties for the...to arrest the deterioration of the community, or, indeed, to...to set the developmental arrangement straight by removal of these...or rehabilitation of these particular structures. I would move for its adoption."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "This...as I understand it, this Amendment would say that before they could proceed with the condemnation that they would have to get the approval of the local municipal...before they can proceed with condemnation, they would have to get the approval of the municipal corporation authority, is that right?"

Davis: "No, that...this is unincorporated areas only."

Cullerton: "Okay, well then...perhaps I'll ask you on Third Reading about the Bill."

Davis: "Well, that...that question is answered in the affirmative."

Cullerton: "And this applies to the townships in Cook County?"

Davis: "Well, it does at the moment. I have no objection to removing those."

Cullerton: "Alright, thank you."

Speaker Madigan: "Representative Alexander."

Alexander: "Thank you, Mr. Speaker. I rise on a point of introduction. We have on the Republican side in the gallery, students from the Holy Cross School, located at 65th and Maryland. Their Representative is Barbara Flynn-Currie, but they belong to me, out of my ward area. May we give them a round of applause, please?"

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Speaker Madigan: "The question is on the adoption of Amendment #1. All those in favor, signify by saying 'aye'. All those opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Madigan: "Third Reading. House Bill 1597, Mr. Klemm. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1597, a Bill for an Act to amend Sections of the Animal Control Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Mr. Klemm."

Klemm: "Are there any Floor Amendments?"

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments?"

Speaker Madigan: "Third Reading. House Bill 1612, Mr. Capparelli. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1612, a Bill for an Act relating to notification of parents when state funded agencies offer fertility control services. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Greiman, amends House..."

Speaker Madigan: "Mr. Greiman."

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1612 is the Bill that is being referred to, generally, as the 'squeal Bill'. It is a Bill that provides, in essence, that if any agency getting state funds gives any birth control advice or services without giving 72 hours prior notice to the parents, and that is both parents, that they will lose their...lose for one

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year, their state funding, as well as an individual private law suit. The Bill makes no distinction between physicians in a state facility who would talk to minors that are married, or who are parents themselves, or who are pregnant, or who have...already have the consent of their parents, in fact, or where there be serious emergency, if they didn't immediately make some response. Now, we are not talking about the giving of abortions. We are talking about giving of advice on birth control. We are back two steps, two decades to birth control problems. Amendment #1 merely...merely takes out some of the imperatives of the Bill and instead provides that the fertility control services shall encourage family participation in projects assisted by the funding, that we encourage the family to be together, that we encourage parents to get involved in this process, but not that an agency necessarily would lose its funding. For example, if all...if one of the coaches...we have a couple of excoaches here, put their arm around a young sophomore footballer and gave him a little fertility control advice and said maybe you should go to the...the drug store and find some fertility control devises, that school would lose its funding for a year. That school would lose its funding for a year, based on that coach talking a little mother tongue with that young man. Now, you know, obviously, there are organizations, groups that promulgate this kind of stuff, but what we are doing when we take House Bill 1612 without Amendment 1, is we are locking step, locking step in..in saying that one group, one minority group shall tell us what to do, one people committed to a particular way, way far, far to one angle, shall tell us how we should live our lives and how we should only deal with public funds. I'm not suggesting to you that public funds shouldn't be carefully monitored,

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that we don't want to have different points of view, necessarily, with government expounding those points of view, but what I do believe is that if we take a sensible way and we say encourage, yes, encourage family participation, not require, as this Bill now does, that a parent, a father, if he cares to, can go and watch a diaphragm being put...being fitted, but that we encourage family participation. That is what Amendment 1 does. It makes sense. It makes House Bill 1612 constitutional, and it makes... it gives it some sense of reality, the reality of young people searching for their own...answers to their own sexual problems, and that is what it does. That is the kind of thing that it provides. I think it's a good Amendment. I think that the Sponsors of the Bill ought to take this Amendment and not lock step with somebody who doesn't sit in this Legislature. We should be the leaders on these issues. We should not be the ones who respond. We should be the ones who lead."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Mr. Speaker, I don't know if he was arguing the Bill or...I never got the gist of his Amendment, and I wrote some notes here, and I rise to oppose this Amendment. Representative Greiman's Amendment effectively guts House Bill 1612. It leaves total discretion as to whether respected...respect of the parental prerogatives and the moral upbringing of their children will be given to the agencies and take the rights away from those individuals who want to bring up their own children. It deletes any restriction of funding, therefore, it requires parents who do not approve of this outside interference to submit their tax dollars to agencies using...using these funds, and I would ask everyone in the House to please vote 'no' on Mr. Greiman's Amendment. Thank you."

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Speaker Madigan: "Representative Karpziel."

Karpziel: "Thank you, Mr. Speaker. I'd like to take this opportunity, Representative Greiman, to publicly apologize for yesterday when I said that the Bill that you referred to was...was heard in Committee. I was wrong. It was a different Bill that was heard in Committee, and the Bill that you had yesterday, I think it was House Bill 2017, was not heard in Committee. I still think it was a bad Bill, but that is neither here nor there. On this Bill, Mr. Speaker, House Bill...or Amendment #1 to House Bill 1612, I agree with Representative Capparelli, that this Amendment does absolutely gut the Bill, and whether or not you feel strongly one way or another, or you are for the Bill or against the Bill, I think we should vote it up or down on Third Reading in the manner in which it was presented, and not put an Amendment on which absolutely guts the Bill at this time. I would also like to make one correction. Representative Greiman said that under the provisions of House Bill 1612, any agency that is in violation of this Act would lose its funding for one year. The way I read the Bill, says that that agency would lose its funding for one year only for the purposes of dispensing of...fertility control devices, not their entire funding. So, you wouldn't have to worry about the University of Illinois, say, losing their funding for a year, just only in their dispensement of these devices, and I would urge a 'no' vote on this Amendment."

Speaker Madigan: "Mr. Preston."

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

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

Preston: "Representative, with your Amendment, does your Amendment permit agencies funded with state monies to give birth control information to minors requesting that

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information without notifying one or both parents?"

Greiman: "I think that's the law now. I think they can do it now...I'm not sure what does...I know that it certainly doesn't...takes out the stringent penalties and...and it...it would allow them to encourage them to come in and be part of the process, but it would not prohibit them from doing it. They could give fertility control. I mean like, for example, a number of agencies do give fertility control advice and they could continue to do that without having to adhere to the squeal rule."

Preston: "Alright, and...and the Bill, as it would be amended with your Amendment, makes a distinction between birth control...disseminating birth control devices and giving birth control information?"

Greiman: "Yeah, none of them give birth control devices. They give information. These are all...this is just information. Nobody's...nobody's giving nothing away."

Preston: "Then would you explain one more time for me what your Amendment does to the Bill? I was confused."

Greiman: "Yes, I think it guts the Bill. I think...thank you for asking those questions, Representative Preston. I think what the Bill does, sir, is to make ...is to conform with the federal guideline language that asks...that suggests that we encourage family participation in these areas, rather than mandate them. That is what the Bill does."

Preston: "Thank you."

Speaker Madigan: "The question is, 'Shall Amendment #1 be adopted. Those in favor, signify by voting 'aye'. Those opposed, by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 28 'ayes', 77 'nos'. The Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Madigan: "Mr. Vinson, Clerk informs me that the Fiscal Note has been filed on this Bill, and the Bill shall be placed on the Order of Third Reading. House Bill 1624, Representative Friedrich. Do you wish to call your Bill? The Gentleman indicates he does not wish to call his Bill. House Bill 1632, Mr. Marzuki. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1632, 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 Committee Amendments?"

Clerk O'Brien: "No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Marzuki."

Speaker Madigan: "Mr. Marzuki."

Marzuki: "In the drafting of the Bill, LRB inadvertently left out where the money was to go and Amendment #1 merely takes care of this problem. It places the money in the state park funds. I would move its passage."

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 O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1638, Representative Karpiel. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1638, a Bill for an Act to amend Sections of the township law. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Karpiel, Wojcik, and Steczo."

Speaker Madigan: "Representative Karpiel."

Karpiel: "Yes, Amendment #1 corrects or changes the...in the Township Code, it changes the Committees on Youth structure. Presently, under the...under the statute,

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Committees on Youth have to have eleven member Boards. This changes the composition of the Board to no less than five members. The reason that is done is because there is a possibility that the Division of Youth and Community Services will be distributing funds to local planning boards for youth services. Township Boards...or Youth Committees can be considered planning boards, but if the rules and regulations come down that they will have to have X number of members, be police officers, X number of social workers, et cetera, they need a little more flexibility in the composition of their Board so they could be able to receive this funding. This is being supported by the Association of Illinois Townships Committees on Youth. It has been reviewed and approved by the DCFS, and I know of no organized opposition to the Amendment, and I would appreciate an 'aye' vote."

Speaker Madigan: "The Lady 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 O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1644, Representative Currie. Representative Cowlshaw, do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1644, a Bill for an Act concerning long term care facilities. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Cullerton."

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

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the House. This Bill, now that it has been amended, provides that the Attorney General or the State's Attorney can initiate investigations for criminal prosecutions, rather than have to have the approval of the nursing home administrator. The purpose of this Amendment is to make it clear that the State's Attorney in the county in which the facility is located may be the one to initiate the prosecution. Of course, current law allows for the Attorney General to assist in the prosecution anyway, so this reference to the Attorney General is not needed, and that is what the Amendment does, to remove that reference."

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

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Braun in the Chair."

Speaker Braun: "On the Calendar on the Order of Second Reading appears House Bill 1653, Representative Brummer. Representative Piel, for what purpose do you rise?"

Piel: "Madam Speaker, I would like to waive, temporarily, Rule 65(B) while the present Speaker is in the Chair, please."

Speaker Braun: "Thank you."

Piel: "You are welcome."

Speaker Braun: "Thank you again, Representative Piel. House Bill 1653, Representative Brummer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1653, a Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. On the Calendar appears...House Bill 1661. Is Representative Rhem...out of the record."

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House Bill 1662, Representative DiPrima. Representative DiPrima. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1662, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "No Motions relating to Committee Amendments and no Floor Motions."

Speaker Braun: "Alright, Third Reading. House Bill 1666, Representative Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1666, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Representative Davis."

Davis: "Well, thank you, Madam Speakeress."

Speaker Braun: "Any Amendments from the Floor? Excuse me."

Clerk O'Brien: "Floor Amendment #1, Davis."

Speaker Braun: "Representative Davis."

Davis: "Thank you, Madam Speaker and Members of the House. All of us that serve here, or virtually all, travel the highways and biways of Illinois and in particular, those of us in the north who travel congested highways in the metropolitan six county area of Chicago, and in other places all over the state, have been flooded and have seen the abuses ourselves and have been flooded in our constituent offices with anger and chagrin over the notion that there are a whole lot of cars driving around in this state with charitable vehicle plates. Amendment #1 to House Bill 1666 would remove first division vehicles from the charitable vehicle plate authorization that is currently in the law. The abuses have just gone on and on and on. There is no solid reasonable way in the Secretary of State's Office to end those abuses. Currently, there

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are thirty some odd thousand vehicles registered, and if we do...automobiles, and if we do adopt this Amendment, it will add five hundred thousand dollars back into the road fund next year, and one of the reasons that the anger is more at its height now, of course, is that we are discussing in House Bill 1305 raising the plates even further. I can tell you now that on the road, bearing CV plates at this point, there are 527 Cadillacs, 147 Lincolns, 18 Mercedes Benz and 1 Rolls Royce that we think, and your constituents and mine think, that can afford the \$30 for the license plate instead of the \$8 that they now pay. Legitimate religious and charitable organizations certainly have no problem paying that \$30 for their automobile plates. This would not affect anything other than first division vehicles. Buses and vans and trucks would still be eligible for legitimate charitable and religious organizations, and Madam Speaker, I offer to you Amendment #1 to House Bill 1666 that will end this abuse once and for all."

Speaker Braun: "On Amendment #1, the Gentleman from St. Claire County, Representative Flinn."

Flinn: "Well, Madam Speaker, I only want to close, if it's necessary. I don't want to delay the activity here."

Speaker Braun: "Thank you. Representative from Cook County, Representative Leverenz."

Leverenz: "Gentleman yield? I thought we merged charitable vehicles and charitable vans and buses all into one license plate, did we not? Then how are you going to sort out first division from, for example, vans, because they run with a first division vehicle plate?"

Davis: "Vans over a certain horsepower, it is my understanding, qualify as trucks."

Leverenz: "A van over a certain horsepower qualifies as a truck?"

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Davis: "And I am advised by the representative of the Secretary of State that they can be delineated and reversed out of the first division category even if they are under those horsepower and that is the intention of the Bill."

Leverenz: "The Rolls Royce is titled to who?"

Davis: "I wish I knew. They won't tell me either."

Leverenz: "Thank you. Charles who?"

Speaker Braun: "Representative from Cook County, Representative McAuliffe."

McAuliffe: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would rise in support of Representative Davis' Amendment. I see a lot of cars riding around the City of Chicago, most of them are fancy luxury cars with charitable vehicle license plates on, and I realize that some legitimate churches would be forced to buy license plates, but I don't think any legitimate church is going to go broke if they buy a \$30 set of license plates. This will end a lot of abuse. A lot of constituents are mad when they see these fancy cars parked in illegal parking spaces and many of them are \$30,000 cars and up. I saw a Rolls Royce in Chicago with charitable vehicle license plates and it is common to see Cadillacs and Lincoln Continentals with charitable vehicle license plates parked in the loop in 'no parking' zones. These people don't need the extra tax break the we are giving them, and I'm sure the legitimate churches can afford to pay the \$30, and I'm happy to support this Amendment."

Speaker Braun: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Alexander: "Thank you. Representative Davis, may I give you a classic example so that I can have a thorough intelligence of what this Amendment will do. I have, like you and

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others, perhaps, in this General Assembly, raised the question concerning the CV plates and, in fact, have called the Secretary of State concerning cars that I...autos I have seen with these plates on, but in my church, let me see if we would be still covered. We have a bus. We have a van. We have a station wagon and we have four automobiles which are named in the name of the church. Would we then be denied the special rate plates, or are we doing away with the total special rate plates? Would you explain that to me, please?"

Davis: "Yes, Ma'am. You will be denied the automobiles only."

Alexander: "Although they are listed in the name of the church, not in an individual person's name."

Davis: "Yes, Ma'am, all first division vehicles, all automobiles will be removed from the charity vehicle eligibility."

Alexander: "Alright, thank you."

Speaker Braun: "Any further discussion? The Gentleman from St. Claire to close, Representative Flinn."

Flinn: "Well, Madam Speaker, I think enough has been said about this. This...this Amendment and the Bill itself came from complaints from our constituents, and I would ask for a favorable vote."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #1. All those in favor say 'aye'. Opposed. The 'ayes' have it. The Amendment is adopted. Third Reading. House Bill...On the Calendar, there appears...on Second Reading, there appears House Bill 1679, Representative Giglio. Out of the record. 1685, Representative Yourell. Read the Bill, Mr. Speaker..."

Clerk O'Brien: "House Bill 1685, a Bill for an Act to amend Sections of an Act in relation to compensation of Members of the General Assembly. Second Reading of the Bill. No Committee Amendment."

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Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. House Bill 1687, Representative Nash. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1687, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. House Bill 1688, Representative Nash. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1688, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. House...House Bill 1691, Representative Nash. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1691, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker O'Brien: "Third Reading. House Bill 1695, Representative Farley. Mr...Mr. Clerk, has this Fiscal Note been filed?"

Clerk O'Brien: "Fiscal Note has been filed."

Speaker Braun: "Alright. Any Amendments from the Floor?"

Clerk O'Brien: "House Bill 1695, a Bill for an Act to amend Sections of the Nursing Home Administrators Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Farley."

Speaker Braun: "Representative Farley."

