

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

123rd Legislative Day

May 23, 1984

Speaker McPike: "The House will come to order. Members will be in their chairs. The Chaplain for today will be the Reverend Paul E. Flesner, Pastor of Grace Lutheran Church in Springfield. Reverend Flesner is a guest of Representative Mike Curran."

Reverend Flesner: "Let us pray. Almighty God, Heavenly Father, Creator of time and of eternity, we pause in humility before Your presence as we see Your hand at work throughout the world and throughout the universe. Our minds cannot begin to comprehend the wonder and the awe and the magnificence with which You work. We humbly pray that Your presence, Your insight, Your wisdom will all guide us as we attempt to struggle with those needs and situations with which we work these days. We pray for all here assembled. We pray for all the people not only of our state, but of our country and of the world that You may be with them in time of need, strengthening and supporting them, reaching out Your hand to touch them and to bring Your power and to bring Your healing to their lives. Be with us this day and always. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. Representative Greiman, excused absences?"

Greiman: "Yes, let the record show that Representative Taylor is excused today."

Speaker McPike: "Representative Piel."

Piel: "Yes, Mr. Speaker, would you let the record show that

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

123rd Legislative Day

May 23, 1984

Representative Harris is excused today?"

Speaker McPike: "Yes. Thank you. 116 Members answering the Roll Call, a quorum is present. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1401, Stuffle - Matijevich, a Bill for an Act to amend Sections of an Act to regulate the practice of podiatry in the State of Illinois. First Reading of the Bill. Senate Bill 1420, Levin, a Bill for an Act in relation to delinquent tax payers. First Reading of the Bill. Senate Bill 1425, Steczo, a Bill for an Act relating to sale of liquid fuel portable space heating devices. First Reading of the Bill. Senate Bill 1430, Giorgi, a Bill for an Act relating to purchases by certain public agencies and amending an Act herein named. First Reading of the Bill. Senate Bill 1435, Farley, a Bill for an Act to amend Sections of the Space Needs Act. First Reading of the Bill. Senate Bill 1484, Greiman, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1509, Terzich, a Bill for an Act to amend Sections of the Park District Code. First Reading of the Bill. Senate Bill 1522, Greiman, a Bill for an Act to amend the Chicago World's Fair 1992 Authority Act. First Reading of the Bill. Senate Bill 1602, Mautino, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. Senate Bill 1607, Matijevich - Oblinger, a Bill for an Act concerning reduced motor fuel registration fees. First Reading of the Bill. Senate Bill 1618, Oblinger, a Bill for an Act to amend Sections of the Wildlife Code. First Reading of the Bill. Senate Bill 1631, Giorgi, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1644, Terzich, a Bill for an Act to eliminate the health hazard posed by the presence of asbestos material in Illinois schools. First Reading of

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

123rd Legislative Day

May 23, 1984

the Bill. Senate Bill 1664, Oblinger - Curran, a Bill for an Act to create the Illinois Roofing Industry Licensing Act. First Reading of the Bill."

Speaker McPike: "The Chair would like to call the attention to the Members that there are about 25 Senate Bills on the Calendar that do not have House Sponsors. Representative Leverenz."

Leverenz: "So what?"

Speaker McPike: "Representative Piel."

Piel: "Yes, Mr. Speaker, I looked in the rules, and I can't find it, but isn't there a statute of limitations somewhere in there that if we don't pick them up, they automatically die?"

Speaker McPike: "I think it's seven years on that."

Piel: "Oh. Seven years."

Clerk O'Brien: "Further Senate Bills First Reading. Senate Bill 1399, Klemm, a Bill for an Act authorizing the McHenry County Conservation District to convey certain real property in exchange for certain other real property. First Reading of the Bill. Senate Bill 1385, Matijevich, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill... Senate Bills First Reading. Senate Bill 1384, Hastert, a Bill for an Act relating to State Property Tax Appeal Board. First Reading of the Bill. Senate Bill 1429, Vinson, a Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 1481, LeFlore, a Bill for an Act to provide funding for housing and for food grants through an income tax return checkoff system. First Reading of the Bill. Senate Bill 1538, Hastert, a Bill for an Act relating to the interest rate on special assessments in certain sanitary districts. First Reading of the Bill. Senate Bill 508, Shaw, a Bill for an Act relating to

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

123rd Legislative Day

May 23, 1984

racketeering and amending certain Acts herein named. First Reading of the Bill. Senate Bill 1448, Greiman, a Bill for an Act to amend Sections of an Act in relation to the establishment, maintenance and operation of county law libraries. First Reading of the Bill. Senate Bill 1596, Karpel, a Bill for an Act to amend Sections of the Public Community College Act. First Reading of the Bill. Senate Bill 1374, Curran, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1598, W. Peterson, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Senate Bill 1462, Oblinger, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill."

Speaker McPike: "Page two of the Calendar, House Bills Second Reading, Short Debate appears House Bill 968, Representative Stuffle. Out of the record. House Bill 2738, Representative Richmond. Representative Richmond in the chamber? Out of the record. House Bill 2858, Representative Homer. Representative Homer? Out of the record. House Bill 3091, Representative Ryder. Representative Ryder in the chamber? Out of the record. House Bill 3141, Representative Kirkland. Out of the record. House Bills Second Reading, page two of the Calendar, House Bill 91, Representative McAuliffe. Representative McAuliffe in the chamber? Out of the record. House Bill 713, Representative Pierce. Representative Pierce. Out of the record. House Bill 1004, Representative Younge. Out of the record. House Bill 2215, Representative Bowman. Out of the record. House Bill 2279, Representative Greiman. Out of the record. We will return to House Bill 91. The Cosponsor is on the floor. Representative Capparelli. Read the Bill, Mr. Clerk."

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

123rd Legislative Day

May 23, 1984

Clerk O'Brien: "House Bill 91, a Bill for an Act to amend the Illinois Municipal Code. First (sic - Second) Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 2299. Out of the record. House Bill 2321, Representative Topinka. Ms. Topinka, do you wish to call your Bill? Out of the record. House Bill 2323, Representative Braun. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2323, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2334. Out of the record. House Bill 2350, Representative Currie. Out of the record. House Bill 2386, Representative DiPrima. Representative DiPrima, do you wish to have your Bill called? No? Out of the record. House Bill 2401, Representative Vinson. Representative Vinson? Out of the record. House Bill 2671, Representative Greiman. Out of the record. 2674, out of the record. House Bill 2713, Representative Giorgi. Do you want to call your Bill, Sir? Out of the record. House Bill 2743, Representative Richmond. Out of the record. House Bill 2747, Representative McAuliffe. Representative Capparelli, are you the Cosponsor of this one also, 2747? Read the Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2747, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of

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

123rd Legislative Day

May 23, 1984

the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Has the pension impact note been filed?"

Clerk O'Brien: "Pension impact note is filed."

Speaker McPike: "Third Reading. House Bill 2762, Representative Mautino. Representative Mautino, on the Unemployment Insurance Act. Out of the record. House Bill 2906, Representative Jaffe. Out of the record. House Bill 2951, Representative Steczo. Out of the record. House Bill 2997, Representative Preston. Out of the record. House Bill 3039, Representative Barnes. Out of the record. House Bill 3062, Representative Ewing. Mr. Ewing? Representative Ewing. Do you wish to call your Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3062, a Bill for an Act relating to tax collection and enforcement and amending certain Acts herein named. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any... Are there any Amendments in the Committee?"

Clerk O'Brien: "No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Giorgi, Amendment #1. Representative Capparelli? Representative Ewing."

Ewing: "I... I think Representative Giorgi is ready to move with this."

Speaker McPike: "He just stepped off the floor for a minute. Can we take this out of the record?"

Ewing: "Yes, if we could come back to it..."

Speaker McPike: "Yes, we will. Thank you. House Bill 3073, out of the record. House Bill 3083, Representative Vinson."

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

123rd Legislative Day

May 23, 1984

Mr. Vinson, would you like to call the Bill? Out of the record. 3084. Mr. Vinson."

Vinson: "Has that... Has House Bill 3083 been read a second time?"

Speaker McPike: "Mr. Clerk?"

Clerk O'Brien: "No, it has not."

Vinson: "Could we do that, Mr. Speaker?"

Speaker McPike: "Mr. Clerk, read 30... House Bill 3083."

Clerk O'Brien: "House Bill 3083, a Bill for an Act to amend Sections of the Illinois Lottery Law. Second Reading of the Bill. Amendments... Amendment 1 was adopted previously."

Speaker McPike: "Do you wish this taken out of the record? Take it out of the record, Mr. Clerk. I'm sorry. House Bill 3083 read and held. Out of the record. House Bill 3084. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3084, a Bill for an Act to amend Sections of the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "House Bill 3084 read and held on Second Reading. House Bill 3085. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3085, a Bill for an Act to amend Sections of the State Printing Contracts Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "House Bill 3085 read and held on Second Reading. House Bill 3100, Representative Tate. Mr. Tate in the chamber? Out of the record. We will return to House Bill 3038, Representative Barnes. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3038, a Bill for an Act to create the Illinois Health and Hazardous Substance Registry Act and the Illinois Cancer Registry Act and amending certain Acts herein named. Second Reading of the Bill. No Committee Amendments."

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

123rd Legislative Day

May 23, 1984

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Terzich, on the Amendment."

Terzich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would move for adoption of Amendment #1 to House Bill 3038 which has to deal with cancer. Amendment #1 will simply provide no... designated no smoking areas throughout the State of Illinois. At the present time, there are 24 million people who die annually from heart disease as a result of smoking. There are 37 states in the United States that have similar types of legislation. It's time that we step forward and protect the people of the State of Illinois, as well as all of the smokers and nonsmokers. This is a good Bill and should receive the favorable support of every Member of the General Assembly, and I would move for its adoption."

Speaker McPike: "Gentleman has moved for the adoption of Amendment #1. And on that, the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want you all to listen carefully. Amendment #1 is actually House Bill 2929 which did not pass in Committee, which was overwhelmingly defeated on the House floor. The Gentleman is trying to sneak it through on another Bill here before us. Mr. Speaker, I'd like to question the germaneness of Amendment #1."

Speaker McPike: "While the Parliamentarian is checking that, the Gentleman from Cook, Representative Piel."

Piel: "Yes, a question of the Clerk, Mr. Speaker. First of all, has this been printed and distributed?"

Speaker McPike: "Yes, it has."

Piel: "Okay, and a question of the Sponsor, please."

Speaker McPike: "Proceed."

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

123rd Legislative Day

May 23, 1984

Piel: "Representative, I don't have a copy of the Amendment, but just a couple of questions. Now, what was this about designating smoking areas throughout the state? Could you explain it a little louder so we could hear it?"

Terzich: "Yes, the Bill... The Bill would set up designated areas, which would mean any indoor area used by the general public for serving as a place of work, including but not limited to restaurants, retail stores, offices and other commercial establishments, public abeyances, educational facilities, hospital, etcetera."

Piel: "Okay. So you're talking basically... Is this..."

Speaker McPike: "Excuse me, Representative Piel."

Piel: "Pardon me?"

Speaker McPike: "Excuse me. Representative Kulas, your point is well taken. The Amendment is not germane. Further Amendments?"

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

Speaker McPike: "Excuse me. Representative Terzich."

Terzich: "Well, I would like to have an explanation of why it would not be germane. I..."

Speaker McPike: "Mr. Parliamentarian."

Terzich: "My Parliamentarian says it is germane."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is not germane because the Bill deals with the Illinois Health and Hazardous Substance Registry Act, which is the Cancer Registry Act, while the Amendment changes the title to an Act in relation to public health and deals with the Public Smoking Act. While there may be some relationship between smoking and cancer, there is no relationship between this Amendment and the Bill."

Speaker McPike: "Representative Terzich."

Terzich: "Well, I would like to disagree with the Parliamentarian since it does deal with cancer and is a known cancer agent

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

123rd Legislative Day

May 23, 1984

and should be regulated as well as any other substance. I really don't... And it's a new Act. I really hate to disagree with the Parliamentarian. He probably smokes also, but..."

Speaker McPike: "Your... Your objection is noted. Further Amendments?"

Clerk O'Brien: "Amendment #2, Jane Barnes, amends House Bill 3038 by deleting the title..."

Speaker McPike: "Representative Barnes, Amendment #2."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 is an Amendment that has work... been worked out with the Illinois Hospital Association and also the Department of Public Health, and it adds to the cancer registry the fact that hazardous substances, hazardous nuclear materials and public health issues can also be added to the registry. It also adds to the Council the Dean of the School of Public Health of the University of Illinois, Director of Energy and Natural Resources, the Director of Public Health, Director of Labor, Director of Agriculture, Director of the Environmental Protection Agency and the Director of Nuclear Safety. And there's been a lot of work done on this, and I certainly would appreciate an 'aye' vote."

Speaker McPike: "The Lady has moved for the adoption of Amendment #2. Are there any questions? Any discussion? Being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. We will also now return, same Order of Business, to House Bill 1004, Representative Younge. Read the Bill, Mr. Clerk."

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

123rd Legislative Day

May 23, 1994

Clerk O'Brien: "House Bill 1004, a Bill for an Act creating the East St. Louis Depressed Areas Land Use and Community Development Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions relating to Amendment #1."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Younge, amends House Bill 1004..."

Speaker McPike: "Representative Younge, Amendment #2."

Younge: "Thank you, Mr. Speaker. The thrust of Amendment #2 is to update the times that the Board of Directors of this new agency would be appointed by the Governor. So, it's just a technical Amendment changing 1986 to 1987 - 1987 to 1988 and 1988 to 1989, and I move for the adoption of the Amendment."

Speaker McPike: "The Lady has moved for the adoption of Amendment #2. Is there any discussion? Gentleman from Cook, Representative Piel."

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

Speaker McPike: "Proceed."

Piel: "Why do all of these terms need to be extended when the Bill hasn't even been signed yet?" You're extending all the terms of the appointees, and it hasn't even gone into effect."

Younge: "The point is to make the times of the appointments change from 1985 to 1986. It's to move back all of the appointment dates."

Piel: "I heard exactly what you said, Representative, but you haven't answered my question. Why do you want to extend all the appointments when the thing hasn't even been enacted into legislation. None of the appointees have even been made, and now you're extending their terms already."

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

123rd Legislative Day

May 23, 1984

Why?"

Younger: "Well, I would like the appointments to start at the.. in 1986 and '87 and '88."

Piel: "You still haven't answered my question. I will try and ask the question one more time. Why are you trying to extend all the appointments?"

Younger: "Well, I believe that the people who would be appointed on the Board are people who have to be searched for, and it takes a little longer for the Governor to act than in January '85. And I want the dates moved back until the dates that I have recommended, and I move for the adoption of the Amendment."

Piel: "I give up."

Speaker McPike: "Further discussion? Gentleman from Cook, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker McPike: "She will."

Leverenz: "The Amendment would extend the appointments for what?"

Younger: "The Amendment... The Bill, as it is written right now, says that the two designate members would serve until January 1985, and these people have not been appointed yet. And I'm changing it to say that they would serve until January 1986 and a like change in each of the successive appointments so that there would be a full term."

Leverenz: "And what would a full term be? This... How long... How many years would a full term be?"

Younger: "A full term..."

Leverenz: "Two years, four years, six years, eight years."

Younger: "The full term... Their successors shall be appointed to serve for a four year term. And the original appointments were until specific days and a specific year, and I'm moving the time to make the... from the time of the appointment to a specific date for the original

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

123rd Legislative Day

May 23, 1984

appointments, Representative Leverenz."

Leverenz: "And that's because you're dealing with the Bill this year instead of last year."

Younge: "That's correct."

Leverenz: "Thank you."

Speaker McPike: "Further discussion? Being none, the Lady from St. Clair, to close, Representative Younge."

Younge: "Thank you, very much, do to the time of the passage of this Bill being moved from last year to this year I am making the time for the appointments of the original people for one year and a specific date. And so, therefore, the date that the appointment will end on will have to be moved from 1985 to 1986 for there to be a four year appointment, and I ask for the passage of this Amendment based on that basis."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Younge, amends House Bill 1004 on page seven and line three."

Speaker McPike: "Representative Younge, Amendment #3."

Younge: "Thank you, Mr. Speaker and Members of the House. The Amendment #3 would have the affect to give this authority the power, not only to issue revenue bonds, but to issue general obligation bonds based on the obligation... general obligation of the Authority. So, the Amendment writes into various places in the Bill the authority... the grant of power to issue revenue bonds and general obligation bonds. The authority in reference to the general obligation bonds specify that in no event will the bonds become the moral or real or legal obligation of the State of Illinois, and that is written in very carefully."

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

123rd Legislative Day

May 23, 1984

I move for the adoption of the Amendment."

Speaker McPike: "The Lady has moved for the adoption of Amendment #3. Is there any discussion? Gentleman from Cook, Representative Piel. Representative Matijevich in the Chair."

Piel: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Matijevich: "She indicates she will. Proceed."

Piel: "Representative, can you give us some idea of what this is going to cost the taxpayers in that area?"

Younger: "The Authority would have no power to tax so that there will be no tax to the taxpayers of that area. The intent to merely that the Authority not only can issue revenue bonds based on the revenues of a specific project, but also it would have the authority to issue general obligation bonds. That would mean that if there are grants from the Federal Government or if there are other revenues that are accumulated over the years, this Authority would be able to make more economically feasible various housing or other kinds of projects that it would be developing. So, it would have no tax consequences. It's just more of the assets of the corporation would be available to back up any development that the Authority would be interested in."

Piel: "You stated that... Alright. Let me ask another question. If this... If this Amendment were adopted, which bonds would have precedence?"

Younger: "Which bonds would have precedence?"

Piel: "Correct."

Younger: "If there is a default in reference to a revenue bond, the assets of a particular project would be at issue and would cover the deficit. If we're talking about general obligation bonds, then the assets of the Authority would be at issue. So, precedent.... that's the only way I can

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

123rd Legislative Day

May 23, 1984

answer that question, Representative Piel. It's the... It's the different assets. I don't believe that the assets of the Authority would be available in reference to revenue bonds that cover a specific project, as you know."

Piel: "Okay. Let's say that they issue general obligation bonds on a 50/50 matching basis. Where would the 50 percent from the Authority come from?"

Younger: "It would come from the grants from the Federal Government or any kinds of assets that the Authority would have."

Piel: "No, that wasn't the question. The question was, if the grant from the Federal Government was on a 50/50 matching basis, where would the 50 percent from the Authority come from?"

Younger: "It could possibly come from block grants given to it by the city. It could come from a motor fuel tax given at a local level. It could come from the assistance of the Illinois Housing Development Authority. I believe that the Illinois House Development Authority, as it has in the past, will continue to assist in housing development, but it could come from any of the sources of assets of the particular Authority."

Piel: "Okay. Then let's get back to my very first question. You said this was not going to cost the taxpayers of the State of Illinois or the taxpayers of that district any money. Who do you think pays for motor fuel tax? Who do think pays the taxes that... where IHDA gets their money? These are the taxpayers of your district and the taxpayers of the State of Illinois."

Younger: "What I meant in my answer, Representative Piel, was that there would be no new requests for any taxes. For example, motor fuel tax, as you know, is already allocated to municipalities. Your municipality or my municipality might

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

123rd Legislative Day

May 23, 1984

have two of three hundred thousand dollars already available for motor fuel tax. If, in reference to a particular project, let's say there was a need to put sewers in and the local municipality decided that it wished to participate in the development by putting the sewers in with motor fuel tax, this could happen. My answer to your question was on the basis of no new taxes. I'm talking about the possible... I have to speculate, because you've asked me a hypothetical question, and the answer to that question has to be from the resources that are available from any of the government. I didn't mean that... that... I only meant that there would be no request for new taxes."