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Farley: "I'd move to table Amendment #1, Madam Speaker...or withdraw, withdraw."

Speaker Braun: "Thank you. The Gentleman has moved to withdraw Amendment #1 to House Bill 1695. Does he have leave. Leave. Alright. Any further Amendments?"

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

Farley: "I would move to withdraw Amendment #2, Madam Speaker."

Speaker Braun: "The Gentleman has moved to withdraw Amendment #2. Is there leave? Leave granted. Any further Amendments?"

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

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Amendment...What Amendment #3 does is reduces the requirement from 18 hours of continuing...or to 18 hours of continuing education per year from 24 hours. It also removes all references to state reimbursement through the Medicaid program. It also sets the foundation for continuing education regulations similar to those currently placed...in place for physicians, optometrists and podiatrists. It also removes language that is best placed in regulations and it adds a provision regarding continuing education requirement when the administrators' license has lapsed. This Bill, with this Amendment, meets all the objections of the Department of Registration and Education, and has taken into consideration concerns of the Illinois Association of Homes for the Aging, the Illinois Health Care Association, the County Nursing Home Association of Illinois, the Illinois Nursing Home Administrators Association and the Illinois Chapter of the American College of Nursing Homes. I know of no opposition to this Amendment. It has been agreed to, and I would move for the adoption of Amendment #3."

Speaker Braun: "Is there any discussion? The Gentleman has moved for the adoption of Amendment #3. All those in favor."

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Opposed. The 'ayes' have it. The Amendment is adopted.

Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Chair recognizes Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I would ask that House Bill 1202 be removed from the Consent Calendar, would ask for leave and for the purpose of placing an Amendment on this bill."

Speaker Braun: "The Chair...Representative McGann, your Motion is for leave to move House Bill 1202 from the Order of Consent Calendar, Second Reading to the Order of Short Debate, Second Reading, for the purpose of Amendment, is that correct...and it has been agreed to by the Minority, is that correct?"

McGann: "That is correct, Madam Speaker."

Speaker Braun: "Okay, is leave granted? Leave, alright. Representative McGann, on Amendment #1."

McGann: "Thank you, Madam Speaker and Members of the Assembly. This Amendment #1 to House..."

Speaker Braun: "Oh, I'm sorry..excuse me, Mr. McGann. Will the Clerk read the Bill...read the Amendment."

Clerk O'Brien: "House Bill 1202, a Bill for an Act to amend Sections of the township law. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, McGann."

Speaker Braun: "Representative McGann."

McGann: "Thank you, Madam Speaker. Once again, this Amendment #1 to House Bill 1202 has been requested by the township officials and it, basically, is clarifying the dates for filing, and this was discussed with the...Mr...Representative McMasters and he has no problem

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with it, and I would ask for support of this Amendment."

Speaker Braun: "Is there any discussion? Representative from Knox, Representative McMaster."

McMaster: "Thank you, Madam Speaker. Let me clarify just a little bit what the Representative said. This Amendment and the Bill will have do...to do with the filing of township audit reports, and merely makes them file their audit report within 30 days after the close of their Fiscal Year. Some of them have different Fiscal Years than others. They are not...set all of them at the same time. I see nothing wrong with this Amendment and am in support of it."

Speaker Braun: "Is there any further discussion? There being no further discussion, all in favor of Amendment #1, say 'aye'. All opposed. The 'ayes' have it. Does the Gentleman have leave to keep this Bill on the Order of Short Debate?"

McGann: "On Short, but not on Consent."

Speaker Braun: "On Short Debate, yes, sir."

McGann: "Yes."

Speaker Braun: "Leave being granted, Mr. Clerk, please place House Bill 1202 on the Order of Short Debate, Third Reading. On the Calendar appears House Bill 1702, Representative Woodyard. Out of the record. House Bill 1703, Representative Homer. Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1703, a Bill for an Act in relation to unemployment insurance procedures for dispute of benefits. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Motions relating to Committee Amendment #1, and No Floor Amendments."

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Speaker Braun: "Third Reading. On the Calendar appears House Bill 1712, Representative Kulas. Representative Kulas. Out of the record. House Bill 1714, Representative Yourell. Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1714, a Bill for an Act to amend Sections of the Illinois Natural Areas Preservation Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions pertaining to the Amendment?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Representative from Cook, Representative Rice, for what purpose do you rise?"

Rice: "Yes, Ma'am, personal privilege, Madam Speaker. I have from my district the Dunn Elementary School."

Speaker Braun: "Alright. Welcome to Springfield."

Rice: "Thank you, if you will."

Speaker Braun: "House Bill 1725, Representative Karpziel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1725, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Karpziel-Hoffman, amends House Bill 1725 on page 1 and so forth."

Speaker Braun: "Representative Karpziel on Amendment #1."

Karpziel: "Yes, thank you. This...Amendment #1 to House Bill 1725 merely provides for a referendum on the raising of the limitation on these bonds for Lake Michigan water. I'd appreciate an 'aye' vote."

Speaker Braun: "Is there any discussion? There being no

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discussion, the Lady has moved for the adoption of Amendment #1. All in favor, say 'aye'. Opposed. The 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1740, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1740, a Bill for an Act in relation to sanitary districts and rail...railroad right of ways and public easements. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments to the...from the Floor?"

Clerk O'Brien: "Floor Amendment #1, DeJaegher."

Speaker Braun: "Representative DeJaegher."

DeJaegher: "...What this Amendment will do, when this Bill was originally drafted, it didn't take into consideration the Act of 19...1936. What this Amendment will do, will clarify this particular Bill, include the Act of 1936, and this is basically what the Bill will do...or the Amendment, and I ask for the support of this Amendment."

Speaker Braun: "Is there any discussion? There being no discussion, the Gentleman has moved for the adoption of Amendment #1. All in favor, say 'aye'. All opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar there appears House Bill 1753, Representative Winchester. Read the bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1753, a Bill for an Act to amend Sections of the Motor Vehicle Franchise Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Braun: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Are there any Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar, there appears House Bill 1760. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1760, a Bill for an Act to amend Sections of the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Are there any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. House Bill 1761, Representative McMaster. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1761, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Are there any Motions with respect to this Bill?"

Clerk O'Brien: "No Committee Amendments and no Floor Amendments."

Speaker Braun: "There are no Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1762, Representative Giorgi. Representative Giorgi. Out of the record. House Bill 1764, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1764, a Bill for an Act to add Sections to the Public Community College Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Are there any Amendments from the Floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third Reading. With leave, we will go back to...to Representative Giorgi and House Bill 1762. Is

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leave granted? Alright. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1762, a Bill for an Act to amend Sections of the Bingo License and Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Are there any Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Giorgi."

Speaker Braun: "Representative Giorgi."

Giorgi: "What Amendment #1 does to the Bingo Law is, heretofore, when we wrote the original Bingo Law, we allowed for five special games in a night of twenty five games. Some people have been interpreting that to read that when you buy one special game card, that card is good for every special game, so that the Department of Revenue suggested this clarifying language so that now there are five special games in a night with twenty five games, but you buy each special game for each of the five special games. That is all the Amendment does and I urge my...your support."

Speaker Braun: "Is there any discussion? There being none, the Gentleman has moved for the adoption of Amendment #1. All in favor. All opposed. The 'ayes' have it. Amendment #1 is adopted. Third Reading. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1772, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1772, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Are there any Motions with respect to Amendments 1 or 2?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1780, Representative

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Farley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1780, a Bill for an Act to amend an Act in relation to the creation, maintenance, operation and improvement of the Chicago Park Districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar, appears House Bill 1781, Representative Farley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1781, a Bill for an Act to amend Sections of the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Committee Amendments."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Third Reading. House Bill 1790, Representative McPike. Representative McPike. Out of the record. House Bill 1798, Representative Giorgi. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1798, a Bill for an Act in relation to certain sanitary districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Motions relating to Committee Amendment #1, and no Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1803, Representative Giorgi. For what purpose does the Gentleman from Rock

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Island, Representative Brunsvold, rise."

Brunsvold: "For an Amendment. Go ahead."

Speaker Braun: "Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1803, a Bill for an Act in relation to emergency purchases of services or material by certain sanitary districts. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any further...Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Brunsvold-Giorgi."

Speaker Braun: "Representative Brunsvold."

Brunsvold: "In Committee, there was concern that there be a limiting amount of money on how much the sanitary district could spend and...for public health and safety, putting some sort of limiting factor. \$40,000 was an agreed amount in Committee that we said would be placed on the Bill. So, Amendment 3 simply puts a ceiling of \$40,000 on to this Bill that can be spent by a sanitary district for emergency purposes. \$40,000. I would move the adoption of this Amendment."

Speaker Braun: "Is there any discussion? The Gentleman has moved for the adoption of Amendment #3. All those in favor, say 'aye'. Opposed. The 'ayes'...there being 1 'no', I think the 'ayes' still have it. The 'ayes' have it. Third Reading. On the Calendar appears House Bill 1805, Representative Greiman. Out of the record. House Bill 1812, Representative Olson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1812, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar appears House Bill 1813, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1813, a Bill for an Act to amend Sections of the Open Meetings Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Amendments from the Floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading."

Speaker Madigan: "Representative Madigan in the Chair. House Bill 1814. Read the Bill."

Clerk O'Brien: "House Bill 1814, a Bill for an Act to amend Sections of an Act concerning public utilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 to 1814 is, in effect, House Bill 1815, which was part of the Speaker's Public Utilities package, but was not able to be voted on in Committee because of the absence of a quorum. Amendment #2 provides for ex parte communications with respect to the Illinois Commerce Commission. It spells out the criteria with respect to commissioners and hearing officers and mandates the Commission to come up with standards as far as staff. It was developed in

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conjunction with Chairman O'Connor, and I urge the adoption of Amendment #2."

Speaker Madigan: "Mr. Johnson."

Johnson: "You want a...I think I know what ex parte is, but for the benefit of the Membership, do you want to tell us what 'ex parte communication by a Commissioner' is, and why this Amendment seeks to prohibit that sort of communication by a Commissioner or hearing examiner?"

Levin: "Yes, when you go to Court, you know that you should not be talking to the Judge off the record in private conversations about a matter that you are litigating, unless, you know, all of the other parties have the opportunity to be represented."

Johnson: "But even in a Court, Representative Levin, there isn't any prohibition, flat prohibition as there is in this Amendment of any kind of ex parte communication, is there?"

Levin: "No, this Amendment only applies to pending matters. It applies to matters where there is a hearing that is pending, so it would be perfectly proper to have a social conversation with a commissioner or hearing officer. The only thing that is prohibited by this Amendment is ex parte communications in terms of matters in a pending case, and that is defined in Section 65.1 as a case where if there is a rate proceeding pending, the filing has been suspended and hearings have been required."

Johnson: "Well, what if...now, I don't know if this would constitute a status report or not, under this...under your exception to this Act, but what if on a major rate case, let's say for Illinois Power, the Chicago Tribune or Sun Times wanted to run a story and interviewed or called Mr. O'Connor or one of the other Commissioners to find out when the case was likely to be decided. Would it be in violation of this Act."

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Levin: "No, status..."

Johnson: "Well, that's what I wondered, if you intend that that would be a status report."

Levin: "No, status...status is excluded from this. But you could not ask Mr. O'Connor what he thinks of the evidence and the likelihood of Commonwealth Edison, whoever else it is getting the rate increase they want."

Johnson: "Where is it...this is my last question. You know, I understand, this is a good principle, and I think most everybody supports this as a principle. I...I guess my concern is where is there a problem, or where has there been a problem, or where has there been an abuse, specifically, that this Amendment addresses itself to?"

Levin: "There have been a number of instances, unfortunately, over the years where there have been communications, or there appeared to be communications between the utilities and either hearing officers or commissioners."

Johnson: "Well, give me...give me one instance."

Levin: "I, personally, was involved in a matter involving Illinois Bell Telephone some eight or nine years ago where I know there was, in fact, a communications."

Johnson: "Well, then tell me about that case, and how that created fraud or overreaching or unfairness."

Levin: "Well, all I can tell you is that the end result was that the position advocated by the other side was adopted by the commissioners, you know I..."

Johnson: "And they communicated with you?"

Levin: "Pardon?"

Johnson: "And they...Illinois Bell communicated with you?"

Levin: "No."

Johnson: "They communicated with the other side?"

Levin: "They communicated either with the hearing officers or with the commissioners. Yeah, we have a situation right

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now, Representative Johnson, where the public is very unhappy with the Illinois Commerce Commission. One of the reasons why there is...been this big push for an elected Commission is because of this dissatisfaction and the feeling that the Commission is not acting fairly and equitably. We just had a situation in the Senate where one of the Commissioners came up for reconfirmation, and for the first time in, I believe, ten years a nomination of the Governor was rejected. What this proposal does, together with the other proposals in Speaker Madigan's utility reform package, is to, I think, begin to restore some confidence on the part of the public in the Commission by reforming some of their procedures and one of the main ones is the...this ex parte communication, so that, you know, everybody will know that the Commissioners and the hearing officers will not be..."

Johnson: "You don't need to reexplain the Bill, Mr. Levin. Let me give you another...another question. We have, in our area, just as I assume most areas do, a number of interest...not interest groups, citizens interest groups who are concerned about rate increases and we have had rate meetings, so to speak, around the district, compiled a large list of letter or petitions. We sent those on, and, in fact, I think in some cases made them a part of the official record of the House as a petitioner communication and sent them on to the Chairman or members of the Illinois Commerce Commission, indicating that with respect to pending matters, this is how my constituents feel. In each one of those cases, and I think this is an accommodation to legislators and to...and to constituents, the Commission has responded by saying, 'We are in receipt of your letter. We appreciate your thoughts on this matter, and we'll certainly take them into consideration as we do other

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factors when we are deciding this'. Wouldn't that be in violation of this Amendment?"

Levin: "No, because in the course of rate proceedings, there are public comment hearings and there are hearing not only during the day time, but also in the evening when...when groups..."

Johnson: "I'm not talking about that. I'm talking about letters that were sent, not in keeping with any kind of a rate meeting called by the Commerce Commission, but meetings called by legislators to talk with constituents about rate problems and then petitions circulated in those meetings sent on to the Commerce Commission, just as a communication, and then a courtesy response from the Commerce Commission back."

Levin: "Those petitions or letters could be made part of the record in the proceeding. An ex parte communication is where there is a specific communication with one of the decision makers. If there are...if there are letters or petitions, they can be sent to the...the hearing officer and he can make them part of the record. That way they are accessible to all the parties and that is perfectly proper."

Johnson: "I...I'm not concerned about what you are trying to do. I am concerned that the language of this Amendment may be a little broader than what you intend it to be."

Levin: "Well, I did sit down with Chairman O'Connor. He indicated his problems which were basically with staff, and this Amendment reflects the consensus that we reached, that he thought he could live with."

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

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

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1814 as amended."

Speaker Madigan: "Mr. Mulcahey. Mr. Mulcahey. Is the Gentleman on the Floor? Mr. Levin."

Levin: "Yes, I would move to table Amendment #3, since Mr. Mulcahey is not present on the Floor."

Speaker Madigan: "Sponsor of the Amendment is not on the Floor. The Sponsor of the Bill moves to table the Amendment. For what purpose does Mr. Vinson seek recognition?"

Vinson: "Well, what is the nature of the Amendment we're tabling, Mr. Speaker?"

Speaker Madigan: "Have you had an opportunity to read the Amendment, Mr. Levin?"

Levin: "Yes, it is not my Amendment, and I, in fact, had requested that this Amendment not be offered to this Bill, but...pardon?"

Speaker Madigan: "He doesn't know what is in the Amendment."

Vinson: "He doesn't know what's in the Amendment?"

Speaker Madigan: "No. The Motion is..."

Vinson: "He's probably being honest in this case."