Piel: "What I'm saying is if you pass this, and, first of all, I don't think... I think you're putting the cart before the horse here. You've got the revenue bonds. Now you're wanting general obligation bonds besides the revenue bonds, and there is a possibility the taxpayers in that area could be picking up these general obligation bonds; because, if you don't have the revenues coming in to pay for these general obligation bonds - because if you've already got revenue bonds that they're paying on - now you've got general obligation bonds. If they don't have the money, either one of two things. Either the Authority collapses and you have to sell all the assets, or you have to start taxing the people. And, Mr. Speaker, on the Amendment, I would ask for a Roll Call on this, and I would ask the Members to be very careful before they vote 'yes' on this Amendment. Because I think she's putting the cart before the horse. I think she should have introduced it as the revenue bonds and then, if somewhere down the line she needed general obligation bonds for the this Authority, then to go with that. But at the present time, I would ask for a 'no' vote on Amendment #3."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "Representative Younge, to close."

Younge: "Thank you, Mr. Speaker and Members of the House. This Amendment has been very careful to be worded that the general obligation bonds that are being asked for here would be the bonds of the Authority, not the bonds of the city, not the bonds of the state, not the bonds of the Federal Government, but that this Authority is asking for a grant in power that its Board could use to obligate the assets of the corporation should it choose to do so in particular projects. We know that there are generally two types of bonds. One is a revenue bond which is already in the Bill, which means that the... a particular project would resolve the debt of a project from the assets of that project; that the revenues coming in from that project. In addition, a general obligation bond of the Authority would mean if there were other assets that were available to the Authority, it would be able to use those assets in order to put together feasible projects. This has got nothing to do with taxing people, which usually has to do with referendums and cities. This has only to do with giving this Authority the power to include general obligation bonds. I will say to you that this Amendment has been drafted by Mr. John Glenn, the attorney for the Illinois Housing Development Authority. And for this local corporation to have the tools needed to develop housing in my area, I need both... I need this Amendment put into this Bill. And I ask you on those basis to please vote 'yes', vote 'aye'."

Speaker Matijevich: "Representative Younge has moved for the adoption of Amendment #3. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 26 'ayes', 52 'nays', 5 answering

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

123rd Legislative Day

May 23, 1984

'present', and the Amendment #3 fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Has the fiscal note been filed? Mr. Clerk."

Clerk O'Brien: "Fiscal note is filed."

Speaker Matijevich: "Third Reading. We're going to pick up two Bills on Second Reading to read the Bills a second time. House Bill 2334. Leave of the House, House Bill 2334, Madigan. Clerk will read the Bill."

Clerk O'Brien: "House Bill 2334, a Bill for an Act in relation to the municipal mental health and developmental disabilities programs and services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "The Bill will be held on Second. House Bill 3073, Madigan. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill...House Bill 3073, a Bill for an Act to amend Sections of the Coal Mining Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Bill be held on Second Reading. House Bill 3108, Madigan. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 3108, a Bill for an Act to amend the Illinois Development and Finance Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Bill will be held on Second. House Bill 3130, Giorgi. Is the Gentleman ready? Out of the record. 3138, Currie. Out of the record. House Bill 3146, Kirkland. Out of the record. 3162, Bullock. Clerk will read the Bill."

Clerk O'Brien: "House Bill 3162, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Matijevich: "Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #2, Bullock - White - Braun and

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

123rd Legislative Day

May 23, 1984

Bowman, amends House Bill 3162 as amended with reference to the page and line numbers of House Amendment #1 and so forth."

Speaker Matijevich: "Representative Bullock."

Bullock: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 to House Bill 3162 essentially puts before the Assembly the question of a six percent cost of living increase for public aid recipients effective July 1 of '84. A six percent cost of living increase, I sub... recommend to this Assembly, is reasonable. It's long overdue. We understand that the indigent of our state have not received any type of consideration in the last four years. And I would suggest, Mr. Speaker and Ladies and Gentlemen of the Assembly, that the time has now come for us to face this issue and to put forth the recommended number of votes to adopt Amendment #2, and these funds would come out of the Fund set aside for the Lottery. I would like to say at this time, Mr. Speaker, that this Amendment is, in fact, the Bill."

Speaker Matijevich: "Representative Bullock has moved for the adoption of Amendment #2. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I rise in opposition to the Gentleman's Amendment, and I do so because we're dealing with an issue that I believe is the fundamental state budgetary issue. Really, it comes down to the fundamental value question for this General Assembly. The primary competitors for funding in the General Revenue Fund are welfare and education. Now, we all know that it's necessary to provide at least some minimal level of welfare, and we all know that it's necessary to provide at least some minimal level of state support for education. But year after year after year we

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

123rd Legislative Day

May 23, 1984

have to make a fundamental choice as to whether we're going to put money into education or whether we're going to put money into welfare in this state. Over the past 15 years, we have been putting money into welfare. If you look back on 1970, Fiscal Year 1970, you will discover that at that point, the state was expending approximately 24 percent of the General Revenue Fund on welfare. And if you look at last year's budget, the state was up to 34 percent on welfare - ten percent increase in the percentage of the GRF devoted to welfare over that decade. Ladies and Gentlemen, we've got to reverse that trend. If we don't begin reversing that trend, this state is going down the tubes. We have got to begin educating people so that they don't have to go on welfare. Now, the Gentleman's Amendment increases the resources devoted to welfare, and it reduces the resources that can be devoted to education. If the Gentleman's Amendment goes on, we lose the decision made in this House to devote the State Lottery proceeds to the Common School Fund. That is what this is a vote on, whether we're going to put the Lottery money into the Common School Fund or whether we're going to begin increasing, again, the amount of money for welfare. I would urge a 'no' vote on the Gentleman's Amendment, because we ought to be putting that money into education. We ought to be putting it back into the common schools so that we can break the vicious welfare cycle that's beginning to exist in this state. I urge a 'no' vote on the Amendment."

Speaker Matijevich: "Representative Topinka."

Topinka: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Amendment, somewhat for the same reasons that Representative Vinson has brought up. I find it interesting when I meet with my school superintendents,

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

123rd Legislative Day

May 23, 1984

and they meet with other Representatives; and, in this election year posture, everybody proceeds to tell these school superintendents and tell the teachers that they are going to have money, that we do have a commitment to education, and then we proceed to nickel and dime the very method by which educational monies were promised to schools in general - the Lottery. And I think if we continue to Mickey Mouse with the Lottery, we're, you know, making an open declaration to the public at large that, you know, education isn't our number one priority, as we are wont to say as we go about these making these great election year campaign speeches. Consistently, the public keeps coming back to us, 'Do we have this commitment to education?' If we pass this kind of an Amendment, I think we've answered that message very finally and said, 'No, it is not a high priority. We'd rather keep people in dependency rather than educate them to get off the rolls.' And I do stand in opposition."

Speaker Matijevich: "Representative Gordon Ropp."

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

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

Ropp: "Representative, did you indicate that all of the funds from the Lottery would go into this increase?"

Bullock: "Representative Ropp, I did exactly the opposite, and the Amendment has been on the Members' desks, and I suggest that several of them take the opportunity to read it. The proposition before us says that the State Common School Fund and - a conjunction, and, - for the proceeds of the cost of living increase. We are, in no way, taking all of the funds from the Common School Fund for this proposition. And, unfortunately, the previous speakers either did not read the Amendment or chose to intentionally distort the truth."

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

123rd Legislative Day

May 23, 1984

Ropp: "Well, I don't intend to distort the truth. I just... I think there is a real question that we are... we get ourselves wrapped up in the fact that we think the Lottery is the answer to all things, and there may be a time in the future, as there has been in the past, when that Lottery wasn't making very much money. And I'd hate to think that any program that the state would be funding would base a lot of its future based on the outcome of the Lottery. So, I think it's not a good move to state that either education or public aid or anything other thing should be based on Lottery monies; that those monies ought to go into the General Revenue Fund and then we allocate them according to the best of our judgement."

Speaker Matijevich: "Representative Bullock, to close."

Bullock: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I find it quite interesting, and I'm sure some of my colleagues do, that we have now come up with innovative financing to provide a cost of living increase to the needy of our state consistent with the Governor's budget message of March 7th when our Governor stated that the issue of granting a public aid recipient a cost of living increase should be addressed as quickly as possible. And that's what Amendment #2 attempts to do. It attempts to address the issue as quickly as possible without any increase in state tax increase or state tax revenue. The Lottery is, in fact, the fourth largest growth revenue source in the State of Illinois. In the third quarter of this year or the third quarter, we find that the Lottery receipts exceed FY '83 by 110 million dollars. It is anticipated that Lottery receipts this year, gross, will approach almost a billion dollars. The real fact of the matter is that the Department of Public Aid annually must compute its standard of need for the indigent. And I cite, for your

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

123rd Legislative Day

May 23, 1984

consideration, Ladies and Gentlemen of the House, that in 1983, the General Assembly grant for a single family was 144 dollars. The standard of need, as calculated by the Department, was 243 dollars per month. In 1984, that grant level will be 144, but the standard of need has gone up to 286 dollars a month. We talk about balancing the budget. The Governor has asked for a 9.6 percent increase for his servants at the Governor's Mansion. The Governor has asked for an increase for the head of his departments. Some of us, and I certainly am one of those and prepared to vote for a salary increase for the Members of this Chamber, but I don't see how we can in good conscience address the Governor's servants, address the Governor's department heads and all of the other quirks that we send through this Body and not now take a humane position on a cost of living increase for the needy of our state. And for the record, we find in Rock Island, Moline and Joliet, in Rockford, East St. Louis and Peoria, that the public aid caseloads in the last year are at increase 2.5 percent in those downstate communities. There are a lot of poor people in Illinois. They're crying out for help. We must show compassion, and I urge an 'aye' vote on Amendment #2."

Speaker Matijevich: "Representative Bullock has moved for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'nos' have it. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third... Third Reading. What's up, Mr. Bullock?"

Bullock: "Mr. Speaker, even though the mic wasn't on, and I'm a pretty 'precipherous' individual, I did request a Roll Call."

Speaker Matijevich: "I'm sorry, Larry. You're light wasn't on."

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

123rd Legislative Day

May 23, 1984

We went by that."

Bullock: "Well, I was just extending to you a courtesy without yelling, but I did request and I do demand a Roll Call on the proposition. And I did the best that I could without being..."

Speaker Matijevich: "I heard Sam yelling, too, and I didn't recognize him either. You notice that? I went... House Bill... Representative Braun."

Braun: "Thank... Thank you, Mr. Speaker. My light was on, and I was prepared to explain my vote pursuant to a Roll Call. Representative Bullock had requested a Roll Call. Had I been recognized, I would have also requested a Roll Call. I don't think it's inappropriate for the Chair to allow for a Roll Call at this time on this very important issue."