Speaker Madigan: "The Motion is to table the Amendment. All those in favor, signify by saying 'aye'. All those opposed, by saying 'no'. The 'ayes' have it. The Motion carries. The Amendment is tabled. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Braun in the Chair."

Representative Braun: "Representative Braun in the Chair. On the Calendar appears House Bill 1818, Representative Flinn. Representative Flinn. Out of the record. House Bill 1825, Representative McPike. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1825, a Bill for an Act regarding trust companies. Second Reading of the Bill. No Committee

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Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed and no Amendments from the Floor."

Speaker Braun: "Third Reading. House Bill 1828, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1828, a Bill for an Act to provide for the Illinois Development Action Grant Program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Any Amendments from the Floor?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1831, Representative Brummer. Representative Brummer. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1831, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was withdrawn in Committee. Amendment #2 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #2."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "Floor Amendment #3, Brummer-Dwight Friedrich, amends House Bill 1831 as amended."

Speaker Braun: "On Amendment #3, Representative Friedrich."

Friedrich: "Well, I'll yield to Representative Brummer if he wants to talk on it, or I will, either way."

Speaker Braun: "Oh, I'm sorry. Representative... Representative Brummer."

Brummer: "Yes, this merely a technical Amendment to clarify the original provisions of the Bill as amended. I would ask for its adoption."

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Speaker Braun: "Is there any discussion? There being no discussion, the Gentleman has moved for the adoption of Amendment #3. All those in favor. Opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1835, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1835, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed or no Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1847, Representative Vinson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1847, a Bill for an Act to amend an Act relating to State Occupation and Use Tax Acts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Any further...any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1849, Representative O'Connell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1849, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Bullock, amends House Bill 1849, as amended."

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Speaker Braun: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker (sic - Madame Speaker).
Amendment #3 to House Bill 1849 deals with the subject of the abused child. Most of us are familiar with the recent expose of the Chicago media, Channel 7 in particular, which has dealt extensively with the subject of the battered child and protection of children who are abused and molested and so forth. The Abused Child Shield Law is a concept that I believe is necessary if we are to protect our youth, particularly when they and their guardians are willing to take them before the bar of justice and seek the necessary punishment for the accused. The Abused Child Law allows for the videotaping of testimony prior to the actual hearing as the evidence and discovery material dictates. The Abused Child Shield Law would not allow the defendant to, in fact, confront the...the witness in a Court proceedings. The legislation does retain judicial supervision in that the Courts have total control over the gathering of the deposition and the evidence that is collected. The only thing that the Court would do on a Motion of the State is that the Court may exclude the defendant from the deposition proceedings when the child is to testify. I think, Ladies and Gentlemen of the House, that we are aware of the trauma that is inflicted upon children when they have to confront in open Court, particularly in the violent crime areas of deviant sexual assault, molestation and others, of the trauma that is afflicted upon the abused child in this case. I offer Amendment #2 to House Bill 1849 because I think this Body and this chamber should state a public position as it relates to the protection of the children who find themselves, unfortunately, caught in this predicament. I certainly would urge an 'aye' vote on the passage of

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Amendment #2. It's needed, and I think that we would go an awful long way in the State of Illinois to protecting the rights of children, particularly those who are confronted in such a violent way."

Speaker Braun: "Thank you. Representative Bullock, you referred in your opening remarks to Amendment #3. You have filed Amendments #2 and 3 and I'd...for the...the Clerk would like clarification on which Amendment you intend to go for. Amendment 3? Is Amendment 2 withdraw? Amendment 2, Mr. Clerk, is withdrawn..."

Clerk Leone: "Floor Amendment #3, Bullock, amends House Bill 1849, as amended."

Speaker Braun: "Okay, the Gentleman has moved for the adoption of Amendment #3. Is there any discussion? All in favor...oh, on Amendment...Chair recognizes the Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. I simply rise in support of the Gentleman's Amendment. I think it makes House Bill 1849 much more meaningful, and it made a good Bill even better."

Speaker Braun: "Any further discussion? The Gentleman has moved for the adoption of Amendment #3. All in favor. Opposed. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1851, is there leave for Representative Cullerton to handle House Bill 1851? Leave being granted...the Sponsor is...Representative...Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1851, a Bill for an Act in relationship to state contracts. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

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Clerk Leone: "No Motions filed and no..."

Speaker Braun: "Any Amendments?"

Clerk Leone: "No Amendments from the Floor."

Speaker Braun: "Third Reading. House Bill 1853, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1853, a Bill for an Act to amend an Act in relationship to the adoption of persons. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, John Dunn, amends House Bill 1853 on page 3 and so forth."

Speaker Braun: "Representative Dunn on Amendment #2. Representative Dunn. Representative Capparelli."

Capparelli: "It seems that Representative Dunn has left the chamber, so I asked ...he asked me if I would act for him on it. Amendment 2, what it does, in the Bill, there is a Class A misdemeanor. This would bring it down to a Class C misdemeanor, which I agree with him and I would ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2. All in favor. All opposed. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1855, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1855, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Amendments from the Floor?"

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Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1856, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1856, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Steczo, amends House Bill 1856 on page 3 and so forth."

Speaker Braun: "Representative Steczo."

Steczko: "Thank you, Madam Speaker and Members of the House. Amendment #1 is a clarifying Amendment that was brought to our attention by the staff, and the Bill deals with IMRF and park districts, and the original wording of the Bill indicated then in agreements that the park district and the...would pay a portion of the share allocated to it by municipality. In other Acts, we noticed that that wording was 'its proportionate share', so that is what Amendment #2 does, conforms that to the other appropriate Sections dealing with the same thing in the statutes and I would urge its adoption."

Speaker Braun: "Any discussion? The Gentleman has moved for adoption of Amendment #1. All in favor. Opposed. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1859, out of the record. House Bill 1861, Representative...Representative O'Connell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1861, a Bill for an Act creating the Revenue Bond Authority Standardization Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar appears House Bill 1862, out of the record. House Bill 1864, Representative Davis. Representative Davis. House Bill 1864. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1864, a Bill for an Act to amend the Cigarette Tax Act and the Cigarette Use Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1866, Representative Deuchler. Out of the record. House Bill 1872, Representative Dunn. Read the Bill, Mr. Clerk. For what reason does Representative Cullerton rise?"

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I would ask Representative Dunn if he could possibly hold this Bill on Second. We've...staff has shown that there be some need for some technical Amendments, and we'd ask that the Sponsor could just take this out of the record for a few moments so we can discuss that with him."

Speaker Braun: "Thank you. House Bill 1872 is out of the record, pursuant to agreement of the Sponsor. House Bill 1873, Representative Deuchler. Representative Deuchler, 1873. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1873, a Bill for an Act in relationship to the adoption and foster family homes. Second Reading of

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the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Amendments from the Floor?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1880, Representative Birkinbine. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1880, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 1883, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1883, a Bill for an Act to amend the Illinois Insurance Act. Second Reading...a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed."

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Amendments from the Floor?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. On the Calendar appears House Bill 1888, Representative Hoffman. Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1888, a Bill for an Act to amend an Act in relationship to fire protection districts. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill...We will have one more Bill on the Order of Second Reading, that being House Bill 1889, Representative McCracken, and then we will move to the Order of Third Reading. House Bill 1889. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1889, a Bill for an Act to amend an Act in relationship to Criminal Identification and Investigation. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed respect to Amendment #1."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Braun: "Third Reading. The Calendar, on page 33, under House Bills Third Reading appears House Bill 663, Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 663, a Bill for an Act to amend the Illinois Securities Law. Third Reading of the Bill."

Speaker Braun: "Representative Reilly on the Bill."

Reilly: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 663 is a reform of the states Securities Law. It comes out of a bipartisan advisory committee to the Secretary of State, consisting of the top utilities... I mean scratch the word utilities - securities people in the state who have worked on this and have produced a comprehensive package. It is sponsored by myself, but in addition to that as hyphenated Chief Sponsors are the Speaker of the House, the Minority Leader of the House, Representative Cullerton, Representative Vinson and Representative Tate. Basically, what this does is update a very antiquated law going back to the days when the philosophy was that you identified in the law all kinds of

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specific kinds of securities that couldn't be sold, regardless of how good or bad they might be. The modern philosophy adopted by the Federal Government long since and by most of the other states is to allow the sale of securities subject to absolute and complete disclosure of the basis upon which the security is issued and with absolute and complete fraud provisions in the law which can be enforced. The fact that Illinois now has on the books an antiquated securities law has prevented a lot of securities from being issued here. For example, people in Illinois... the Apple secur... the Apple Computer Company, no matter how successful it may be, did not qualify for registration under our law because of a peculiar provision. The real people who are hurt by the law as it stands are the businessmen of the state, particularly the small businesses, the guy who's trying to go out, come up with some risk capital to try a new business, which is the only way that we can produce jobs in this state. It's a good reform. It will help the economic development of this state and deserves the support of the House. I'd be glad to answer questions; otherwise, I'd ask for a favorable Roll Call."

Speaker Braun: "Is there any discussion? There being no discussion, the Chair recognizes the Sponsor, Representative Reilly, to close."

Reilly: "Appreciate a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 663. The question is, 'Shall this Bill pass?'. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 'ayes', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. On the Calendar appears House Bill 666, Representative Piel. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 666, a Bill for an Act to amend the Illinois Abortion Law. Third Reading of the Bill."

Speaker Braun: "The Gentleman from... Representative Piel."

Piel: "Cook."

Speaker Braun: "Thank you."

Piel: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 666 was the only Bill that amended the Abortion Law that made it out of Judiciary Committee. So, this was not one that a Motion was filed on. House Bill 666 basically changes three parts in the definition area of viability. It did state before that the words were 'more than momentary'. This crosses out the words 'more than momentary' and inserts in place of them 'sustained'. I'd be more than happy to answer any questions."

Speaker Braun: "Is there any discussion? The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. (sic) Speaker. I just had a question. I wonder if the Gentleman would yield for a question."

Speaker Braun: "He indicates that he will."

Greiman: "Yes, thank you. Now, as I understand it, the present language would be 'more than momentary' so that that would be just a scant second of life or so. And your Amendment now makes it a 'likelihood...'"

Piel: "Survival."

Greiman: "... of sustained life'. So actually, this is... this requires more. This is an easier Bill in the sense of abortions. Doesn't... It sort of eases the language of prior abortion laws. Isn't that right? Makes it less stringent and less regulated. Isn't that right?"

Piel: "I wouldn't necessarily say that. What this basically states is that right now it says 'more than momentary

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survival', and this would bring it out to 'sustained survival'. And I would not say that it eases the Abortion Law whatsoever. No."

Greiman: "Well, 'more than momentary' seems to be just a fleeting kind of thing, but 'likelihood of sustained' seems like a long time. So, it seems to me that you're sort of weakening the... the laws relating to abortion that regulate abortion. Isn't this really a sort of retreat of the right-to-life people from the real, you know, hard line, right to life?"

Piel: "I would say no, no. It's basically all it's doing... No, it's basically all it's doing more adequately defining the area of viability, and that was what it's meant to do."

Greiman: "Well, but I understand. What you wanted now was that 'reasonable likelihood of sustained' is more liberal in allowing abortions than 'more than momentary'? Don't you think that that's... Don't you think that that's... Do you think they're the same, about the same then, do you think?"

Piel: "You've basically asked the same question three times, and I come up with the same answer."

Greiman: "I'm trying to get some legislation intent. Do you think they're about the same? I mean, is there a significant difference?"

Piel: "No, I'm just basically stating the legislative intent is just to change the area that deals with viability. I'm changing it from the area of 'more than momentary survival' to 'sustained survival'."

Greiman: "And does this significantly change the law do you think? Is the time frame significantly changed? Would you say?"

Piel: "I would say that 'sustained' would be more than 'momentary', wouldn't you?"

Greiman: "Well, if 'sustained' would be more than 'momentary'

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then you ought to be able to answer the question whether this is more... would allow more abortions than 'more than momentary'. Now, you can answer that question, Mr. Piel. Surely you can answer that question. I mean, isn't that right? 'Likelihood of sustained' would allow more abortions than 'more than momentary'. Isn't that right?"

Piel: "I would doubt that, Allen."

Grieman: "Well, then you're saying that it does nothing. Is that right?"

Piel: "I would doubt it."

Speaker Braun: "For what purpose does the Gentleman from DeWitt rise?"

Vinson: "Madman Speaker, the Gentleman is trying to badger the Sponsor. He's asked the same question repeatedly. The Sponsor has given him the same answer. He is entitled to an answer, and he got the answer. And he ought to proceed in a courteous fashion. He's a better Gentleman than that, and he really ought to act like it."

Speaker Braun: "The Chair recognizes Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield? Representative Piel?"

Piel: "Yes."

Cullerton: "Could you just tell us why the definition of viability is important? In other words, in what... how... what role does it play in the abortion statute?"

Piel: "In a recent lawsuit, Representative Cullerton, they thought that the definition was overbroad."

Cullerton: "No, I understand... I understand that. I understand that you're making it... you're trying to make the statute constitutional. I'm just curious of why viability is important. In other words, if you perform an abortion... Is it important because, if you perform an abortion on a viable fetus, then criminal penalties come into play?"

Piel: "Correct."

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Cullerton: "Is that... So what you're saying here is that you're trying to make it constitutional. You're trying to make a law constitutional to say that if you perform an abortion on a viable fetus that you should be... you should have criminal penalties."

Piel: "That's, basically, what I was trying to bring out before."

Cullerton: "Alright, Representative, I am in support of this Bill. As you know, I was... I gave it the... a vote in Committee and allowed it to get on the floor. I think that many of the pro-life Bills in the past have been pretty unreasonable and have clearly been unconstitutional. I think that this is a step in the right direction. I think its goals are... cannot be... It's goals cannot be disputed by the pro-choice people even, and I think that the only criticism that was given to this Bill in Committee by the ACLU was that, 'Well, it's a piecemeal attempt'. And I think that they are almost embarrassed and frustrated, because you have a good Bill that's sponsored by the pro-life people for a change. And I would ask..."

Piel: "Thank you."

Cullerton: "... for the support of everyone on this Bill."

Piel: "Thank you."

Speaker Braun: "Is there any further discussion? There being none, the Chair recognizes the Sponsor, Representative Piel, to close."

Piel: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. I think we've basically discussed it, and I would ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 666. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 95 'aye', 17 voting 'no', 5 voting

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'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 670, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 670, a Bill for an Act in relationship to dangerous drugs and alcoholism programs. Third Reading of the Bill."

Speaker Braun: "Representative Matijevich."

Matijevich: "Mr. Speaker... Madame Speaker, Ladies and Gentlemen of the House, House Bill 670 is merely a vehicle Bill, a vehicle in the event that the Special House/Senate Committee that we have formed to look at and study and recommend to this House and Senate the consolidation of alcohol and drug treatment programs, that if we can agree on how that consolidation would work, that then we have a vehicle Bill so that if, by the end of June, or if, by the end of the fall Veto Session, that sometime we will have a Bill in place that we could then place our recommendations. So, it is a vehicle at present and; therefore, I would urge your support that we can move it along."

Speaker Braun: "Is there any discussion? There being no discussion, the Chair recognizes the Sponsor, Representative Matijevich, to close."

Matijevich: "I'll take the votes."

Speaker Braun: "The question is, 'Shall House Bill 670 pass?'. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no', none voting 'present'. This Bill, having... This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 673, Representative Vinson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 673, a Bill for an Act concerning

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redemptions from mortgage foreclosure judgements and sale where the mortgage premises are abandoned. Third Reading of the Bill."

Speaker Braun: "Gentleman from DeWitt is recognized, Mr. Vinson."