Speaker Matijevich: "Alright. We'll... We're past that. You want to come up here, and I'll discuss it with you, Representative Braun. House Bill 3174, Hower. Out of the record. House Bill 3193. I moved it to Third, yes. What? Turn Representative Bullock. I can't hear him."

Bullock: "Well, I'd like to be somewhat respectful of the Chair, since it is from my side of the aisle, but I want to say personally that I think that you have abused me as a Member of this House, and I resent it very much."

Speaker Matijevich: "Well, I've yet to abuse anybody in this House. House Bill 3193, Currie. Read the Bill."

Clerk O'Brien: "House Bill 3193, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Currie, amends House Bill 3193 on page one, line one by deleting and amend Section 3 of and so forth."

Speaker Matijevich: "The Lady from Cook, Representative Currie."

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

123rd Legislative Day

May 23, 1984

Currie: "Thank you, Mr. Speaker. Leave to withdraw Amendment #1, please."

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

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

Speaker Matijevich: "The Lady from Cook, Representative Currie, on Amendment #2."

Currie: "Leave to withdraw Amendment 2 as well, please."

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

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

Currie: "Thank you, Mr. Speaker, Members of the House. I move adoption of Amendment #3 to House Bill 3193. It provides for a ground water study of ... in the State of Illinois through the Environmental... the Department of Energy and Natural Resources."

Speaker Matijevich: "The Lady has moved for the adoption of Amendment #3. Is there any discussion? Seeing none, all in favor say 'aye', opposed 'nay'. And Amendment #3 is adopted. Further Amendments?"

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

Currie: "Thank you, Mr. Speaker and Members of the House. I move for the adoption of Amendment 4 to House Bill 3193. This Amendment provides for a degree of hazard study in the Department of Energy and Natural Resources of hazardous wastes produced in the State of Illinois."

Speaker Matijevich: "The Lady 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: "Is there a request for a fiscal note, Mr. Clerk?"

Clerk Leone: "A fiscal note as amended is filed."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "Third Reading. House Bill 3194, Currie.
Clerk will read the Bill."

Clerk O'Brien: "House Bill 3194, a Bill for an Act to amend the
Environmental Protection Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Matijevich: "The... Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Koehler, amends House Bill
3194 on page two by inserting immediately after line 24 the
following: Section 2."

Speaker Matijevich: "The Lady from Marshall, Representative
Koehler, on Amendment #1."

Koehler: "Thank you, Mr. Speaker. I move to withdraw Amendment
#1."

Speaker Matijevich: "The Lady asks leave to withdraw Amendment
#1. Does she have leave? Leave, and Amendment #1 is
withdrawn. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Currie, amends House Bill
3194..."

Speaker Matijevich: "The Lady from Cook, Representative Currie,
on Amendment #2."

Currie: "Thank you, Mr. Speaker, leave to withdraw Amendment 2."

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

Clerk O'Brien: "Floor Amendment #3, Currie, amends House Bill
3194..."

Speaker Matijevich: "Lady from Cook, Representative Currie, on
Amendment #3."

Currie: "Thank you, Mr. Speaker and Members of the House.
Amendment 3 to House Bill 3194 brings several hazardous
substances under the provisions of the requirement that
economically reasonable, in fact, logically feasible
alternatives are not available for landfill of these items
before July 1st, 1985."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "The Lady has moved..."

Currie: "I move for the adoption of Amendment 3."

Speaker Matijevich: "... 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: "Fiscal note has not been filed. The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker. My understanding was that the individual who filed the fiscal note intended to withdraw it, since there are no fiscal implications in the Amendment which now becomes the Bill."

Speaker Matijevich: "Mr. Clerk, who filed the note? We'll... We will have to research that upstairs, unless Judy Koehler... Judy Koehler is going to enlighten us."

Currie: "It's Representative Koehler... Yes, she's the person who filed the fiscal note."

Speaker Matijevich: "Alright. Representative Koehler."

Koehler: "Mr. Speaker, I move to withdraw the fiscal note."

Speaker Matijevich: "The Lady asks leave to withdraw the fiscal note request. Leave. There being no fiscal note request, Third Reading. House Bill 3195. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 3195, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Currie - McPike, amends House Bill 3195 on page one by deleting..."

Speaker Matijevich: "The Lady from Cook, Representative Currie, on Amendment #1."

Currie: "Thank you, Mr. Speaker and Members of the House. I move adoption of Amendment 1 to House Bill 3195. It provides

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

123rd Legislative Day

May 23, 1984

financial responsibility requirements for haulers of hazardous waste."

Speaker Matijevich: "Representative Currie moves for the adoption of Amendment #1. The Gentleman from Cook, Representative Piel."

Piel: "Question. Has this Amendment been printed and distributed?"

Speaker Matijevich: "Yes, it has."

Piel: "Because we don't have it over here."

Speaker Matijevich: "The Lady 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: "The fiscal note has not been filed. Is that a Koehler note? The Lady from Marshall, Representative Koehler, asks leave to withdraw the fiscal note request. Leave. There being no fiscal note request on the Bill, Third Reading. House Bill 3218, Greiman. Clerk, read the Bill. Out of the record. Oh. Read the Bill. I'm going to read it and hold it."

Clerk O'Brien: "House Bill 3218, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Bill will be held on Second. Be at ease for one moment. Leave to return to House Bill 3073. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 3073, a Bill for an Act to amend Sections of the Coal Mining Act. Second Reading of the Bill. This Bill has been read a second time previously."

Speaker Matijevich: "Amendments..."

Clerk O'Brien: "Amendment #1 was tabled."

Speaker Matijevich: "The Gentleman from Franklin, Representative Rea, for what purpose do you rise?"

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

123rd Legislative Day

May 23, 1984

Rea: "There's a second Amendment."

Speaker Matijevich: "I see. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Rea - Madigan, amends House Bill 3073 on page one by deleting the title and so forth."

Speaker Matijevich: "Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. Amendment #2 is an agreed Amendment. As I mentioned yesterday that there was still some question in one area. This clarifies it now by adding that, in this Section, that nothing shall be interpreted to prohibit the use of compressed air as an explosive in any underground coal mine in addition to not issuing any additional permits for the... for the use of diesel on underground coal mines until January 1st, 1986 at which time the Department of Public Health will make a study to determine the health and safety of the minors. This is agreed upon by the ... by the Coal Association, by the UMWA, by the Governor's Office, and I would... this is... Certainly, coal is a very valuable resource to this state, and we want to see things move along in a progressive way. And I would ask for the approval of this Amendment."

Speaker Matijevich: "Representative Rea has moved for the adoption of Amendment #2. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I believe that the Gentleman's Amendment is an improvement on the Bill and would urge its adoption."

Speaker Matijevich: "Representative Rea 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: "Is there a fiscal note? The Bill be held on

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

123rd Legislative Day

May 23, 1984

Second. Oh. Representative Vinson, for what purpose do you rise?"

Vinson: "Did you announce that there's a fiscal note?"

Speaker Matijevich: "There was a request, and there's no fiscal note."

Vinson: "Am I the author of the request?"

Speaker Matijevich: "Probably. We'll check."

Vinson: "I would withdraw it."

Speaker Matijevich: "Leave to withdraw the fiscal note. Leave. There being no fiscal note request, Third Reading. We went by House Bill 3062, Ewing. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 3062, a Bill for an Act to amend an Act relating to tax collection and enforcement. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Giorgi, amends House Bill 3062 on page 14 and so forth."

Speaker Matijevich: "Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I'd like to withdraw Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2, Giorgi - Capparelli."

Giorgi: "Mr. Speaker, Amendment #2 maintains the status quo, and it doesn't do anything to the Bill, except it allows the rules and regulations that are now in the law to continue on. There's an agreement on both sides of the aisle on this Amendment."

Speaker Matijevich: "Gentleman moves 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, Ewing."

Speaker Matijevich: "Representative Ewing, on Amendment 3."

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

123rd Legislative Day

May 23, 1984

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment deals with a major component of the Bill and has been worked out with the Illinois Retail Merchants' Association. It is, I think, agreed on both sides of the aisle, and it does provide for changes in the collection of sales tax liability and the estimated payments. It provides for, after December 31st, 1986, that taxpayers can offset overpayments against what they owe the state. It clarifies penalties under the State Sales Tax Act and applies some of these penalties for failure to collect taxes to resalers of motor fuel, as currently exists under other parts of the Retail Sales Act. And I would be glad to answer any questions or; otherwise, I would appreciate a favorable Roll Call."

Speaker Matijeich: "Representative Ewing has moved for the adoption of Amendment #2. All in favor say 'aye', opposed 'nay', and Amendment #... Amendment 3, rather - Amendment #3. All in favor say 'aye', all opposed 'nay'. Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijeich: "Third Reading. House Bill 3229, out of the record. House Bill 3231, Cullerton. Read the Bill."

Clerk O'Brien: "House Bill 3231, a Bill for an Act to amend Sections of the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Matijeich: "The Bill will be held on Second Reading. House Bill 3253, White. Read the Bill."

Clerk O'Brien: "House Bill 3253, a Bill for an Act to amend Sections of an Act to prohibit solitation or inducement in sale of purchase of real estate on the basis of race, color, religion, national origin, ancestry, creed, handicap or sex. Second Reading of the Bill. No Committee Amendments."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "The Bill will be held on Second Reading. The hour of 9:30 having... had arrived, we are now on the Special Order of Business for Wednesday, May 22 - Criminal Law. The first Bill is House Bill 1546, Jaffe - Curran, on page eight of your Calendar. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1546, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Aaron Jaffe."

Jaffe: "Mr. Speaker and Members of the House, this Bill was debated, I think, quite extensively yesterday. This basically is a Bill that deals with some of the child care abuses that have occurred in the last few years and solves some of the problems. Just to tell you what the Bill does at the present time, it adds three new grounds for revocation or refusal to renew licenses of child care facilities. Those reasons are failure to prohibit employees who are subjects of indicated child abuse or a neglect report from being on site at the facility. It requires the facilities to discharge employees who are subject of indicative reports that they have direct contact for children. This may not include maintenance or administrative staff whose duties do not involve direct contact. It also adds a ground of failure to exercise reasonable care in the hiring, training, supervision of personnel who are subject of an indicated abuse in a neglect report and, thirdly, failure to report abuse or neglect of children within a licensed facility. Further, it permits disclosure of identifying information to child care facilities with respect to employees who are subjects of indicated abuse and neglect reports to enable compliance with these restrictions on their direct access to the

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

123rd Legislative Day

May 23, 1984

children and to the facility. It also requires DCFS to prepare a consumer guide and a brochure to the day care center which includes information about detection and reporting of child abuse and neglect. This guide must be distributed to all child care facilities, even if they're specifically exempted from licensure. Fourthly, it requires DCFS licensure personnel to interview parents and consumers in the conduct of the inspections, review of facilities and to assess the quality of care. And it expands the existing authority of the Department of Children and Family Services to develop programs to prevent child sexual abuse and exploitation, to respond to victims of such abuse and to educate the DCFS staff and other professionals who may have contact with children about the detection, reporting and response to... to such abuse. In addition, it also keeps part of the main Bill, and the part of the main Bill says that there has to be a criminal check on day care people with regard to convictions and convictions only. Prior to this time, it was the investigations with regard to all facets of charges and so on and so forth. We have now limited that only to criminal conviction checks. That's what the Bill is about. I would be happy to answer any questions."

Speaker Matijevich: "Representative Jaffe has moved for the passage of House Bill 1546. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I find it somewhat amusing that we've slipped over here onto Third Readings, and Representative Jaffe is so quietly mumbling his way along on this Bill. I feel relatively confident that nobody realizes that we're dealing with a very important issue here and that this is final action. And I just want to alert the Membership of

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

123rd Legislative Day

May 23, 1984

the chamber that we're not dealing with an Amendment or a little issue. We're dealing with a big one. The... The fundamental problem with Representative Jaffe's Bill is not its intent or its purpose or its desire, it's the mechanics that it chooses to embrace to accomplish its purpose. What he would require is a law enforcement check on the background of day care center workers. Now, I have no fundamental problem with checking into the backgrounds of anybody in sensitive jobs, and I do think that these people are in sensitive jobs. I do not raise any matter of civil liberties here whatsoever. The issue that I am concerned about is that you can't hire these people until the background check is done. And those background checks take one to three months to complete. That will leave the day care operator who has to hire a new employee because somebody has suddenly quit, and you know there's no law that requires existing employees to give notice. They can walk off the job today and just announce they're not coming back tomorrow or maybe not even tell you. And that leaves a day care operator in the position of having to hire somebody to take care of those kids. And if he has to wait one to three months for a law enforcement background check to occur, then that day care center operator is in the position for where for one to three months where those kids can't be taken care of. It is simply an impossible, practical task to deal with and, for that reason, should be rejected in this form. Now, the second problem with the issue - and this one is not one that if we could find a way to solve the first problem, I would object to - the second problem is there is not a million dollars in the budget that it will cost DCFS to administer this program. And I would raise the question whether the appropriate allocation of resources would be a million dollars for this or a

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

123rd Legislative Day

May 23, 1984

million dollars into better procurement of day care services, a variety of other things that the agency could use. The fundamental problem, though, is that if you impose on the day care operator that background search requirement of one to three months, it's going to mean that he simply can't hire anybody to fill vacancies and, therefore, to provide services to the kids. I would urge a 'no' vote on the Bill."

Speaker Matijevich: "The Lady from DuPage, Representative Karpziel."

Karpziel: "Yes, thank you, Mr. Speaker. I just want to stand and reiterate and enforce what Representative Vinson just said. I had introduced a Bill very similar to this the beginning of the Session; and, after talking to people in child care that do run child care facilities in this state, I realized just how burdensome this requirement of having to fingerprint and do a check on all employees would be. My daughter works in this field. She is a preschool teacher in a child care facility. And talking to not only her, but other people that are in the industry, I realize that just what Representative Vinson has said is true. There is a high turnover in this industry of teachers; and, if every time someone quit and they had to replace that person and had to wait a month or three months for a check to be done, it would just be absolutely onerous and just really almost debilitating to the whole industry to have to do that every time a new employee is hired. So, I think that unless that portion is amended out, which is what I was going to do with my Bill - I was going to amend out the part for the employees and keep in only the licensee having to have the check. But I think unless that and the employees are amended out of this Bill, I just don't see any way that we should vote for it. If you care about child care

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

123rd Legislative Day

May 23, 1984

facilities in the State of Illinois, you care about the industry, and I think it's an important industry and becoming more important as more and more women are working, I think that you should vote 'no' on this Bill."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must take exception to the statements of the last speaker that the requirements in this Bill are burdensome. I think the sexual abuse of children is more than burdensome if you weigh the elements. It is important that we do something about this to prevent a repeat of the kinds of situations that we have been seeing where children are being abused in day care facilities. Unfortunately, I have some friends who had a child in the day care facility on the north side of Chicago where the problem arose, and we need the kinds of protections, the kinds of checks that this legislation will provide. Yes, there may be some technical problems with the Bill, but those can be cleaned up in the Senate. I think when you weigh the importance of guaranteeing to the parents that their child are in a safe, a humane, a good environment being taught by qualified day care people, their children are the most important things to the parents. And we must pass this legislation to restore confidence."

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

Jaffe: "Yes, Mr. Speaker, I think there's been some misinformation that's come out of DeWitt County again, basically. First of all, what the Bill mandates is, it mandates a check for criminal convictions. If you have a situation where... it's a current situation where you have up to 18 once, you can make that type of check in one day."

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

There, unfortunately, have been involved... Department uses two different types of checks. Now, they use an FBI check and they use a law enforcement check. And all of a sudden we're running into all sorts of administrative games, because now law enforcement is charging DCFS money to make these checks. And I think they charge them about four or five dollars. And so I think that's part of the cost that Representative Vinson is talking about. There is a cost that goes to the FBI. There's no question about it, but that's only, I would say that's probably about two-thirds of the cost. The other cost goes to law enforcement. But it doesn't take three months. It doesn't take that period of time at all. I think that's completely and totally misleading. The big question is, 'Are we going to do anything about abuse in day care centers in this particular state?' It seems to me that this is the only vehicle that we have at the present time. It's a good step forward and will clean up most of the abuses that we have in the area. I would certainly urge an 'aye' vote on this Bill, and I think it is a good piece of legislation."

Speaker Matijevich: "Representative Jaffe has moved for the passage of House Bill 1546. Question is, 'Shall House Bill 1546 pass?' Those in favor signify by voting 'aye', those opposed by voting... 1546. Those in favor vote 'aye', those opposed vote 'no'. Representative Shaw, one minute to explain his vote. Oh, no. Strike that. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 72 'ayes', 37 'nays', 6 answering 'present'. House Bill 1546, having received a Constitutional Majority, is hereby declared passed. On page eight of your Calendar on the Special Order of Criminal Law appears House Bill 2186. This Bill has been added onto the list by agreement on both sides. The Lady

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

123rd Legislative Day

May 23, 1984

from Cook, Representative Braun. The Clerk will read the Bill. House Bill 2186."

Clerk O'Brien: "House Bill 2186, a Bill for an Act to amend an Act to create the Capital Punishment Study Committee. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want you to take a serious look at this Bill, even though it, in some regards, is swimming upstream in the current environment in this House. In England, there would be... the British Royal Commission had established... was established to look at and study the death penalty issue. We... This Bill seeks to do something in that regard... the same thing in that regard. We are... This Bill does not address the question whether one is for or against the death penalty. It has nothing to do with that. What it will simply do is allow for the impanelment of a blue ribbon group to examine the issue, to take information from across the state and to make its report and recommendations to the Illinois General Assembly. I would ask that Representative Cullerton... Representative Cullerton had said that he wanted to speak to this issue; but, in any event, the Commission will consider the issue of capital punishment. It will provide an opportunity, particularly for the religious community, to have some... some forum, some platform to address this issue, and I encourage your support."

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 2186. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I rise in opposition to this Bill. I believe that this Bill is probably the most important vote of principle that you

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

123rd Legislative Day

May 23, 1984

will cast in this Session of the General Assembly. What the Sponsor seeks is a review of the death penalty. Well, Mr. Speaker and Members, we need no review of the death penalty. What we need to do is begin using the death penalty. We need to get those people off of death row and move them through the process. And we don't need any Commission to begin investigating the process. The death penalty will work if we will use it, and that's what we ought to do, and we ought to reject this Bill overwhelmingly as an attempt, a thinly veiled attack on the death penalty, something that this society needs to protect itself against the forces of lawlessness."

Speaker Matijevich: "The Gentleman from Will, Representative Jack Davis."

Davis: "The dark and evil forces of lawlessness. I don't know what the Sponsor intends with this study. It's been studied to death, with no pun intended, Representative Braun. The people of this state overwhelmingly endorse and have the death penalty. Where are you going with it? What do you want to study it for? Obviously, to throw some more road blocks into the way of getting about the work of the people and the mandate of the people. And I, too, rise in opposition. I can't be as eloquent as Representative Vinson this morning, because he said it all. But, truthfully, you won't get many votes on this, Representative Braun, and you should not get many votes on this. Almost eight years ago now, we passed capital punishment, a Bill that has stood the test throughout the court systems of this land. And one of these days, we're going to get about it. And, yes, if it's retribution, then it's retribution. And society's retribution is a necessity as a deterrent to crime, in my opinion. And I don't think you're going anywhere with this. I don't know what your

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

123rd Legislative Day

May 23, 1984

statement is. I'm sure you'll tell us in closing; but, in the meantime, I think everyone should vote 'no' and should do it resoundingly at this time."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill. I'm... Unfortunately, I missed the comments of Representative Vinson, but I assume that what he tried to do was to say that this was a referendum, this Bill was a referendum on the death penalty, and it certainly isn't. We carefully amended the Bill in the Judiciary Committee to make sure that it... We even changed the name from a Commission to a Committee to make sure people knew it wasn't a Commission that was going to spend a lot of money. And we made it clear that this was not a study with a preordained conclusion that we were opposed to the death penalty. I've had conversations with people who are in favor of the death penalty who are concerned about why it takes so long for the death penalty to be... for the person who has been convicted to be executed. This is something which can be looked at by this Committee. There's the big question of the use of lethal injections that we could... certainly could be considered by the Committee. It's something that the Judiciary Committee, in my opinion, would not have enough time to look at, just in the course of a normal Legislative Session. The Committee is not set up to have a preordained conclusion. The Committee is set up to utilize for, at no cost to the taxpayers, advice from people from throughout the state who are knowledgeable about the death penalty. I don't see why everyone is so afraid to look at the issue. Perhaps some conclusions can be drawn that will be helpful for those of you who are in favor of the

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

123rd Legislative Day

May 23, 1984

death penalty to make it even more effective, to make it instant, to make it less likely to have the death penalty be found unconstitutional. So, if you want to vote against the death penalty, have somebody put the Bill in, and then you can vote against the death penalty. But that's not what this Bill does. I think it should be passed."