Vinson: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 673 is a clean up Bill in the mortgage redemption area. It is a Bill which has, so far, not excited any controversy. It came out of Committee 11 to nothing. It is a Bill which only affects the redemption rights of the State of Illinois and only affects the redemption rights of the State of Illinois in the event where you have property that's been abandoned. And the purpose of it is to try to get that property back on the tax rolls as quickly as possible to get passed the redemption period and conforms it to other existing statutes. I would ask for a favorable Roll Call and would be glad to respond to any questions."

Speaker Braun: "Is there any discussion? Representative Bullock."

Bullock: "Representative Vinson, has this Bill been amended?"

Vinson: "Yes, Representative Cullerton had a technical clean up Amendment that was adopted on Second Reading."

Bullock: "That was merely a technical Amendment? No substantive change in the Bill?"

Vinson: "I'm sorry."

Bullock: "No substantive change in the Bill?"

Vinson: "Purely technical."

Speaker Braun: "Is there any further discussion? There being none, the question is, 'Shall House Bill 673 pass?'. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no', 5 voting 'present'."

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This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 674, Representative Ronan. Rep... Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 674, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Ronan: "Thank you, Mr. Speaker (sic - Madame Speaker), Members of the House. House Bill 674 defines the Habitual Traffic Offender Law. Basically, what it says is that anyone who is convicted of eight major moving violations within a three-year period shall lose his driver's license. The Bill had opposition in Committee from the Teamsters Union. We've lifted their objections. There was some concern from some of the members of the Trial Lawyers. We've lifted their objections; and, at this point, I know of no major opposition to the Bill. The goal is to get the bad drivers off the road."

Speaker Braun: "Is there any discussion? The Gentleman from Macon, Representative Dunn, is recognized for a question."

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

Speaker Braun: "He indicates he will."

Dunn: "I'm a little confused about what would be the nature of these eight convictions. I thought I heard the Sponsor say a conviction of eight major traffic violations, but our analysis just says eight or more convictions."

Ronan: "What's the question, Representative Dunn?"

Dunn: "What does the Bill..."

Ronan: "I don't understand what your question is."

Dunn: "My point is, can someone be convicted of going 35 miles an hour in a 30 mile-an-hour speed zone eight times and lose their license?"

Ronan: "No. All... All speeding convictions have been lifted."

Dunn: "What remains? What are the offenses for which someone can be determined..."

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Ronan: "Drunk driving, reckless driving, leaving the scene of an accident. I don't have the list in front of me. Representative Tate does on his analysis. So if... He'd be glad to read the list, if you'd be interested. But it really is restricted to major violations."

Dunn: "And only major violations."

Ronan: "Yes, Sir."

Dunn: "And eight of them - in what - a three-year period?"

Ronan: "Three-year period."

Dunn: "And how does this dovetail with the current provision for suspension for three moving violations in one year. Wouldn't someone's license already be suspended more than once? Will this extend the suspension period or shorten it? The Secretary of State now provides for long suspensions where there's a second suspension; and, if someone has eight convictions in three years, they've probably had three moving in one year and three moving ... or three in one year, three in another year. They may already be subject to something that's as long or longer than what's provided for here."

Ronan: "This could just provide for another suspension. In other words, I agree with you that an individual probably would have received or could have received a suspension under existing law. This would just create a different category and another potential for suspension. It's just another attempt to get the bad drivers off the road."

Dunn: "Does this add another layer, then, on top of what we already have for suspensions?"

Ronan: "Provides another opportunity to get bad drivers off the road."

Dunn: "Thank you."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Gentleman from Macon, Representative Tate."

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Tate: "Yes, is... Mr. Speaker... or Madame Speaker and Ladies and Gentlemen of the House, the previous speaker or Representative Ronan has, I think articulated the Bill well. What we're essentially trying to do with this Bill which is get at the habitual traffic offender. We're... This has nothing to do with moving violations. We are concerned about the serious irresponsible driver on the road, someone that would be negligent or failure to remain at the scene of an accident, someone that would leave the scene of an accident, someone which is convicted of DUI, a reckless driver or drag racing. This Bill is modeled after a Wisconsin legislation that was a lot tougher than the legislation we have proposed here. But if you believe in good driving habits, you'll support this Bill. I'd encourage a 'yes' vote; that we've eliminated all the opposition in terms of the different special interest groups that drive for a living in this, and I would encourage a 'yes' vote. Thank you."

Speaker Braun: "Is there any further discussion? The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madame Speaker. I rise in support of this rather mediocre Bill. If you've been convicted eight times of major traffic violations, that means you weren't even smart enough to hire a lawyer; and, if you're not that smart, you're much too dumb to be out driving. So, I think this is a very good Bill."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Gentleman from Cook, Representative Shaw."

Shaw: "Madame Speaker, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Shaw: "Madame Speaker, I rise in opposition to this Bill, because I think it's a bad piece of... I think it's a bad Bill. I think that up in Cook County and many areas throughout the

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state, people will be driving through and sometime the authorities, the police, will grab up someone and charge them with one of these offense and all the time they don't have the money, as the Gentleman from Cook said, to hire one of those high-priced lawyers. And, therefore, I think that this Bill should be defeated, because I think it's discriminatory on poor people. And I think it should be defeated, and I would urge a 'no' vote on this Bill."

Speaker Braun: "Is there any further discussion? The Sponsor."

Ronan: "Yeah, Madame Speaker, I'd like to respond to Representative Shaw's question, which I'm not sure what it was. But in response to his statement then, you know, I can understand his concern, but, you know, my basic concern is to get the bad drivers off the road. We're talking about serious offenses, and the bottom line is is that we have a responsibility, as Members of the General Assembly, to protect the constituents and the residents of this state. And allowing people to drive in a very dangerous manner and repeatedly be convicted, not repeatedly be charged, but repeatedly be convicted is what our responsibility is, and that's why I have to disagree with his statement."

Speaker Braun: "The Chair recognizes Representative Jaffe."

Jaffe: "Yes, would the Gentleman yield? I don't know whether I'm for or against this Bill."

Speaker Braun: "He indicates he will."

Jaffe: "I think this Bill is so badly drafted I would like to have some additional information with regard to this Bill. This really is superimposed upon the laws that we have at the present time, Al. Isn't that correct?"

Ronan: "Yes."

Jaffe: "Okay. Now, what do you call a minor offense under this particular Bill?"

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Ronan: "Representative Tate has the list on the Republican side of the aisle. Just let me explain, Representative Jaffe, what happened. When we came in with the Bill, we came in with a much tougher requirements. We were not going to limit it to just major traffic offenses. However, we had a situation where a number of people came in, testified against the Bill, and we tried to reach accommodations with those organizations, including the Teamsters Union."

Jaffe: "Well, I know that, you know, but here's the whole concept of the thing. I'm trying to get this point over here. Now, what you're doing is you're superimposing this on the law that you presently have; and, in some situations, the law that you have present at that time is a lot tougher than this law. You know, and I'm dealing specifically with... with DWI and other cases, plus the things that you've taken out. I know the stuff that you've taken out. I didn't want to list them for the Body since I have such great respect for the Sponsor; but, if you want me to list them, you know, I know that you've taken out minor offenses, excluded are things like speeding, illegal transportation of alcohol, involuntary manslaughter, or reckless homicide. Those are minor offenses under your Bill. Right? I mean, that's what it is. Would either one of you care to respond? That's absolutely correct, Representative Tate. But the things that you've list taken out are reckless conduct, criminal trespass to motor vehicle, disregard traffic control, driving wrong way on a one-way street. Those are very serious offenses. You've taken them all out. You know, what you've left is that you've left offenses at the present time which I think the penalty for which are worse at the present time than when you passed this Bill. So, I'll say to you this is very confusing. You're superimposing this upon the present law,

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which I think it tougher than this law, and I don't know where you're going. So, I'm completely confused about this particular Bill; but, if you can enlighten me, Representative Ronan, I would be happy to hear about it."

Speaker Braun: "Representative Ronan."

Ronan: "I... It was interesting to hear Representative Jaffe's analysis. The Bill, as I said, that we made compromises in order to achieve agreement from the various organizations who were concerned with the legislation. This is obviously a first attempt to establish this category of a habitual traffic offender. I'm sure that future Sessions of the General Assembly will... will try to toughen this statute."

Speaker Braun: "Any further discussion? The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield? We got any special deals in here for truck drivers like we had on the other Bill that I tried to correct?"

Ronan: "No, Representative Friedrich, we're doing nothing for truck drivers, except making..."

Friedrich: "Oh, I think we ought to do something more for them, because, you know, they get a real big break on the other thing that I've tried to correct and nobody seemed interested in it. I wondered why you aren't interested in that, too. Well, apparently he doesn't want to answer, because he doesn't have an answer. But, let me say that I think, listening to Representative Jaffe, they've really got this thing fouled up to where about anything can happen and probably will. It ought to be interesting if it passes."

Speaker Braun: "Is there any further discussion? The Gentleman from Cook, Representative Terzich."

Terzich: "I move the previous question."

Speaker Braun: "Thank you, Representative. There is no one else

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seeking recognition. The Chair recognizes the Sponsor, Representative Ronan, to close."

Ronan: "No, I'm going to let my hyphenated Cosponsor, Representative Tate, close on this fine Bill."

Speaker Braun: "The Chair recognizes Representative Tate to close."

Tate: "Well, Madame Speaker, Ladies and Gentlemen of the House, what we're trying to do is to address the issue of the serious irresponsible driver in this Bill. We eliminate... We are going to take the drivers off the roads in a three-year period that accumulate over eight vio... eight or more convictions. As one of the previous speakers had mentioned and had incorrectly stated, the Secretary of State today has a point system for serious violations. This has no effect on that at all. We're after the serious irresponsible drivers. If you're... If you're driving while your license is suspended or revoked, you're going to lose it. If you're fleeing or attempting to elude a police officer or failure to remain at the scene of an accident involving death or personal injuries, failure to remain at the scene of an accident involving dang.. damage to a vehicle, failure to give information and render aid, failure to comply upon damage in an unattended vehicle or other property, failure to report an accident, driving while under the influence of alcohol or drugs or a combination, reckless driving and drag racing. Those are the issues here. If you're in favor of those things in retaining those, if you want to keep those drivers on the roads, you should probably vote against this Bill. But if you're concerned about those reckless drivers, those irresponsible drivers, you should vote for the Bill. Wisconsin's tried this law. It's worked. It's getting the irresponsible drivers off the roads, and all I can do is

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encourage a 'yes' vote. Thank you."

Speaker Braun: "The question is, 'Shall House Bill 674 pass?'. All in favor vote 'aye', opposed vote 'nay'. Voting's open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 93 'ayes', 4 voting 'no', 17 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 700, Representative Ebbesen. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 700, a Bill for an Act relating to Northern Illinois University. Third Reading of the Bill."

Speaker Braun: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 700 is a Bill that will save the State of Illinois, in these very difficult financial times, somewhere between a quarter of a million to a third of a million dollars. And what it does, it separates from the... creates a Board of Trustees and separates us from the Board of Regions, under which they now serve. And, you know, legislation, I think, is timely; and, if any legislation is timely, I think this particular piece of legislation is. And I just cite for you the budgeting process as it goes through higher education going from the various departments within the college and then up to the administration and then the Board of Regents to the Higher Board and then down to the General Assembly. And at Northern, for the benefit of those of you who do not know, we have 26,000 students up there, and we have all of the in-house things that are necessary to prepare a budget without having to go through the Board of Regents and go directly to the Higher Board. And we could cut that Board appropri... I mean, the regency appropriation appropriately and probably operate that Board for something in the

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vicinity of 75,000 dollars. And it's good legislation. I think that it's time that that institution had its own board, and I'd be glad to respond to any questions. I'd appreciate favorable support."

Speaker Braun: "Is there any discussion? The Gentleman... The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, in spite of the Sponsor's good intent to provide a separate board of its own for Northern Illinois University, I must report to you that witnesses in Committee were unanimously opposed to this Bill. The Board of Higher Education, the Board of Regents, the Board of the Northern Illinois University itself all came out with testimony against this piece of legislation. While the Sponsor purports that this would be a money-saving device, the testimony in Committee was exactly the opposite. The Board of Regents does not have a separate staff devoted to budget processes for Northern Illinois University, for instance, and so the staff people that they have on board would still have to be on board for the other members of that system. I can understand that it gives, perhaps, higher visibility to Northern Illinois University to have their separate board, but there is absolutely no justification for the statement that this will be an economy measure. There is no justification for assuming that it will be a better system and, in fact, the testimony in Committee was exactly the opposite. I would urge you to vote against this piece legislation."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker (sic - Madame Speaker). I rise in opposition to this Bill. It took us a great deal of time to put the Board of Higher Education and the different governing boards into place. What will... And we now have

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four boards. What would happen with this, if this Bill passes, we will have every college and university in here looking for their own board. It then creates a real political problem, both in terms of higher education and a political problem for us. Instead of passing three budgets for the different boards of the higher institutions, we will end up having many, many more budgets. It will create a great deal of chaos in higher education, and any semblance of equity between the institutions would be lost. I know it's a... This kind of Bill is great for local pride. We all might want to have our friends and neighbors on a local board for our universities, but the price that we would pay for something like this would be exorbitant. And I urge you to vote 'no'."

Speaker Braun: "The Chair recognizes the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House, it's a rare occasion when I get to reciprocate and support a Bill by Representative Ebbesen in the same week that he supported one of mine. For many years there have been proposals brought before the General Assembly and by the governing boards to allow certain of our public higher institutions the ability to go on their own, the ability to create their own boards, the ability to have control over their own destiny. Very often I've been adverse to those because of the small universities involved that I think would have a difficult time standing on their own, but I think in the case of this particular university, given its great size, given its history and given the backing that it has in its community, that it ought to be given the ability, if it so desires, to stand on its own, to speak for itself and to come down here and justify the appropriations that we make for that particular univeristy. I think its a great

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university. It's large enough to stand on its own. I think it does go beyond the issue of local pride that someone suggests. There's more to it than that. And if anyone's ever had the occasion to have someone propose to them that their local university, large or small, have this authority, they know how much work has gone into it to even put a Bill together, to look at all the statutory provisions that cover them, to come up with new powers and duties to create a board to allow them to stand on their own. I think Representative Ebbesen is to be commended for having the courage to put this Bill in, as well as the ability to draft it in a manner that gives it its own separate status, and I think, for reasons he's indicated, to support the Bill, we ought to look favorably upon this particular Bill and let the university stand on its own, if its got the courage to do so and justify its existence in the appropriation process year to year. And for that reason, despite the negative commentary to the contrary, which I know is well-founded in the minds of those who oppose the Bill, I would urge an affirmative vote."

Speaker Braun: "The Chair recognizes the Gentleman from Sangamon, Representative Curran."

Curran: "Madame Speaker, Members of the House, it has been suggested here, for some strange reason, that this Bill would save money. Nothing could be further from the truth. You do not save money by setting up a separate system, a separate Board of Trustees. It is ludicrous to think that this Bill would save money. And if there is anything behind this Bill other than local pride, I'd like to know what it is. We got a fine a system of systems in this state. House Bill 700, in my opinion, would be the first step toward the destruction of that system. I think this is a very bad Bill. But I want to quote from the President

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of Northern Illinois University the same week this bad Bill got out of Committee by the skin of its teeth - and I mean the skin. He... Doctor William 'Menatt' said in the Norther Star, which is their student newspaper, 'I cannot imagine a more supportive governing board than the Board of Regents. I don't think that a separate board is necessary at this time'. I repeat - their President said, 'I do not think that a separate board is necessary at this time'. I say let's maintain an ex... our excellent system of higher education. Let's vote 'no' on House Bill 700."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative McGann."

McGann: "Thank you, Madame Speaker. I rise in support of House Bill 700. I do so for many reasons. Number one, I don't believe, as has been stated here earlier, that we are going to have another ... I don't believe there's anything wrong with the establishment of another board that will handle the community in the northern part of Illinois. The University of Illinois has its own entity, such as the Southern Illinois. There's no complaints about them. But now when one section of this state wants to operate on their own, we're standing in their way. I believe they'll do a fine job up there at the Northern Illinois University. As far as the Board of Regency is controlled, they're a little worried about a little less bureaucracy. The University of Illinois was concerned about losing two of their trustees. These were... The latter statement was made in Committee. Now we come before us here today. We have a fine Representative, a Representative that's done an awful lot of work..."

Speaker Braun: "Excuse me, Representative."

McGann: "... in preparing this Bill, and I believe we should give him our total support, our bipartisan support and bring

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about Northern Illinois University. Thank you, Madame Speaker."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Madame Speaker, I think this is a great Bill, and I move the previous question."

Speaker Braun: "The Gentleman has moved the previous question. All in favor say 'aye', opposed. The 'ayes' have it. The Gentleman... The Chair recognizes the Sponsor, Representative Ebbesen, to close."

Ebbesen: "Yes, Mr. Speaker (sic - Madame Speaker), I wouldn't try to top that last... I think the votes are out there. I encourage your support right now. Let's have a Roll Call."

Speaker Braun: "The question is, 'Shall House Bill 700 pass?'. All in favor vote 'aye', opposed vote 'no'. The Gentleman from Effingham, Representative Brummer, to explain his vote."

Brummer: "I had my light on to move the previous question. Thank you."

Speaker Braun: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 'aye', 31 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 702, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 702, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Braun: "Representative Preston."

Preston: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. House Bill 702 amends the Liquor Control Act to raise the minimum required limits on dram shop insurance from the level that was set in 1957, which is 15,000

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dollars, to today's level... what this level raises it to of 100,000 dollars for insurance coverage. As a matter of fact, many of the taverns and dram shops in Illinois today cover... carry insurance far in excess of what the minimum requirements are anyway so that they are certain that in all ways they are protected. I have been informed that the increase in premium, even though we are raising the minimum amount by some five or six times increase in premium, one estimate was 15%. Another estimate that we got today was 27% increase which is a modest increase, considering the 15,000 dollar limit was set in 1957; and, since that time, the cost of living has gone up 4.3 times. The... The need for this Bill is best demonstrated by the abuses that occur with regularity of individuals becoming intoxicated at various dram shops or taverns, going out and injuring people, paralyzing people, killing people through operation of motor vehicles and the recovery that the widow and family of that deceased person or quadraplegic person from that tavern that allowed someone to become intoxicated or served someone who already was intoxicated, right now, the present law limits that recovery to only 15,000 dollars which, frankly, is insane. It wasn't insane in 1957 when it became law, but that limit today is unrealistic. My Bill makes it realistic, and I urge your 'aye' vote. And I'm sure that Representative McGann would vote 'aye', and I'm sure he'll have some good words to say for it."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson: "Well, thank you, Madmane Speaker and Members of the House. I think Representative Culler... or Representative Preston is to be commended on putting forth one of the most common-sense, necessary, humane Bills that we've seen in this Session. I can't begin to describe, as I assume maybe

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other people who have practiced in the trial area have, the number of people scarred over their whole body, or paralyzed, or families left without support, the death of a breadwinner on the highways and the streets of this state due to intoxicated drivers. Over 50% of all fatal accidents and well over 50% of all accidents that involve serious bodily injury are as a result of the consumption of alcohol by one driver or the other. The need for this legislation, I think, is particularly compelling and I think this is an important point, because the way the Illinois courts have interpreted our Dram Shop Act you could be a tavern owner and have in 15 year-old kids to your tavern who are already drunk, who are driving either illegally or had a distance to go, get them... get them drunk while they're there or get them more drunk. They go out and kill 15 people, and the Act still says that the limitation under the Dram Shop Act is exclusive and the most any family could recover is 15,000 dollars. The most one individual who is an innocent third party paralyzed or scarred as a result of the actions of a drunk driver could recover is 15,000 dollars. That hasn't changed since 1957; and, in spite of some significant efforts to try to at least allow common law recovery in these situations, the Act is still exclusive. The most you can recover is 15,000 dollars. Now, you know over the last four years nationwide and particularly here in Illinois, in a bipartisan effort, there's been significant, not only significant, overwhelming public support for our initiative to tighten up the DUI laws in Illinois, to toughen up the regulations and the punishment and the various procedural laws with respect to drunk drivers. Now, what makes more sense than allowing a widowed, or a family, a scarred victim, a paralyzed victim, who simply happened to be unfortunate

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enough to be on the highways and streets of this state when a drunk driver ran them over or ran a red light because they were intoxicated. What makes much more sense than allowing what I think, in many cases, is a very minimal recovery that simply reflects the increase there's been in terms of medical costs since 1957. And this Bill does that. The limits ought to be much, much higher. Some people have suggested we ought to abolish the Dram Shop Act altogether so that people would be able to get reasonable compensation for these catastrophic injuries. But I think the people of Illinois have indicated overwhelmingly their support for toughening up the laws, and this is simply a common sense accompaniment of that general trend. And for those people who will get up and argue this is going to increase the cost of doing business, it's going to be carried on over to the consumer and so forth, there may be a moderate increase in premiums, but we're not talking about life's necessities. We're talking about perhaps an increase and perhaps not in the cost of consuming a luxury. And I think when you talk about balancing those things off against one another, the lives and the limbs and the ability to function of injured people in Illinois, certainly deserve this minimal and common sense change that Representative Preston has suggested. I urge a 'yes' vote."

Speaker Braun: "The Chair recognizes the Gentleman from Lake, Representative Matijevec."

Matijevec: "Yes, Mr. Speaker (sic - Madame Speaker), you've just heard a biased opinion on this Bill. After all, Representative Johnson is an attorney. My family was in the tavern business for 30 years. We did not have one claim in all those 30 years, yet our dram shop insurance was astronomical. And I don't think that's fair. Now, you

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know, we have a Small Business Committee here, a Select Committee in the House. By this Bill, by this Bill you're going to wipe out small business, many legitimate small businesses, by this Bill. Now I think that's unfair. It's unreasonable. I believe in the strong drunk driving laws, and I vote for that type of legislation. I believe that you ought to get after the person who is responsible, the one that does have the accident. But to get after the responsible and legitimate tavern owner - and you talk about a modest increase. I have before me a position statement whereby this could increase insurance by 5... 200 to 500 percent. My God, what are you trying to do? Would you, for one moment, increase cost to an attorney for 500 percent. Hell no, you wouldn't, but you want to take after the small businessman who is legitimate, who may like us, not have one claim in 30 years and increase their cost to doing business. Why, you'll run them right out to the street. I would hope that others would see this as I do, as a tax increase Bill, because that's what it is. Tell it like it is. It's a tax increase on legitimate business, and it's for someone's special interest. And I, therefore, ask you to vote 'no'."

Speaker Braun: "Lady from Cook, Representative Alexander."

Alexander: "Thank you, Madame Chairperson. Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Alexander: "Thank you. Representative, could you possibly tell me what is the average amount of a dram shop insurance today? Do you have any idea what that amount is?"

Preston: "Do you mean that the premium that's paid for it?"

Alexander: "Yes. That is correct."

Preston: "I saw one figure that I think was about 2000 dollars. I don't..."

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Alexander: "Well, I have a..."

Preston: "I believe 2,000. See? He's nodding. 2,000 dollars."

Alexander: "Thank you. I have a position paper with regard to that fact which says that the average tavern owner pays 4,000 dollars a year in dram shop insurance and that this Bill would definitely increase that premium to a 200% above the 4,000 dollars."

Preston: "That's not correct. From the estimates we have, ones that I have received earlier, is about a 15% increase, and the one... one of the ones that was received today was indicated at 27% increase. And that's an increase only by those dram shops that now carry the minimum. In fact, many of them carry far more than the minimum of 15,000 dollars, and many of them carry what is required by this Bill. But, unfortunately, some of them do not; and, when there is a paraplegic who is limited to a 15,000 dollar recovery, that paraplegic is in a condition where 15,000 dollars is not adequate or just compensation."

Alexander: "Could I ask this question? Are there many companies in the State of Illinois that presently write dram shop liability insurance? Do you have any idea how many companies actually carry this line of insurance?"

Preston: "I'm sorry, I didn't hear."

Alexander: "Do you know how many companies in Illinois carry this line of insurance, dram shop liability insurance?"

Preston: "I don't know that."

Alexander: "I just want to make a..."

Preston: "They've been estimated at five or six of them."

Alexander: "May I speak to the... May I speak to the Bill, please? I am opposed to this piece of legislation. I realize that it may work a hardship upon an injured person, and I definitely take exception to the speaker who said a 15 year-old would be in someone's tavern drinking. If

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that's the case, the owner should lose his license without any equivocations. I feel that the passage of this piece of this legislation will drive out of business the ma and pa taverns in our neighborhoods where we go sometimes for relaxation as adults, and I feel that it would work an imposition upon small businesses in communities who are trying to thrive and have a livelihood in this hard, depressed economy. I am opposed to this Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Madame Speaker. Representative Alexander is absolutely correct in her assessment of this piece of legislation. She's also correct in that it's going to cost probably about 200% more in premium fees to the... to the tavern operators. What we've got here is a lawyers' Bill that's going to raise the fees from 5000 on a 15,000 dollar settlement to 33,000 dollars on a 100,000 dollar settlement. There are only about four, maybe five, insurance companies in the state that will handle dram shop. The worst law that we have on our books now is the Dram Shop Law in the first place. If we were responsible Legislators we'd totally and completely abolish the Dram Shop Law in the State of Illinois, and we'd certainly make a lot of people happy. We'd make some unhappy because the fee... the fees wouldn't be there that some of them desperately need."

Speaker Braun: "The Chair represe... recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much. Ladies and Gentlemen of the House, I believe that there was some inaccuracies stated and I think some items that weren't mentioned on this peice of legislation. I think that Representative Preston and Representative Johnson would lead you to believe that if

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there were an accident involving a DWI violation, that the 15,000 dollar recovery fee is the only fee that would be considered in that particular case. We all know on this House floor that that is not the situation. That's why there have been increases in the mandatory coverage that we all carry on our vehicles. In regard to the proposal as presented, I think that there should be consideration, consideration in addressing who is in favor of this legislation. It is very simply put that most attorneys in these cases do what is called total and complete assessment. That means that they sue five or six establishments who could have served an individual throughout the course of an evening. It also is very reasonable to think that 20 or 30% of 15,000 dollars as attorneys' fees is a lot less than an open end that would create additional hardships for the entities involved. It seems to me we've worked rather well in the support cases that have been presented under this existing statute. I believe that it is fair as presented, because those same entities have not only general liability, but the dram shop provisions is for the loss of support in addition to any other recovery that they would receive through any other insurance where there is an accident involved. It seems totally unfair and, I think, rather ridiculous for the legal profession to open up another area for questionable reasons. I think we are covered rather well under our accident policies, and I see no reason to increase these limits for the proposal that we have before us."

Speaker Braun: "Thank you. The Chair represe... recognizes the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madame Speaker. I move the previous question."

Speaker Braun: "The previous question having been moved, all in favor. Opposed. There being no further discussion, the

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Chair recognizes the Sponsor, Representative Preston, to close."

Preston: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. This has been a very interesting debate. We've heard people talk about why this is a bad Bill, and each one of them, oddly enough, is in the liquor business. Now, who is against this Bill? Well, the people who either are or have family who are involved in the liquor business, and they use the major buzz words in this General Assembly. One Representative, a distinguished colleague who I respect greatly, tried to indicate this is a tax increase. Well there's a buzz word for you. And then somebody else indicated, my goodness, do you know who wants this? Lawyers. Aren't they the worlds worst of all people? Well, let me tell you... Let me tell you who the beneficiaries of this Bill would be, and I hope that, God forbid, it should be anybody in this House or a Member of the family of someone who is seriously and permanently injured or killed and has found that their only source, their only source of recovery is from ... is a 15,000 dollar limit from a tavern that wrongly, illegally and improperly allowed someone to become intoxicated on their premises. Now, we heard about the good dram shops where we have heard... we haven't had a single complaint or a single suit in eight years. Well, Ladies and Gentlemen of the House, a tavern like that isn't going to have a premium increase, but there are bad taverns that have claims against them time and time again. And those places are the ones that are responsible for injury after injury. This Bill aids people who are injured, killed, permanently disabled because of the wrong acts of dram shops. In 1957, a 15,000 dollar limit made every bit of good sense. Today that limit is ridiculous. This Bill simply raises it to

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what is a reasonable and realistic limit today; and, at the same time, it does not massively increase costs, but moderately increases a percentage of the premium these dram shops are not paying. This is a good Bill. It doesn't raise taxes. It doesn't help lawyers. It helps the infirmed, the disabled and the people who are wrongly injured. Vote 'aye'.

Speaker Braun: "The question is, 'Shall House Bill 702 pass?'. All in favor vote 'aye', opposed vote 'no'. The Gentleman from Cook, Representative Taylor, to explain his vote."

Taylor: "Madame Speaker, I think the Bill is getting just what it should get. I'm opposed to it, and I want this House to know that in 1976 and 1977 I introduced a Bill in order to repeal the Dram Shop Act in this state here. Only three states in the entire Union have dram shop, and Illinois is one of them. And I don't see any reason why we should not have it repealed in this state today. We have the right vote on the board. Thank you."

Speaker Braun: "The Gentleman from Winnebago, Representative Giorgi, to explain his vote."

Giorgi: "Well, I'd just... For a message to the freshman, if you want to see ambulance chasers get... to this Roll Call. There's many lawyers on that Roll Call. I think it's nine to one, the layman versus the lawyer. There's your Roll Call."

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

Preston: "Madame Speaker, how do I make a Motion to poll the absentees on this?"

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 24 'aye', 89 voting 'no', 3 voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill... House

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Bill 703, out of the record. House Bill 704, out of the record. House Bill 713, out of the record. House Bill... House Bill 713, out of the record. House Bill 719, Representative Tuerk. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 719, a Bill for an Act to amend an Act relating to the composition and election of county boards in certain counties. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Madame Speaker, Members of the House, at the..."

Speaker Braun: "Could we please have some order? Would you give the Gentleman your attention? Thank you."

Tuerk: "A couple of years ago, during our reapportionment year, the Chairman of the Peoria County Reapportionment Committee called to my attention there was lacking one option in the statutes which would allow for single-Member districts within certain areas of the county and multi-Member districts within other certain areas of the county, as long as that municipality in the county was at least 75,000 inhabitants. That's what this Bill does. It provides another option for reapportionment of the county boards. It wouldn't be applicable of course until some years down the way but felt that, as long as it was fresh in our minds, we might as well enact the law and get it in the statutes so that option would be available to county boards in certain downstate counties if they so desired. I would ask for your support."

Speaker Braun: "Is there any discussion? If not, the Gentleman has moved for the passage of House Bill 719. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 109 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby

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declared passed. The Chair recognizes the Gentleman from Fulton, Representative Homer, for purposes of an announcement."

Homer: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. As a point of personal privilege, it's my great honor today to introduce to you the eighth-graders from Farmington Junior High School, the home of the Farmington Farmers, and their instructor, Mr. 'Ohmer'. Would you stand please? Thank you."

Speaker Braun: "House Bill 720, Representative O'Connell. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 720, a Bill for an Act relating to notice of abortions performed on minors and incompetents. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Madame Speaker, I have an Amendment to go on this. I request at this time, Madame Speaker, if I can bring this back to Second Reading and hold it until that Amendment is available."

Speaker Braun: "The Gentleman asks leave to return this Bill to Second Reading. There is an objection."

O'Connell: "I'll just take it out of the record, Madame Speaker."

Speaker Braun: "Gentleman has moved to take House... House Bill 720 out of the record. House Bill 723, Representative Levin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 723, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Braun: "Representative Levin."