Speaker Matijevich: "Gentleman from Marion, Representative Friedrich. Dwight Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Matijevich: "She indicates she will. Proceed."

Friedrich: "Do you consider this subject a partisan matter?"

Braun: "No, Sir."

Friedrich: "Then why did you load up the Committee with Democrats as opposed to Republicans? I thought this... we had study commissions around here. We put them equal at both Parties. But you, for some reason, decided to give the Majority Party the advantage here."

Braun: "No, Sir. The Committee and the Bill calls upon the Governor to appoint... Wait. I've got to find the..."

Friedrich: "Mine says two by the President of the Senate and one by the Minority Leader of the Senate, two by the Speaker of the House and one by the Minority Leader. Now, if that's fair, I don't understand it."

Braun: "Fifteen members. No, no. Fifteen members, ten of whom are appointed by the General Assembly and five by the Governor. So, the Governor would have the largest block and then the others... the other ten are divided between the... nine of the fifteen will be Republicans, given the appointments by the... by the Minority Leader in the Senate and in the House."

Friedrich: "I... I'm not sure the Governor would appoint all Republicans. He's pretty broad-minded sometimes. The other... I would like to respond to Representative

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

123rd Legislative Day

May 23, 1984

Cullerton's remark that this wouldn't cost the taxpayers a dime. I don't know where the money to pay the expenses are coming from, but I thought the taxpayers paid the expense money around here."

Braun: "If that's a question, Representative Friedrich, and I'm glad you raised it, because there is no money. And I've committed before the Committee when we heard this Bill in Committee. I have no intentions of seeking funding for this Commission. This will simply provide the religious community an opportunity to impanel a blue ribbon Commission, like the British Royal Commission was impaneled on this subject, to have... to shed some light on it. We cannot... I used the line before in conversation in debate, the mind, like a parachute, only functions when it's open, and we have never, in this state, had an opportunity to have the kind of testimony, to have the kind of hearing, to have the kind of bringing together of information about the operation of the death penalty that one would think would be warranted before this General Assembly takes action in such an important area. We still do not, in this state, have, before this Legislature, at least, have a... any compilation of statistics, any compilation of figures on who's on death row, how many people we are looking to get rid of or how much it costs. There's been no comparative analysis of the cost of incarceration for someone's life versus the cost of.. the costs of the lethal injection, for example. So, it would give, again, particularly the religious community, an opportunity to have some forum to input, with the General Assembly, in this very important area. And it's not a partisan issue, nor is it even a death penalty issue. Whether or not you're for or against the death penalty is really quite irrelevant to the proposal of this legislation."

STATE OF ILLINOIS
63RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Friedrich: "Mr. Speaker, just a... short remarks. I think the real goal here is to abolish the death penalty, and I... of course, I'm very much opposed to that. As far as getting information, the Department of Corrections can give you a run down of everybody that's on death row, what crime they committed, how long they've been there, all the reviews they've had. They can also tell you what it costs to give the lethal injection. We don't have to have a study Commission to get that. This is public information that's available to Representative Braun or anybody else."

Speaker Matijevich: "Gentleman from Cook, Representative McAuliffe. Roger McAuliffe."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I don't think we need to study this problem any longer. We've got people sitting on death row, such as a gentleman from my district, John Wayne Gacy, who would make the best argument in the world for the death penalty. And as far as appointing members to the... to the Committee, I'd vote for it if they'd appoint the widows of the police officers who were killed in Chicago in the last two years. I've gone to nine wakes of police officers in Chicago, and all those fellows that did the murdering are sitting on death row waiting to be executed. We ought to get on with the business of executing them and forget about this Committee."

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

Braun: "Thank you. In keeping with Representative McAuliffe's reaction and remarks, this Bill does not have anything to do with the moratorium. Executions will proceed under the law, such as we have already passed it in this state. Executions will not be affected at all. Again, we have never... We've proceeded on this issue. It's one of the

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

123rd Legislative Day

May 23, 1984

most important issues we've ever dealt with in this Illinois General Assembly, and yet we have never, to date, had a forum for the sharing of information. And that's all that this legislation provides for. I suggest to you again, whether you are for or against the death penalty is irrelevant to this... to this Bill. Whether you want to see executions proceed or stop is also irrelevant. The ex... The law is already in place, and the executions as are scheduled will continue to proceed in any event. This simply provides for a forum. I would like to point out also that some 20 religious denominations in the United States have... have undertaken to look at this issue. This legislation would allow for those religious denominations to come together, again, as appointed by the Governor and the Leaders in the Legislature, to come together and share information. I encourage your support for House Bill 2186."

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 2186. Question is, 'Shall House Bill 2186 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Rich Brummer, one minute to explain his vote."

Brummer: "Yes, thank you, Mr. Chairman (sic - Speaker). Maybe this Committee will recommend that we have the death penalty for more offenses. Maybe this Committee will tell us why we have had the death penalty for six or seven or eight years and nobody has been executed. This is a very important issue. There are no costs. I simply do not understand the concern of those opposed to examining the death penalty. It is a very important issue, and I think we ought to pass this Bill to establish this Committee to examine this issue in detail and report back to the General Assembly. And I would urge 'aye' votes."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "Representative Brookins, one minute to explain his vote."

Brookins: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I rise in support of this Bill. I believe that punishment is a deterrent to crime. I believe in the death penalty. I know that it will work, but it ain't going to work if we have people sitting over there for ten years and not use it. I think that this Bill will give us an opportunity to find out how we can implement the death penalty and speed it up. So, with that, I think that we should give a 'yes' vote to this."

Speaker Matijevich: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 31 'ayes', 70 'nays', 6 answering 'present'. House Bill 2186, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2211, Greiman. The Clerk will read the Bill. I don't see him. Representative Greiman in the chamber? Representative Greiman in the chamber? Wait. Before we get to that, Representative Tate has his light on. Gentleman from Macon, Representative Tate, Mike Tate, for what purpose do you rise?"

Tate: "Yes, Mr. Speaker, I'd like to ask leave of the House to place House Bill 3100 on Interim Study. And I also would like to make an announcement on behalf of the Department of Conservation to remind all the Members that at the Mansion today at 4:30... from 4:30 to 6:00 all the sportsmen's groups and the Representatives and Senators are invited for a little pre-party before the picnic at Conservation World at the Fairgrounds. Thank you."

Speaker Matijevich: "The Gentleman asks leave to table House Bill 3100. Does he have leave? Leave... I mean Interim Study. I'm sorry. Interim... Leave to place House Bill 3100 in

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

123rd Legislative Day

May 23, 1984

Interim Study. Does he have leave? And House Bill 3100 is in Interim Study. The... 2211 is being held. The Sponsor has indicated that he has an Amendment being prepared. House Bill 2775, Madigan - Capparelli. Clerk will read the Bill. 2775."

Clerk Leone: "House Bill 2775, a Bill for an Act concerning the efforts of law enforcement agencies in locating lost, missing and runaway children. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Ralph Capparelli, on House Bill 2775."

Capparelli: "Mr. Speaker, House Bill 2775 creates the Intergovernmental Missing Child Recovery Act of 1984. The Act requires the Department of Law Enforcement to establish and administrate a computerized network which would receive, organize and communicate information of missing children in a statewide eye search program. Amendment 3 amended Amendment #1 to refine missing child to any person 20 years of age, and this corresponds with the age definition of a minor in the Juvenile Act, Chapter 37, paragraph 701-13. It deletes the requirement that law enforcement agencies furnish information on shelter commonly used, runaway children and photographs. This elimination of the reporting of fingerprints and photographs takes away the DLE's fiscal objection of the Bill, and the technicology needed for this is not available at the present time. And I'd ask for a favorable Roll Call."

Speaker Matijevich: "Representative Capparelli has moved for the passage of House Bill 2775. There being no discussion, the question is, 'Shall House Bill 2775 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. This question there are 113 'ayes', 1 'nay'."

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

123rd Legislative Day

May 23, 1984

And House Bill 2775, having received the Constitutional Majority, is hereby declared passed. Pedersen 'aye'. 'Aye'. Leave to record. He made a mistake on his button. Leave to record Pedersen as 'aye'. The Gentleman from Cook, Representative Cullerton, for what purpose do you rise?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that the Special Order of Business - Criminal Law, be continued until Thursday, May 24th, 1984 at the hour of 12:00 noon."

Speaker Matijevich: "Gentleman asks leave and the use of the Attendance Roll Call that the Special Order of Business - Criminal Law, be extended to tomorrow, Thursday, May 24th at noon. Does he have leave? Leave, and the Special Order is extended. We are now on the Order of Special Order of Business - Labor and Business, and the first Bill on that Call is House Bill 1302, Hannig."

Cullerton: "Turn me off."

Speaker Matijevich: "Clerk will read the Bill. House Bill 1302."

Clerk Leone: "House Bill 1302, a Bill for an Act to add Sections to the Coal Mining Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Macoupin, Representative Hannig, on House Bill 1302."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. House Bill 1302 is a Bill that's agreed to by the United Mine Workers and the Coal Operators. The Bill is a very simple Bill, and it would provide that a coal mining... a coal miner or his... their representative may accompany the inspector during the inspection and suffer no loss of pay. This is the way that the process is run at the federal level when a federal inspector comes to the mine. A representative of the United Mine Workers can accompany him, can speak with him, can point out things to him and is

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

123rd Legislative Day

May 23, 1984

not expected to do that with no pay. We are now asking that that be done with a state inspector comes to the mine. The coal mine operators believe that that is fair. They have agreed to it, and I know of no opposition to this Bill. I would move for its passage."

Speaker Matijevich: "Representative Hannig has moved for the passage of House Bill 1302. Representative Mays, Jeff Mays."

Mays: "Thank you very much, Mr. Speaker. Will the Gentleman yield for a question or two? In my analysis, I have some comments regarding some other things that might have been included in the Bill. This is an agreed to Bill we have right here? You don't have anything in here about a moritorium on permits for diesel-driven equipment or anything like that?"

Hannig: "No. Representative Mays, Amendment #1 struck everything after the enacting clause and then it became the Bill. So, all the provisions of the original Bill have now been deleted, and this Amendment is the Bill. And it is agreed to and has no provisions about diesels."

Mays: "Okay. And this Amendment then deals exclusively with mine safety inspections. Is that correct?"

Hannig: "That's correct. The walk-around provisions."

Mays: "And in these mine safety inspections, a member of the UMW has to accompany the safety inspector on each of these inspections?"

Hannig: "The language is 'may', but the thrust of the Bill is that when he does accompany the inspector, he will still receive his pay from the company."

Mays: "How many mines do we have in the... Illinois that are... You know, what's the union/non-union breakdown in the State of Illinois in terms of workers in the mines?"

Hannig: "I really do not know."

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

123rd Legislative Day

May 23, 1984

Mays: "Will the UMW inspector be able to go on a non-union mine for the inspection and stuff like that, or could they have a non-union employee of that mine going on that mine?"

Hannig: "The... The individual who accompanied this individual would be probably an individual who works in that mine and is on their safety committee. So, it would be a member from that mine."

Mays: "Regardless of whether it's a UMW or not. It could be a ... If it's a non-union mine, a non-union employee of that mine could go on these safety inspections with the inspector. Is that correct?"

Hannig: "'Shall notify the representative and the miners that there is to be an inspection.' Yes, one of the miners' representatives may elect to accompany the inspector. Now, that's the language of the Bill."

Mays: "Okay. So, it does not have to be UMW at that mine site."

Hannig: "That's correct. Although the Bill is proposed by the United Mine Workers, it would have the affect of being applicable to all mines."

Mays: "Alright. Thank you very much. To the Bill. I have no special problems with the Bill with that... with those points clarified and appreciate the work that Mr. Hannig has done on this to bring all parties together."

Speaker Matijevich: "Question is, 'Shall House Bill 1302 pass?' 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 98 'ayes', 4 'nays' and House Bill 130... 4 'nays'. Mulcahey 'aye'. Mulcahey 'aye'. Jaffe wishes to be recorded 'aye'. There are 100 'ayes', 4 'nays', and House Bill 1302, having received the Constitutional Majority, is hereby declared passed. House Bill 1348, Brummer - Piel. Clerk will read the Bill."

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

123rd Legislative Day

May 23, 1984

Clerk Leone: "House Bill 1348, a Bill for an Act in relationship to occupation and use taxes on certain machinery and equipment. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Effingham, Representative Brunner."

Brunner: "Yes, thank you, Mr. Speaker, Members of the House. 1348 removes the requirement that the... Let me back up. A number of years ago we passed an exemption with regard to sales tax on manufacturing equipment in Illinois. As part of that requirement, there was a requirement that a certificate be filed with the Department of Revenue regarding the... the exemption. This Bill simply removes the requirement to file that certificate if the purchaser has a sales tax number. They would simply provide that sales tax number to the... to the supplier, and the... they would not be required to file the certificate. The filing of the certificate has become a rather onerous task. I think, in Committee, for example, we had testimony that Caterpillar was filing 5000 certificates per month with the Department of Revenue. Everyone concedes that this really does not enhance the auditing function at all with regard to the filing of these certificates. It seems to me a needless waste of paper. It is a Bill that was requested by the State Chamber of Commerce and is supported by the Illinois Manufacturers' Association. The Department of Revenue is opposed to this, but I really... I guess never did fully understand their reasons for the opposition. When we really went through the testimony with regard to their opposition, it seemed to me the only potentially valid reason for opposition by the Department of Revenue is that they could at least say what the certificate... I mean, what the exemption costs per year. This, of course, does not change the actual cost of the certificate... or

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

123rd Legislative Day

May 23, 1984

the exemption, I'm sorry, but it enables them, at the end of the year, to say, 'Well, as a result of this exemption of sales tax on manufacturing equipment, there was a loss of revenue to the State of Illinois of X number of dollars'. Ironically, this is the very area where the Department provided erroneous information a number of years ago when they were indicating, if memory serves me correctly, that this exemption costs a hundred million dollars a year. The exemption, I think, more accurately is about 10 million dollars a year. In any event, we are not expanding the exemption at all. We are simply removing the requirement of filing the certificate in the instances I indicated, and I would be glad to respond to any questions."

Speaker Matijevich: "Representative Brummer has moved for the passage of House Bill 1348. There being no discussion, the question is, 'Shall House Bill 1348 pass?' Those in favor signify by voting 'aye, opposed by voting 'no'. Have all voted? Have all voted who wish? McAuliffe 'aye'. Clerk will take the record. On this question there are 111 'ayes', no 'nays', and House Bill 1348, having received the Constitutional Majority, is hereby declared passed. House Bill 1474, Steczo - Davis. Clerk will read the Bill."

Clerk Leone: "House Bill 1474, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Terry Steczo, on House Bill 1474."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1474 is an exact duplicate of House Bill 1473, which was approved by the General Assembly nearly unanimously last... last Session, was vetoed by the Governor and unanimously overridden in the House. Unfortunately, was... that action was not concurred with in the Senate. What

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

123rd Legislative Day

May 23, 1984

House Bill 1474 does is, addresses the whole question of unitary taxation and provides that any corporation whose payroll factor exceeds 250 percent of its property and sales factor may elect to exclude the payroll factor. This is a Bill to address a problem of some corporations that were, I think, unduly harmed by the unitary agreement that was passed by this General Assembly two years ago. It provides that they can exclude the payroll factor provided that 250... there's a 250 percent of the average payroll is... applicable to the particular formula and also provides that - should this exemption be taken - that it has to be taken for a period of ten years. So, one of the questions that we had heard last Session was that, would a company be able to jump from one... just one formula to another depending on how it relates to their particular interests in a given year. This provides that once that election is taken, it has to be taken for each of ten years. The fairness in House Bill 74 (sic - 1474) suggests that the Illinois Unitary Law, as it presently stands, really discriminates against employer intensive industries... employee intensive industries. So, what this Bill hopefully will do, will increase the attractiveness to the State of Illinois for those corporations having a large number of employees, and I think that's something in our best interests. I think House Bill 1474 is fair. The cost to the state is minimal, and I would be glad to answer any questions and ask the House for the support of House Bill 1474."

Speaker Matijeovich: "Representative Steczo has moved for the passage of House Bill 1474. The Gentleman from DeWitt County, Representative Sam Vinson."

Vinson: "Thank you, Mr. Speaker. I rise in support of House Bill 1474. I believe the Gentleman has accurately described it."

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

123rd Legislative Day

May 23, 1984

I believe that it is a Bill which, at a very minimal revenue cost, will result in the... in Illinois retaining a substantial number of jobs. I believe it is an appropriate adjustment in the... in our esteem of unitary taxation, and I believe that everybody ought to be voting in favor of it."

Speaker Matijevich: "Gentleman from Lee, Representative Myron Olson."

Olson: "Will the Sponsor yield?"

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

Olson: "Representative Steczo, you recalled the battle on 2588 here two years ago at this time. Is it fair to assume that the major components of that fight, the Caterpillars and the Continental Banks and the rest, the John Deeres, have signed off on this measure and are in support and agreement?"

Speaker Matijevich: "Representative Steczo."

Steczko: "Representative Olson, those corporations that signed off on House Bill 2588 a few years ago really would not be impacted by this Bill. This Bill impacts those corporations that actually had some difficulty and were, in a sense, discriminated against because they happened to have a large number of employees in the State of Illinois. So, this makes an adjustment to that. It allows those corporations to elect, for a ten year period, to be excluded from that payroll factor if the percentage of employees that they have, as opposed to the other two factors, exceeds 250 percent. So, we've made that standard high enough to involve only those... those companies that have an extreme amount of employees. We've kept the cost as minimal as possible. So, we've tried to do everything to work the compromise so that it's... so that the Illinois business climate becomes even more attractive while still

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

123rd Legislative Day

May 23, 1984

not providing an undue burden to the state in terms of...
in terms of the cost factor."

Olson: "To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Olson: "I rise in support of this measure. Illinois has moved to
the forefront as being a place for multi-national and
domestic corporations to do business because of our unitary
tax factor, as opposed to what's happened in Florida and
California. I would urge an 'aye' vote."

Speaker Matijevich: "The Gentleman from Winnebago, Representative
John Hallock."

Hallock: "Thank you. Will the Sponsor yield for a question?"

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

Hallock: "The payroll factor that's included in this Bill, once
that's incorporated then, is that a permanent process, or
can that be done on a semi-annual basis or an annual basis?
What kind of decision is made on that issue?"

Steczo: "Representative Hallock, House Bill 1474 calls for the
same kind of provision that we had had in House Bill 1473
last year. Once a corporation elects to exclude the
payroll factor, that is an election that must be taken for
a period of ten years. So, it's not a... it's not a
situation where they can change their status every year or
semi-annually or what have you. That election must be
taken for ten years."

Hallock: "Well then, are we going to find that many corporations
may make that decision and then want to recant that and
come before the Department of Revenue seeking a waiver? Is
that situation going to arise?"

Steczo: "There's no such provision for a waiver in... in the
Bill. I think what it does, it forces the corporations to
take a good, hard look and not to just, you know, simply at
a whim, elect to take this factor. So, they would have to

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

123rd Legislative Day

May 23, 1984

look at projections over a period of years and say, "This factor is going to benefit us. This provision is going to benefit us. So, therefore, we will choose to opt for it."