Levin: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 723 implements the recommendations of the Legislative Revisory Committee on Public Aid in their report of March ... of 1983 entitled 'Workfair in

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Illinois'. What this Bill does is to provide for an income disregard for general assistance recipients. At the present time, the Department annually determines what the standard of need is in terms of general assistance recipients. That standard of need in the northern part of the state for a single adult is currently 243 dollars. The general assistance level is currently 144 dollars. This Bill would permit the general assistance recipient to earn the difference. It is an incentive to work. At the present time, there really is no incentive to work. This will provide a motivation for individuals who are currently on general assistance to get a job, to bring their level of income up to a respectable level; and, once they get used to working, they may turn that job into a full-time job and get off of the general assistance rolls. That's, basically, what the Bill does. If there are questions, I'm happy to answer it. It will, I think in a long term, lower the cost to the state by reducing the number of persons on general assistance."

Speaker Braun: "Is there any discussion? The Gentleman from Cook, Representative Nash."

Nash: "Madame Speaker, Ladies and Gentlemen of the House, this is a good piece of legislation. I'm proud to be a hyphenated Cosponsor. This is a follow-up Bill to Workfair that we passed the last Session that I sponsored through the Senate and got no descending votes on when Representative Barnes and Ronan ran through the House. Workfair, to bring you up to date, saved the state the first in operation 19 million dollars from public aid recipients. And this Bill will save the taxpayers of Illinois a lot of money also. It's a good piece of legislation. Urge an 'aye' vote."

Speaker Braun: "The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

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

Speaker Braun: "He indicates he will."

Vinson: "Representative, I believe Amendment #1 has been adopted to that Bill. Is that correct?"

Levin: "Yeah. The answer, yes, I believe the Amendment was adopted."

Vinson: "Okay. Would you explain to me how, with the addition of Amendment #1 and with the language in Amendment #1, specifically line two, the use of the word 'changing' rather than 'deleting' and what significance that might have?"

Levin: "The Amendment was simply a clarifying Amendment to make clear that we... what we intended to compare was the standard of need with the amount that... of the grant level. For example, for the single adult, the 243 dollars as opposed to the 144."

Vinson: "But normally..."

Levin: "Which is 99 dollars."

Vinson: "Normally, in line two of the Amendment where you used the word 'changing', you've used the word 'delete', and I wonder if you might explain that."

Levin: "Oh. Well, you know, changing and deleting mean the same thing."

Vinson: "So that there's no difference."

Levin: "No difference."

Vinson: "What's the fiscal impact of the Bill?"

Levin: "We have two different fiscal notes filed to this Bill. The Department, when they came up to me with their fiscal note, they said they were very sorry. They tried to increase the fiscal impact, because they don't like this Bill. And they couldn't. The general... The Legislative Advisory Committee on Public Aid, also, has prepared a fiscal note, and their fiscal note indicates that House

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Bill 723 will save the Department of Public Aid money in the long run by encouraging general assistance recipients to enter the workforce in greater numbers, increasing their opportunities for future self-employment by improving their quality of work by allowing them to earn more income."

Vinson: "Was the fiscal... Was the Amendment... The fiscal note from the two agencies, were they filed on the Bill as amended?"

Levin: "That's correct."

Vinson: "They were filed as amended?"

Levin: "That's correct."

Vinson: "It doesn't indicate that on the Public Aid fiscal note."

Levin: "The request for the fiscal note was, I believe, was your request. Yeah, the Amendment was essentially technical, but your request for a fiscal note came after Amendment #1 was adopted."

Vinson: "Thank you."

Levin: "About a week after... About a week to ten days after you filed your request, and the Bill was held on Second Reading pending the fiscal note that the Department came up with their fiscal note."

Vinson: "Thank you."

Speaker Braun: "The Lady from Cook, Representative Frederick."

Frederick: "The Lady from Lake, please."

Speaker Braun: "Sorry. The Lady from Lake, Representative Frederick."

Frederick: "Madame Speaker, Ladies and Gentlemen of the House, I rise in support of House Bill 723. I believe it's time that we provide some incentives in getting people off the Public Aid rolls, and I think we can do this in Illinois by disregarding the income earned until the difference between the standard of assistance and the grant level is met. For example, a general assistance recipient in Illinois could

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work 29 1/2 hours at minimum wage before reaching the maximum disregard. A year ago, at the National Conference of State Legislatures, we learned that states that do disregard earned income under a similar formula have encouraged people to become self-sufficient and get off public assistance rolls. Under our present practice in Illinois, public aid recipients are actually penalized for taking a job or for trying to provide any money for themselves. I ask you to support House Bill 723 and give people a chance to help themselves, instead of relying on the government for support. Thank you."

Speaker Braun: "The Lady from Cook, Representative Topinka."

Topinka: "Yes, I have some questions of the Sponsor. First of all, how much is this going to cost?"

Levin: "Representative, there were, as I indicated earlier in response to Representative Vinson's question, there were two fiscal notes that were filed, one by the Department and one by the Legislative Advisory Committee on Public Aid. The one from Legislative Advisory Committee indicates that House Bill 723 will save the Department of Public Aid money in the long run by encouraging general assistance recipients to enter the work force in greater numbers, increasing their opportunities for future self-employment by improving their quality of work by allowing them to earn more income. The Department's representative in coming up to me indicated, very apologetically, that they obviously did not like the Bill. They had tried to come up with a large figure for what the cost would be, and they could not."

Topinka: "You still haven't answered my question. How much is this going to cost?"

Levin: "The, you know, according to the Legislative Advisory Committee in a fiscal note filed with the Clerk, this Bill

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will save the Department of Public Aid money. They do not know the specific amount of the savings. We have also heard about the experience in other states, notably Massachusetts, where it has gotten... the similar program has had the effect of getting people off of the general assistance rolls and has, as a result, saved the State of Massachusetts and other states a substantial amount of money."

Topinka: "Yeah. Well, I appreciate the pitch you're making in behalf of your Bill, but I don't think you're answering my question, which is, how much is it going to cost? Because, at this point, we don't even have an appropriation, you know, from Public Aid so we know how much money is around even to implement this. I show on a fiscal note here to House Bill 723 from Public Aid a total cost of 1.2 million. Now, somewhere you're going to have to put some up front money up here before you can play off the come, which is what you're suggesting."

Levin: "Well, the Departments said the potential cost, and it's my understanding that this is premised on everybody who's on the Public Aid rolls staying on it. The experience has been that this gets people off the Public Aid rolls, and it's going to save money."

Topinka: "Now, your colleague, Representative Nash, brought up that this... kind of suggested that this might be tied in with Workfair and this would add onto Workfair and would provide an extra incentive. Does this have anything to do with Workfair, which has incentives already in it?"

Levin: "This is a complementary program to Workfair. Workfair has the intent to get people used to working and this is a similar type of a Bill."

Topinka: "But the two are not necessarily tied together in any way? I mean, because Workfair does have incentives in it."

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Does it not?"

Levin: "There's no income incentive in Workfair."

Topinka: "But you're working. You're going out there and making money. I mean, it has an incentive of its own. Alright. Let me just go one step further. How much, right now, do people make... when they're getting assistance, general assistance?"

Levin: "I'm sorry."

Topinka: "How much are people now getting on general assistance?"

Levin: "For a ... For a single adult individual, 144 dollars."

Topinka: "Okay. Well, I guess that's probably enough of an incentive to get off of public aid. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Taylor. Representative Taylor."

Taylor: "Thank you, Madame Speaker. I move the previous question."

Speaker Braun: "Previous question having been moved, all in favor? Opposed? It appears to the Chair that there were not sufficient 'nos' voting to overrule the Motion. We'll take a Roll Call. All those in favor of moving the previous question vote 'aye', opposed vote 'no'. It takes two-thirds of those voting. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 73 'ayes', 41 'nos'. The Motion fails. Further discussion? The Chair recognizes the Gentleman from Cook, Representative Birkinbine."

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

Speaker Braun: "He indicates he will."

Birkinbine: "Representative Levin, could you tell me how much this program will cost?"

Levin: "I believe I've answered that question twice now. According to the Legislative Advisory Committee on Public

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Aid, in its fiscal note filed with the Clerk of the House, House Bill 723 will save the Department of Public Aid money in the long run by encouraging general assistance recipients to enter the work force in greater numbers, increasing their opportunities for future self-employment by improving their quality of life by allowing them to earn more income. This has also been the experience in other states, including the State of Massachusetts, as was suggested by Representative Frederick."

Birkinbine: "Well, Madame... Madame Speaker, speaking to that point, the Legislative Advisory Commission has no authority, under the... the Act, to come up with that information. So, I would suggest that, in that regard, they might be viewed as suspect at best."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Shaw."

Shaw: "Madame... Mr... Mr. (sic) Speaker and Ladies and Gentlemen, I rise in support of this legislation. I think it's a good Bill. You know, thousands of people around this state is unemployed, and 144 dollars is not a lot of money to be giving people. There's no Member of this House could make it on that kind of money, and what you are saying to the people that's receiving GA is that they should go out and steal. That's what you're saying to the people of this state when you don't want to give them some incentive to do better. How many people can make it on 144 dollars a month? And I can understand the other side of the aisle taking the position that they take, because they are the ones that got the people in the shape in the first place. And I think that they should reconsider their position and vote for this Bill. Support this Bill, because you make the people who work in restaurants and lounges all across this state, you make them go out there

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and steal. They're not going to tell you, but they cannot make a living off 144 dollars a month. You couldn't make it, and I think that you need to give them this additional incentive where that they can make a decent living and live like human beings all across this country. Thank you, Madame Speaker."

Speaker Braun: "The Chair recognizes the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker Braun: "He indicates that he will."

Koehler: "Thank you very much. Representative, I was going to ask you if, with regard to the cost of this legislation, what is the up front dollar amount of the cost as estimated by Public Aid? And then I would... Oh. Then I would like to ask you if it is broken down as to the downstate area in relation to Chicago. It is my impression that general assistance, generally, is the... the majority of those funds go into the Chicago area. Could you explain that to me, please?"

Levin: "I yield to my hyphenated Sponsor, Representative Nash."

Speaker Braun: "Representative Nash."

Nash: "Will the Lady repeat her question, please?"

Koehler: "Thank you, Representative Nash. I would... I would like to know the up front dollar amount of the cost of this legislation and, not only would I like to know that dollar amount, but the amount that would... the distributive amount that would go to Chicago in relation to the downstate funds."

Nash: "Well, what will go to Chicago and what will go downstate, I don't think we can answer it. I don't think the Department can answer. But the up front money, according to the Department of Public Aid, is about 200,000; but, in

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the long run, it's going to save the taxpayers of Illinois money."

Koehler: "Two hundred thousand dollars would go where? I mean, you said the cost would be 200,000 dollars?"

Nash: "The cost of implementing the program the first year would be about 200,000 dollars."

Koehler: "The cost of implementing the program. Well now, general assistance, generally, goes to the area of Chicago. Is that correct?"

Nash: "General assistance goes in the area of the whole State of Illinois."

Koehler: "Well, can you break down the 200,000? How much will go to Chicago and how much will..."

Nash: "There's general assistance recipients in Cairo, Illinois, they're in East St. Louis. They're all over the State of Illinois. This program, if implemented, will help these people, give them an incentive to get jobs and find jobs and get off the Public Aid payrolls. In the long run, this is going to save the taxpayers of Illinois money. The object of this whole program is to get people off of public aid and into the work force and make taxpayer's out of them."

Koehler: "Well, Representative, it is my impression that downstate there are very few receiving townships for general assistance. Most of them, the majority... any help that they have received has been through the aid to the medically indigent, and that is a program that we have seen possibly eliminated."

Nash: "There's not as many GA recipients downstate as there are in Cook County, but there's not as many people living downstate as there are in Cook County. But Public Aid... Department of Public Aid will be able to give you the answers, and we don't have them right now - the exact

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numbers."

Koehler: "Well, thank you, Representative."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Rice."

Rice: "Hello. Madame Chairman, I'd like to, if you will, reach back into my experiences as a social worker for the last three or four years. We have had a problem in the Chicago area with general assistance, getting those peoples in a position where they will work. As Alderman Shaw... Alderman Shaw... Representative Shaw indicated, the statistics have shown us by giving them 144 dollars they become midnight robbers. They become people that we cannot hire doing our domestic work. They become people that we can't use on cutting our grass. They become people that are unemployable during the day between nine to five, the reason being that the Public Aid worker checks on them. That's 20 cents. That's a call. They call their homes to find out if Sadie or John is not at home. Then, consequently, they knock them off the Public Aid records... rolls so that you'll find an individual will not go to work. He will not look for that incentive. He will not go out and do what he can do to help himself, because he's afraid that 144 dollars will be taken away from him. Many of us spend 144 dollars a week coming down here. The other three weeks we're fortunate, because we're either lawyers, or good preachers, insurance men, or whatever, so we can sustain our income. I think the incentive here is to allow them to go to work regardless of what they make. Give them something to do. Keep the public aid workers from chasing them up and down the streets to try to get that little 35 or \$40.00. The boxes of food that the government gives them is about \$40.00 a week. If you do that times four that's 120. That's all that \$144.00. Now some of you

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people that have apartment buildings in here know that you don't rent for \$144.00 a month for nobody, so I certainly think we ought to support this piece of legislation. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madame Speaker, Members of the House. I'd think to clarify the record on this issue of general assistance. Of the \$250,000,000.00 spent each year by the state in the terms of general assistance, about 90% of that goes to Chicago. Most downstate communities, Rockford included, have our own general assistance programs which is supported locally by our own taxpayers. Our community and most downstate do not receive a nickel from the state in general assistance, so in fairness and in reality, if you vote for this Bill, I would say that you should have a Chicago or East St. Louis District, because primarily of all the funds in general assistance from the state, all that goes to Chicago, East St. Louis, and just a couple downstate communities. So in closing then, if you have a Chicago or an East St. Louis District, this is a good Bill. If you don't, it's a bad one. I urge it be defeated. Thank you."

Speaker Braun: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr... Madame Speaker. Five times the Sponsor has been asked what the cost of this Bill is. Four times he scooted around the issue. The fifth time his Co... his Cosponsor gave us a figure of \$200,000.00. In reality, it's going to cost over a million and a half dollars. Now anybody that votes for this Bill, the press might as well say, 'Those green votes are the people who are going to vote for the state income tax.' Because if

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they don't, then, you know, they are saying to us, 'We want to spend more money, but we don't want to collect the revenue.' Unless you're saying, 'We want to spend more money, and we're going to vote for a state income tax.' But I think the whole issue is mute anyway, because come July 1, if we don't address the state income tax issue, there's not going to be one red cent for the general... for general assistance in the State of Illinois. So I think we ought to just beat this... beat this Bill, go on about our business, address the state income tax issue sometime down the road. If it passes then maybe we can... we can put some money in general revenue or into general assistance."

Speaker Braun: "The Gentleman from Cook, Representative Vitek."

Vitek: "Thank you, Madame Speaker. I wish you'd pick up that mallet that you've got up there, the gavel. Put it in your hand. That's a point of personal privilege. Now you don't use the mallet or a hammer to hit the nail on the head, so I wish you'd pound that gavel for attendance here, so people would be quiet, so we can hear the discussion. And I'm sorry that you didn't call on me sooner for moving the previous question."

Speaker Braun: "Does the Gentleman move the previous question?"

Vitek: "If I'm allowed, yes."

Speaker Braun: "The question is, 'Shall House Bill 723 pass?'"

All in favor vote 'aye', opposed vote 'nay'. The Gentleman from Cook, Representative Huff, to explain his vote."

Huff: "Thank you, Madame Chairman and Members of the House. I think the discussion may be somewhat mute in that the Governor in his 1984 budget has eliminated general assistance at all, and I think the question should be here, how much is it going to cost the state in terms of human suffering, and I vote 'aye'."

Speaker Braun: "Take the record. Now... This is the Motion..."

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this is the vote on the Motion? We still... we still had the... the Motion was up on the board, because the previous Motion. We'll have to dump this Roll Call and start over. Representative from DeWitt, Representative Vinson."

Vinson: "Go back and listen to the record. What you said was the Motion is... the question is, 'Shall this Bill pass?'"

Speaker Braun: "That's true, Representative, but the Clerk had Motion on the board."

Vinson: "Well, you just took the record, and you only found 51 votes on the question."

Speaker Braun: "We're... we're going to dump the Roll Call and take a new one Representative. On... Repres... the Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madmane Speaker. Representative Vitek moved the previous question. The question is, 'Shall the previous question be put?' I think Representative Levin, after that Motion is put, has a right to close."

Speaker Braun: "That is correct, Sir. The Gentleman from Cook to close Representative Levin."

Levin: "I yield to Representative Nash."

Speaker Braun: "The Gentleman from Cook, Representative Nash."

Nash: "Madame Speaker, Ladies and Gentlemen of the House, this is a good piece of legislation. Like we said earlier, in the long run it's going to save the taxpayers of Illinois money. It's a follow up to... to workfair that saved the state \$19,000,000.00 the first year it was implemented and other states in the union are following what the State of Illinois did with workfair. They will do likewise with this one. I ask an 'aye' vote. Thank you."

Speaker Braun: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'nay'. To explain his vote, the Gentleman

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from Cook, Representative Huff."

Huff: "Madame Chairman, I think I stated previously I'm voting 'aye'. This is a good Bill."

Speaker Braun: "Explain his vote Representative... the Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Madame Speaker, I think in... some of the previous speakers alluded to general assistance as Chicago and Cook County versus downstate. The only reason downstate counties and townships or townships like Rockford Township doesn't get general assistance from the state is because you're townships choose not to... to participate in the state program, and because you don't participate in the state program, you levy your own taxes for aid. You know, you should be getting your share if your township officials want their share. You shouldn't be penalizing Chicago because you... you don't want your share, and you don't want state supervision. I just wanted to clear up some of the misleading remarks made."

Speaker Braun: "Lady from DuPage, Representative Karpziel."

Karpziel: "Well, it really doesn't make much difference except... I mean... except I would like to correct what the last speaker just said. As a former township supervisor and supervisor of general assistance in a nonreceiving township, it is not because we choose not to follow Public Aid's regulations and rules and take money. You get... you become a receiving township when you have levied in your general assistance levy of over ten cents. In our townships, we do not levy anywhere near the ten cents or the one mil, and that's why we're not receiving townships. And for your information we do follow the rules and regulations laid down by Public Aid. We give the same amount of grants that Public Aid does, and we follow the same maximums."

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

Levin: "Madame Speaker, this Bill embodies what is really the traditional Republican philosophy to encourage people to work, to get them off of the welfare rolls. It's an incentive for people to get off the rolls, for people to become... rely on their own initiative to get into private enterprise and not to rely on government. As a result, I urge more... more green votes for this Bill which is going to really save the state money. It's not going to hurt any other part of the state. It's going to save money."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 60 voting 'aye', 53 voting 'no', none voting 'present'. The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson: "We would request a verification of the Affirmative Roll Call."

Speaker Braun: "Representative Johnson asks for a Poll of the Absentees. Representative Nash asks for a Poll of... Johnson asks for a verification of the Affirmative. Representative Nash asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Capparelli, Christensen, Laurino, Terzich, and Mr. Speaker. Poll of the Affirmative vote. Alexander, Berrios, Bowman, Braun, Breslin, Brookins, Bullock, Cullerton, Curran, Currie, DeJaegher, DiPrima, Domico, Doyle, John Dunn, Farley, Flinn, Virginia Frederick, Giglio, Giorgi, Greiman, Hannig, Hicks, Huff, Hutchins, Jaffe, Keane, Krska, Kulas, LeFlore, Leverenz, Levin, Marzuki, Matijeovich, McGann, McPike, Mulcahey, Nash, Panayotovich, Pierce, Preston, Rea, Rhew, Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Slape, Steczo, Stuffle, Taylor, Turner, Van Dwyne, Vitek, White, Wolf, Younge, and Yourell."

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Speaker Braun: "Speaker Madigan votes 'aye'. The Gentleman from Winne... the Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Madame Speaker, please change my vote to 'no' please."

Speaker Braun: "Change his vote to 'no'. The Gentleman from Champaign, Representative Johnson."

Johnson: "Domico."

Speaker Braun: "Representative Domico. Is the Gentleman in the chambers? Remove him from the Roll, Mr. Clerk."

Johnson: "Alexander."

Speaker Braun: "Representative Alexander. The Lady's in the back of the chamber."

Johnson: "Brookins."

Speaker Braun: "Representative Brookins. Remove him... remove him from the Roll Call."

Johnson: "Currie."

Speaker Braun: "Representative Currie. Is the Lady in the chamber? Representative Currie. The cavalry's arrived."

Johnson: "Dunn."

Speaker Braun: "Representative Dunn."

Johnson: "John Dunn."

Speaker Braun: "The Gentleman's in the chamber. Cavalry."

Johnson: "Wolf."

Speaker Braun: "Representative Wolf. Is the Gentleman in the chamber? Remove him."

Johnson: "Greiman."

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

Johnson: "Richmond."

Speaker Braun: "Representative Richmond. The Gentleman's in his seat."

Johnson: "Stuffle."

Speaker Braun: "Representative Stuffle. Is the Gentleman in the chamber? Yes. He's in the back of the chamber."

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Johnson: "Younge."

Speaker Braun: "The Lady is in her seat."

Johnson: "That's all."

Speaker Braun: "No further questions?"

Johnson: "Right."

Speaker Braun: "Mr. Clerk... On this question, there are 57 'aye', 54 voting 'no', none voting 'present'. The Chair recognizes Representative Levin."

Levin: "Postponed Consideration?"

Braun: "Postponed Consideration. On the Calendar page twenty-two, on the Order of House Bills Third Reading Short Debate appears House Bill 250. Representative Homer. Representative Homer. Representative Homer, would you like your Bill called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 250, a Bill for an Act to amend Sections of the Criminal Code of 1961. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madame Speaker and Ladies and Gentlemen. House Bill 250 would change the Criminal Code with respect to the statute of limitations. Under current law, we have three divisions for the statute of limitations. That is the time in which criminal prosecution may be commenced from the date of the offense. For certain offenses such as murder, manslaughter, treason, arson, and forgery, there is no limit. In other words, the prosecution can be maintained at any time, but for all other felonies, the time limit is three years. In neighboring states, three years is... is a minimum. In other words, in most of our neighboring states, they leave up to as many as ten years or five years to bring the serious prosecutions. This Bill as amended would extend the time limit, the statute of limitations, for Class X felonies from three years to five

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years, which would put us in the midrange of those neighboring states. Often times, crimes are not solved within three years, and in fact, there have been recent cases in my own District where armed robberies and other Class X felonies have been solved after the three year period. I would ask for your favorable consideration."

Speaker Braun: "Is there any discussion? The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. I think you should look very, very carefully at House Bill 250. This is a lawyers' Bill. Representative Homer is a lawyer."

Speaker Braun: "Is there further discussion? The Representative from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madame Speaker. Just to correct the last speaker, Representative Homer and myself are prosecutors and not lawyers."

Speaker Braun: "The Representative from Cook, Representative Bowman, on a point of order."

Bowman: "Yes, the point... Yes, Madame Speaker, this is Short Debate, and I believe there is one proponent and one opponent, and so I believe that you should not recognize any more people on this Bill."

Speaker Braun: "Representative Homer to close."

Homer: "Thank you, Madame Chairman. In spite of the fact that I am a lawyer and am a prosecutor, in spite of those facts, I would ask for your favorable consideration for this Bill which I think is a good Bill."

Speaker Braun: "The question is, 'Shall House Bill 250 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill,

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having received the Constitutional Majority, is hereby declared passed. House Bill 261. Representative Dunn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 261, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Braun: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's probably time that we join hands and... and pull together the competing factions that have been bickering back and forth here in the General Assembly today. And this is the Bill to do it on. House Bill 261 is a Bill that is advocated by Prudential Insurance Company of America. And the reason they are interested in this Bill is that they are interested in providing a service to consumers, and we are all interested in consumers. Consumers would like to have legal services available to them, and they wish to monitor the cost, so they are willing to pay premiums and buy insurance for prepaid legal plans, if the insurance companies will write them. At the present time, we have statutes on our books which would permit this, but no insurance companies will write prepaid legal insurance, because of what they see as minor technicalities in the legislation, which relate to the initial consultation. The insurance companies want to have some input into the initial consultation, and after that, they are willing to have the client select his own attorney for whatever follows. What the insurance companies are interested in is monitoring the situation as to whether there really is need to pursue a le... legal case or not. In many instances, a client comes in, thinks he has a problem, and he really does not. So this Bill is supported by consumers. It is supported by the insurance industry

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and in particular Prudential Insurance Company of America, and it is supported by lawyers in the Illinois State Bar Association, and I would ask for a favorable vote on House Bill 261."

Speaker Braun: "Does anyone stand in opposition? The Chair recognizes the Lady from Cook, Representative Pullen."

Pullen: "Madame Speaker, I think that in view of the attitudes that have been expressed recently on this floor in legislation involving attorneys, and this legislation does that, perhaps we ought to discuss this Bill more fully, and I would like to take this Bill off Short Debate please."

Speaker Braun: "Does anyone join the Lady in this request? The requisite number of hands appearing, this matter shall be removed from Short Debate. Is there any further discussion? The Chair recognizes the Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two, please."

Speaker Braun: "He indicates he will yield."

Pullen: "Mr. Sponsor, I heard your... your plea that we all join hands across the sea or something of the sort and not talk about this in terms of..."

Dunn: "I knew that was too good to ask for."

Pullen: "... lawyers, and I wonder whether you would please state as briefly as possible exactly what the intent of this Bill is."

Dunn: "Yes, the... this Bill represents a compromise between what are called the open panel and closed panel forms of legal prepaid insurance. What this Bill will essentially do is allow an insurance company, such as Prudential, which is the company which is interested in writing... writing this type of insurance at this time, and should this become law, of course the legislation is not tailored to any particular insurance company. Any company can write the insurance."

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If a company chooses to write prepaid insurance, this will allow that the... the insurance company to have some input into the initial consultation between the client and the person who is going to do the legal representation. The insurance companies would like to have house counsel involved in the initial screening. And they feel, for whatever reason that I don't understand which involves the setting of their premiums and allocation of risk, that they can monitor... monitor things adequately enough if they do that so that after the initial consultation, if the client chooses to seek his or her own attorney for the ensuing work, that it can be done. And, of course, then it would be sort of like a Blue Cross - Blue Shield thing. There would be certain levels of benefits for certain kinds of services, and that would be set up in a policy by the insurance company. And the lawyer would know that if he did such and such a work, he would receive such and such payment from the insurance company, just as a medical doctor does."

Pullen: "That was more than a brief answer. Are you saying that an insurance company that writes legal expense insurance would use its own lawyers for initial negotiations in claims, or what?"

Dunn: "Yes, the... not... not... I'm not talking about claims now. We're talking about prepaid legal insurance, which, for example, may include the preparation of a will. A client will purch... under this concept, a client may very well purchase legal insurance the same way we all purchase health insurance, and the policy would provide for certain levels of benefits in consideration of payment of the premium. And the insurance company, the Bill says that, 'The insured... the insurer may select and contract with attorneys to provide the insured with legal services which

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consist primarily of initial advice and consultation.' This means that house counsel, or whoever the insurance companies decide, can be involved in the initial consultation. If, of course, that group of people would provide all the legal work, then... then you have a situation which is a closed panel, and that doesn't sell well with the general public or with the Bar Association. And the Bill goes on to say that, 'After the initial consultation the... provided, however, that dissemination by an insurer of the names of attorneys that have agreed to accept legal expense insurance benefits shall not constitute a requirement, suggestion recommendation of use of any attorney or firm of attorneys.' This language was... in Amendment #1 was worked out in a long series of negotiations between the insurance industry and the Bar Association to provide an acceptable ground to insure that the concept of the Bill would be what is intended if the Bill becomes law. And that is to have the insurance company have a say in what is done initially, but after that the client, the insured person, may chose his or her own attorney."

Pullen: "So that the insurance company would not be at... well, would not be totally subject to compensating whatever attorneys might be chosen by the insured during the initial processes."

Dunn: "No... I think the key word... That's right. It would be the same concept as a medical health insurance policy which says that... and they will not pay a million dollars for an appendectomy. It will pay whatever the schedule allows. So the concept of this plan would be a policy which someone would buy which would say, 'If you pay your premium, you're entitled to X dollars of services for a will, X dollars for an adoption, X dollars for a real estate contract, X for a

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lease,' for example."

Pullen: "You indicated that Prudential Insurance Company had recommended this Bill to you. Do you know what the position of other insurance companies in Illinois is?"

Dunn: "I... I do not, and actually, the Bill was, in fact, recommended to me by the Illinois State Bar Association and the Prudential Insurance Co... The Bill arises because we have legislation on the books now which will permit insurance companies to write prepaid legal insurance plans, and they will not do it, because they say they need this... this law. So the Bar Association, the legal profession, and the insurance industry has combined. I do not, in fact, know of other companies which are on the verge of writing these policies, but Prudential is."

Pullen: "So Prudential has endorsed this legislation, because they're interested in participating..."

Dunn: "That is correct."

Pullen: "... in the current statute..."

Dunn: "That is... that is correct."

Pullen: "... business. Do you have any idea why this Bill was not referred to the Insurance Committee?"

Dunn: "No, I don't, except it involves legal expense and it went through Judiciary Committee. And I guess you'd have to talk to the Committee on Assignments. I don't know. I don't... I'm not a Member of that Committee. I don't participate in their decisions."

Pullen: "Okay. I think I understand the Bill a lot better now, and I hope the Members of the House do. Thank you."

Speaker Braun: "The Gentleman from Franklin, Representative Rea."

Rea: "I move the previous question."

Speaker Braun: "The previous question, having been moved, all in favor. Opposed. On the Motion to move the previous question, we'll take a Roll Call. All in favor vote 'aye',

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opposed vote 'no'. Take the record, Mr. Clerk. On this question, there's 77 voting 'aye', 31... For what purpose does Representative Hastert rise?"

Hastert: "I think I hit the wrong button..."

Speaker Braun: "Votes 'no'. On this question, there are 77 voting 'aye', 32... 76 voting 'aye', 32 voting 'no', none voting 'present'. The Motion to move the previous question prevails. The question is, 'Shall this...' The Gentleman from Macon to close."

Dunn: "I would respectfully request an 'aye' vote. Again what this Bill will do, it will allow people who wish to purchase insurance for the purpose of buying insurance, to cover their legal expenses, to do so. If you approve of that concept, you should support this legislation. If you do not, you should oppose it. I think it is a consumer thing that will come eventually. I believe the time is now, and I would urge an 'aye' vote."

Speaker Braun: "The question is, 'Shall House Bill 261 pass?' All in favor vote 'aye', opposed vote 'nay'. Have... have all, oh... On that question, the Gentleman from Cook, Representative Birkinbine, to explain his vote."

Birkinbine: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. I oppose the idea of moving the previous question, because only one person had been able to ask questions at that point, and I think there are some legitimate questions. First off, why was this Bill sent to Judiciary instead of Insurance when it deals with insurance matters. And secondly, as I read the analysis, it's not the insured who is going to have the choice in this matter. It's the insurance companies. Now, I know that there are a lot of good knee jerks out there who hate all those insurance companies. Well, this matter takes, as I read the analysis, it takes the decision making power out of the

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hands of the groups that are being insured and puts it in the hands of the insurance companies. Now there's some legitimate questions that should be asked here as far as freedom of choice. We, ourselves, happen to be a group that's being insured, a group health insurance. Should not our group have the choice of lawyers who's going... who are going to do the work, as opposed to the insurance companies? I don't quite know why this is being rushed through, but I frankly, think a lot of you ought to be asking those questions before you just vote 'yes'."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Representative McCracken, to explain his vote."

McCracken: "Thank..."

Speaker Braun: "The timer's on."

McCracken: "Thank you, Madame Speaker. This is an insurance cost containment measure, and the Amendments, I don't think, change that fact. The distinction which is made in the Amendments between lawyers who will accept the insurance type payment, and lawyers who will not accept the insurance type payment effectively limits the availability of counsel to only those who have agreed with the insurance company; so therefore, the cost containment is still effected regardless of the Amendments thereto. I think it requires a 'no' vote therefore."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question there are 84 'aye', 20 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 287. I'm sorry, 278. Representative Levin. Out of the record. 279. Out of the record. 281. Out of the record. 345. Representative Mautino. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 345, a Bill for an Act to amend Sections of the Liquor Control Act. Third Reading of the Bill."

Speaker Braun: "Representative Mautino."

Mautino: "Thank you very much, Speaker and Members of the House. House Bill 345 was brought to my attention by four of my colleagues in the House, as it pertains to elected officials who have in some way, shape, or form, an indirect interest in the distribution of alcoholic products even though they were elected to public office. The situations that have been brought to me was that an individual who owned a building where a liquor license was issued was then elected to a city council and that election is being contested because that was considered an indirect interest. It was also brought to my attention that a semi-truck driver that hauled Pabst Blue Ribbon Beer, at the time, from Milwaukee to Peru, Illinois, who was also elected to the city council, had that same problem confronting him when he was elected. The third individual is from the Pekin area, brought to my attention as well by a Member of the House and a Member of the Senate, who has a liquor license and was also elected to public office. This legislation addresses that question and authorizes that individual to hold a licen... to eliminate the indirect interest and that person to hold public office with the provision that they must eliminate themselves from an conflict of interest vote that would come before their body. And I would be happy to respond to any questions in that regard."

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

Bowman: "Madame Chair... Speaker, I understand that this is on Short Debate and... but that we can have reasonable time

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for questions, and I just have one question. Will the Gentleman yield?"

Speaker Braun: "Proceed."

Bowman: "Representative Mautino, would you distinguish for me the difference between a direct and an indirect interest?"

Mautino: "I would have a very difficult time. There is no definition. For example, indirect interest in the distribution of an alcoholic product could be a truck driver. It could be a person working for the Hiram Walker Distillery as a janitor. It could be an engineer on a train that hauls the product, as well. I find that provision to be very ambiguous. I cannot respond to it in all honesty. I don't think that indirect should be involved. Last year the same legislation went to the Governor's desk because there were three other individuals who had the same situation. And I can't honestly answer the definition of indirect. It's been decided by many local governments and some attorneys that any association with alcohol will deny an individual to serve in public office, because of the indirect interest clause."

Speaker Braun: "Does anyone stand in opposition? Representative Brunsvold, do you stand in opposition?"

Brunsvold: "One quick question if I might, Madame Chairman."

Speaker Braun: "For the purposes of establishing legislative intent, you may ask a question."

Brunsvold: "Representative Mautino, I'm a Mayor and also a liquor commissioner of the village in which I live. Could I, under this Bill, own a tavern and not be in conflict?"

Mautino: "No. The intent of the Bill is that the offices of Mayor and County Board Chairman, which issue the liquor licenses would be in conflict."

Brunsvold: "Thank you."

Mautino: "You cannot do so."

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Speaker Braun: "Representative Johnson, do you stand in opposition?"

Johnson: "Well, not really. I just have a comment to make. Just to show the magnu..."

Speaker Braun: "Representative Johnson, this... this is Short Debate."

Johnson: "Well, what about the last two people that asked questions. I guess... is that some kind of a different standard?"

Speaker Braun: "You can ask a question, if you have a question, or you can explain your vote."

Johnson: "I'll explain my vote. That's all right."

Speaker Braun: "Thank you."

Johnson: "Don't want to break the House rules."

Speaker Braun: "No further discussion, the Chair recognizes the Sponsor, Representative Mautino, to close."

Mautino: "I just would ask for an affirmative vote."

Speaker Braun: "The question is, 'Shall House Bill 345 pass?' All in favor vote 'aye', opposed vote 'nay'. The Gentleman from Champaign, Representative Johnson, to explain his vote."

Johnson: "... 'magnanimity' of the attorneys in here, and in spite of Representative Mautino's opposition to 702, that's all the lawyers in this House to join in supporting this good tavern Bill for all the good tavern owners and supporters here in the Legislature. Let's all vote 'aye'."

Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 101 voting 'aye', 12 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 385. Representative Yourell. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 385, a Bill for an Act to amend Sections of an Act in relation to state revenue sharing with local governmental entities. Third Reading of the Bill."

Speaker Braun: "Representative Yourell."

Yourell: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 385 provides for the sharing of the state replacement taxes to libraries in Illinois that were lost... that was lost when we abolished the personal property tax from which they received a sizable part of their income. As you know, the 1970 Constitution provided that the personal property tax be abolished and that a state-wide replacement tax be instituted in its place. Since that time, the Attorney General has ruled that libraries are entitled to their fair share of that state-wide replacement tax, and to date, very few libraries in the State of Illinois have received from the local units of government their fair share. There are over three hundred libraries in Illinois that have not received their fair share, while others have. And this, of course, is a opportunity for those libraries to receive their share of the state-wide replacement tax that replaced the personal property tax that we initiated in this General Assembly some years ago. This Bill came out of Committee with a unanimous vote, and I would hope that you would give it affirmative support."

Speaker Braun: "Does anyone stand in opposition? No one stands in opposition. The question is, 'Shall House Bill 385 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye', 4 voting 'no', none voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. House Bill 391. Representative Oblinger."

Clerk O'Brien: "House Bill 391, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Braun: "Representative Oblinger."

Oblinger: "Madame Speaker and Members of the General Assembly, this will give tax credit to those families who will take care of their own elderly people. We have the Inhome Care Act. We also have the Medicaid waiver being asked for. This would take care of that few other people. No one asked for an impact statement, but I got it from the Department on Aging, and they figure the top of amount would be \$18,000.00. This has been endorsed by all the area agencies on aging, particularly, the suburban Cook County one, and it has also been endorsed by the Illinois Council of Home Health Services, who provide most of these services, and I would solicit your affirmative vote."

Speaker Braun: "Does anyone stand in opposition? Does anyone stand in opposition? The question is, 'Shall House Bill 391 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 395. Representative Leverenz."

Leverenz: "House Bill 395, a Bill for an Act to amend Sections of the Uniform Disposition of Unclaimed Property Act. Third Reading of the Bill."

Speaker Braun: "Representative Leverenz."

Leverenz: "Thank you, Madame Speaker. The Bill straightens out problems that arose in the Unclaimed Property Act. We had

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problems of establishing a date of when an account was actually opened, and with this Bill we do establish that there is a date, so that we can start a seven year process of counting, so that we eliminate the problem of unclaimed property, as it is now. The Amendment #2 was adopted to the Bill also, which directs the funds to the Federal Home Loan Mortgage Corporation, and I would ask for your 'aye' vote on the Bill."

Speaker Braun: "Does anyone stand in opposition? No one stands in opp... The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. (sic - Ms.) Speaker and Members of the House, I really hate to stand in opposition to the major portion of the Bill; however, the final Amendment that went on the Bill diverts money that now goes into the Retirement Systems for all of our state pension plans. That has been one little way of helping to keep those pension systems solvent. If this were the only way that we were raiding that... those pension systems, it might be acceptable, but we're finding many, many Bills in this legislative Session that take money from the pension systems. We should keep in mind that other than these funds that are affected by this Bill, it is really the... the employees who are putting money into those systems. And we are now depriving many of them from what they see as a secure route of getting their retirement in the future. I understand the need for additional home mortgages, but I feel that we should not be taking the money that otherwise goes to our pension plans, and for that reason I stand in opposition to the Bill."

Speaker Braun: "There being no further discussion, the question is, 'Shall House Bill 395 pass?' All in favor vote 'aye', opposed vote 'no'. An explanation of vote, the Lady from

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Kane, Representative Zwick."

Zwick: "Thank you, Madame Speaker. I... my intention was actually to rise in support of the Bill. We did hear the Bill in Financial Institutions, which I'm Minority Spokesperson on, and the Amendment was gone over by the Committee. We all privately looked at it, and what it really does is simply take money that is... I think I will end on that note. Thank you."

Speaker Braun: "All right. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'yes', 2 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 428. Representative White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 428, a Bill for an Act to amend the Code of Civil Procedures. Third Reading of the Bill."

Speaker Braun: "Representative White."

White: "Mr. Speak... oh, Mr. (sic - Madame) Speaker, Ladies and Gentlemen of the House, House Bill 428 provides that actions against nurse... registered nurses are subject to the same limitation period as actions against physicians and hospitals. This Bill is sponsored, or supported by the Illinois Public Health Department and the Illinois League of Nurses. It's a simple piece of legislation. All we're doing is putting the nurses in the same posture that we put physicians, hospitals and dentists."

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

Johnson: "Again, I want to point out to the Members of the Assembly, who always talk about lawyers special interest, what this is. And it's really an outgrowth of the legislation itself, not so much the particular subject of

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nurses. Somebody performs an operation and leaves a sponge or some other surgical device in the patient, and four-and-one-half years after the operation infection sets in around the... around the foreign object in the patient. This Bill... not this Bill... this whole Act would absolutely prohibit, period, any kind of action against that person, doctor, or a hospital, or a dentist, or anybody else beyond that four year period. Now if the lawyer or somebody else performed a negligent act, and it wasn't discovered until four-and-one-half or eight-and-one-half years later, then they... they'd be allowed to recover, so they have a special interest in this. The only groups in the state that have a special absolute statute to repose are doctors, dentists, and hospitals. I would submit to you that that's a ridiculous distortion of what liability standards ought to be, but certainly if those groups get it, nurses probably should to, and I suppose on that basis, we ought to just compound our felony and vote 'yes'."

Speaker Braun: "The Gentleman from Cook, Representative White, to close."

White: "All I ask is for fairness on the part of nurses, and I ask for a favorable Roll Call."

Speaker Braun: "The question is, 'Shall House Bill 428 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 115 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. 452. House Bill 452. Representative Johnson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 452, a Bill for an Act to create the Premises Liability Act. Third Reading of the Bill."

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Speaker Braun: "The Gentleman from Sangamon, Representative Johnson. Not Sangamon... Champaign, I'm sorry. Representative Johnson."

Johnson: "If there's ever a time that you should take a Bill out of the record in Short Debate, this is probably it. This came out of the Judiciary fourteen to nothing, which probably means that it's bad. This Bill has passed out of here for the last seven years with almost unanimous votes and somewhere or another, it's gotten caught in Senate Rules or somewhere else. It passed the last time. I think, the only negative vote was from me, and I've finally seen the error of my ways. This simply creates a single standard of care for... that's owed to people who enter upon land except as to trespassers, and except as to farmers who donate their land for recreational purposes. It's a minor change in the law, and it simply... in conformance with Supreme Court and other suggestions. I don't know of any opposition, and I urge a 'yes' vote."

Speaker Braun: "Does anyone stand in opposition?"

Johnson: "First Bill. It's my first Bill."

Speaker Braun: "The Chair represent... the Gentleman... recognizes the Gentleman from Cook, Representative Preston."

Preston: "Madame Chairman, would the Gentleman yield for a question."

Speaker Braun: "He indicates he will."

Preston: "Representative Johnson, if... if this Bill should become law, doesn't this create a new way for law suits to be filed and for recover to be had, and then of course, attorneys would want their cut of any recovery?"

Johnson: "Well, actually, I think it probably might work the other way around in this case. I'm not sure I should be sponsoring this Bill."

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Preston: "Do you mean there might be less recovery for lawyers under this Bill?"

Johnson: "There could very well be. Yeah."

Preston: "Less recovery... well, then I'm in opposition to House Bill 452."

Johnson: "Good. I'm in opposition to my own Bill. Please, vote against me on this issue."

Speaker Braun: "The question is, 'Shall House Bill 452 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar appears House Bill 487. Representative DiPrima. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 487, a Bill for an Act to amend Sections of the Personnel Code. Third Reading of the Bill."

Speaker Braun: "Representative DiPrima."

DiPrima: "Yes, Madame Chairman, Ladies and Gentlemen of the House. Let's cut the buffoonery. After all, everybody's been passing'em like mad. Now, this pertains to the Personnel Code that provides that layoff and reemployment of state employees take into consideration performance record, seniority, and service, and impact on achieving equal employ... employment opportunity goals of such employees. This Bill provides that layoff of reemployment of employees be further subject to the following military preference provisions. 'Credit for seniority purposes shall include any creditable time served in the Armed Forces. Any veteran who received a ten point veterans preference...' I'll take an 'aye' vote."

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Speaker Braun: "Does anyone stand in opposition? The Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Sponsor yield for a question?"

Speaker Braun: "Indicates he will."

Ewing: "Representative DiPrima, I understand you had a lot of trouble getting Bills out of Committee this year. Is this the only Bill that you were able to get out of Committee?"

DiPrima: "What'd you say? I didn't follow you. I was surprised to see anybody get up."

Ewing: "Will you listen now, please?"

DiPrima: "Yes."

Ewing: "Okay. I understand that you had a hard time getting your Bills out of Committee, and I wondered if you... if this was the only Bill that you were able to get out of Committee?"

DiPrima: "Are you a fool? I'm the Chairman of the Committee."

Speaker Braun: "Is there any further discussion? There being no further discussion, the question is, 'Shall House Bill 487 pass?' All in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 100 voting 'aye', 6 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next... House Bill 502. Representative Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 502, a Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Speaker Braun: "Representative Leverenz. Representative Leverenz."

Leverenz: "Thank you. House Bill 502 would provide for some changes in the leasing in the Department of Central

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Management Services. It would provide that the leases over ten thousand square feet would be looked at by the Capital Development Board, and it was in the original Bill that they would have to agree to those leases. It is simply advisory with Amendment 1, and I would ask for your 'aye' vote on 502."

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

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

Speaker Braun: "He indicates he will."

Preston: "Does Central Management Services, are they in favor of this Bill?"

Leverenz: "That's exactly why we're here today."

Preston: "Is that a 'yes' answer, Representative?"

Leverenz: "That is a 'yes' answer."

Speaker Braun: "There being no further discussion, the question is, 'Shall House Bill 502 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'yes', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk O'Brien: "Representative Satterthwaite, Chairman of the Committee on Higher Education, to which the following Bills were referred, action taken May 4, 1983, report the same back with the following recommendation: 'Interim Study Calendar' House Bill 1439."

Speaker Braun: "Repre... the Chair recognizes Representative Matijevich for a Motion."

Matijevich: "Madame Speaker, does the Clerk need any time? All right. I now move that the House stand adjourned until 9 a.m. in the morning, 9 a.m."

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Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Yes, thank you, Madame Chairman. I just want to remind the Members that the... the Association of Port Authorities is holding their cocktail party at the Oak Crest Country Club, and they did hold it off for two hours to go along with our busy schedules. So that cocktail party is from 7:15 until 9:15."

Speaker Braun: "All those in favor of the Adjournment Motion say 'aye', opposed 'no'. The 'ayes' have it. Stand adjourned until 9 a.m. tomorrow morning. The Chair recognizes Representative DiPrima. For what purpose does the Gentleman rise? Representative DiPrima."

DiPrima: "Yeah, I just wanted to remind the Members that the Teamsters are having their cocktail party over at the State House Inn."

Speaker Braun: "Thank you."

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