Hallock: "Thank you. Mr. Speaker, to the Bill. I believe the Bill advances a very good idea to a very complex problem. We've debated this issue many times in the last couple years, and I believe there's no real good solution. However, this does go a step towards reaching what I think is equity for all concerned. I urge a 'yes' vote."

Speaker Matijevich: "Gentleman from Lake, Representative Pierce."

Pierce: "Will the Gentleman yield to a question?"

Speaker Matijevich: "He indicates he will."

Pierce: "Now, this Bill affects nonresidents. Is that right?"

Steczo: "Nonresidents?"

Pierce: "Yeah. Isn't that what it's aimed at - the allocation? It doesn't affect residents of Illinois, does it?"

Steczo: "Well, it affects those corporations in Illinois that..."

Pierce: "Are incorporated."

Steczo: "... have a basis in Illinois, but their tax liability is based on what they do nationwide, domestically."

Pierce: "Yeah. Yeah, unitary. Now, is Standard Oil of Indiana one of those companies?"

Steczo: "Yes, they are."

Pierce: "Are they in support or opposition of the Bill?"

Steczo: "They're in support."

Pierce: "They're in support of the Bill? Did they pay any taxes in the State of Illinois last year under the present law?"

Steczo: "Representative Pierce..."

Pierce: "Any income taxes?"

Steczo: "... it's my under... I don't have access to their tax records, but it's my understanding that they have."

Pierce: "You're sure of that? Okay..."

Steczo: "The word that I have is that they have."

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

123rd Legislative Day

May 23, 1984

Pierce: "Now, under this Bill, under your Bill, which they favor, they won't pay any state income tax to Illinois. Is that what they're in favor of?"

Steczo: "They will pay state income taxes but based on the exclusion of the payroll factor. The way the tax is computed now is based on sales, property and payroll. Because a corporation would qualify for the 250 percent exemption, their tax liability would be based on the payroll fact of the sales factor and the property factor. I think, Representative Pierce, that..."

Pierce: "In other words, they're not owing nothing. Is that right? When you're through.."

Steczo: "... the... Pardon?"

Pierce: "When you get through with all these factors, they'll come out owing nothing to Illinois for income tax? Is that correct?"

Steczo: "No, I think that their liability would be reduced minimally."

Pierce: "To about zero."

Steczo: "No. No, that's not my intent."

Pierce: "A hundred dollars, 200 dollars. How much will they owe?"

Steczo: "My understanding is somewhere in the neighborhood of about five and a half million."

Pierce: "Next year they're going to owe that in state income tax under your Bill?"

Steczo: "That's my understanding."

Pierce: "In income tax. Okay. Is this the company that threatened, unless we passed this Bill, that they're going to move their building and their company down to Texas or somewhere?"

Steczo: "Well, Representative Pierce, about the building, I'm not sure they would have a barge big enough to float it down

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

123rd Legislative Day

May 23, 1984

the canal or the lake, but there had been some discussions that the new chief executive officer or what have you has been looking. Certainly this would enhance Illinois... Illinois to them, as well as the other companies that are affected."

Pierce: "Alright. On the Bill, I'm going to support this Bill. What this Bill shows is that we're subject to threats, and we react to threats. When Standard Oil of Indiana threatens us and says we're going to move to Texas or somewhere else, we don't say, 'Can I have the moving contract on the Standard Oil building downtown'. I think that would be a hell of a building to move. We don't say that. We say, 'What can we do for you to make sure that you don't pay very much Illinois income tax, because we're for a nice business climate? So, creating Chicago business will give us a nice write up in the newspaper.' And... And I say we should be consistent. We did this last year. The threat is still there. And in order to keep one of the ten major, if not one of the five major, oil companies in the United States headquartered in Chicago - they don't refine... they don't refine one gallon of oil in Illinois. We know that. That don't have any refineries here. But in order to keep their headquarters here and all those nice officials here and their wives here, spending money at our stores, I think it's important that we pass this Bill. And I succumb to the threat and will support the Bill."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an issue that certainly we've debated in this House many, many times and over a large parameter of issues and viewpoints. I think this is probably one of the master strokes in the final unitary portrait of the State

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

123rd Legislative Day

May 23, 1984

of Illinois. We are sitting in this state at this time, in a very good unitary situation, certainly much more favorable than Florida and some of the other states, Minnesota, New York, that have adopted the unitary package. This is a good piece of legislation, and I ask for your favorable support."

Speaker Matijevich: "Representative Steczo has moved for the passage of House Bill 1474. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 103 'ayes', 1 'nay', 1 answering 'present', and House Bill 1474, having received a Constitutional Majority, is hereby declared passed. House Bill 1859, Braun. Is Carol Braun here? Here she is. Clerk will read the Bill."

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

Speaker Matijevich: "The Lady from Cook, Representative Carol Braun, on House Bill 1859."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill clarifies that an action under federal law, under FEELA, may be maintained in any county in Illinois in which personal jurisdiction of the defendant exists. There's been some controversy over the proper forum for FEELA cases with the Illinois Supreme Court setting forth guidelines in a recent case for the acceptance or rejection of such cases on grounds of forum nonconvenience. This Bill simply states that all of Illinois may be considered a proper forum if the facts and circumstances of the case so indicate. I encourage your support."

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 1859. On that, the Gentleman from

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

123rd Legislative Day

May 23, 1984

DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Bill. This is a different formulation of a Bill that was before us last year. I think that was House Bill 1602. And the purpose of both of those Bills and the purpose of 1859, in particular, is to restrict the application of the Doctrine of Forum Nonconvenience in the case of 'Jones Act' and FELA cases. There's been a trend in the last few years to seek to bring cases in various counties in Illinois where the connection to Illinois has been remote or nonexistent. That has raised issues of whether or not Illinois was a proper forum under this common law Doctrine of Forum Nonconvenience. That Doctrine has been applied in some of these cases to not allow the case to go forward in Illinois or in these particular counties. The arguments last Session we heard was that we don't want to have a trial on a case and then, only on appeal, find out that it was an improper forum for the trial. Well, that's not a fair argument, because interlocutory appeal is allowed on these matters. It's allowed under Supreme Court Rule 306. So, we're not talking about a case where a person picks a forum at his risk and only after a trial gets reversed. That just isn't the case here. This is really a matter of public policy, and the public policy is, do we want the courts to continue to supervise themselves and pick forums that are convenient for both sides, not just plaintiffs, not just defendants? So, this is nothing more than House Bill 1802. It's just another formulation of it. It's just an improper restriction, I submit, on the Doctrine, and I suggest that we beat this Bill."

Speaker Matijeovich: "Representative Carol Braun, to close. Representative Vinson has his light on now. I missed that."

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

123rd Legislative Day

May 23, 1984

We'd better back up. Representative Vinson, the Gentleman from DeWitt."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1859. In my judgement, there are several fundamental flaws in the Bill. The first and the most important is the very principle of the issue. Our Supreme Court has adopted a fair rule that fairly benefits all of the parties to litigation. All the rule requires is that you try a case in the most convenient forum to all of the parties and all of the witnesses in the litigation. That's all the Supreme Court's asking for. Now, what the unfortunate situation is is that the Lady's Bill would suggest that that ought not be the standard for where you try litigation, not in the most convenient forum. She wants to require that you have the litigation in one specific county of the state, and I don't believe that's necessary. I don't believe that's appropriate. I could be for a proper resolution of this problem, and I do understand there are forums in this state which are unfair for one party or the other. But I don't believe that that requires that we create a situation where we insist that all of these cases be held in one particular county, which is unfair for one of the other parties. So, I would urge a 'no' vote on the Bill."

Speaker Matijevich: "Representative Braun, to close."

Braun: "Thank you, Mr. Speaker. The Bill itself says that the action may be commenced in any county. This Bill will simply allow for an Illinois resident to file his suit in any of the 102 counties of this state, to have that lawsuit heard by an Illinois Judge. It simply allows for Illinois residents to have the option of trying cases, when appropriate, in the county of their choice in this state. And I encourage your support."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 1859. Those in favor shall vote 'aye', those opposed vote 'no'. Have all voted? The Gentleman from Champaign, Representative Johnson, one minute to explain his vote."

Johnson: "I... Probably some of these arguments have been covered before, and I don't mean to be redundant, but I think there's some aspects of trying an FELA case or a similar case that probably people don't realize. If you have an injured person with his doctors and with his witnesses, with his employer and so forth all in one area - Madison or St. Clair County as an example - and then you have to go by the whims of where an accident happened on forum nonconvenience and try it somewhere else. There's certain risks of doing business. There's certain aspects of the venue statute that I think are important, and I think the trial process and the fairness to an injured person would dictate that our courts have gone too far in transferring cases, turning around verdicts long after a case has been tried and really work an injustice to injured people. I think there's a lot of practical aspects of trying a case that don't make this a forum-shopping aspect and make this a very productive, healthy Bill that serve not only interests of the injured people, but also injured... the interests of legitimate businesses in Illinois. I think it's a good Bill, and I urge a 'yes' vote."

Speaker Matijevich: "Gentleman from Cook, Representative Cullerton, a minute to explain his vote. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have been the Sponsor of a similar Bill that passed the House, which I think it passed more than once, last year. I think that the opponents to the Bill

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

123rd Legislative Day

May 23, 1984

have concentrated on the arguments given to them by railroad companies and perhaps insurance companies and that people have not focused on the fact that what we're really talking about is injured parties. And the opposition is really based on opposition to the idea of venue, which we... If they want to change that, they should put a Bill in to change it. But I think this is something which is not as radical as people would like to make it, and I'd appreciate your support."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is a very simple issue. We have a law that works pretty well in this state now in regard to finding a forum for our court hearings. If we want to increase our costs, if we want our insurance costs to go up, if we want costs of business to go up, if we want this to be a plaintiff's world, as far as bringing lawsuits, then we should all be green on this Bill. Otherwise, we should be 'no', because the law in Illinois doesn't need changing, unless you believe in increasing these costs or if you want to vote for the plaintiffs' lawyers in this state."

Speaker Matijevich: "Just one moment. Representative Davis, one minute to explain his vote."

Davis: "I don't want to explain my vote."

Speaker Matijevich: "No? Alright. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 63 'ayes', 46 'nays', 5 answering 'present'. House Bill 1859, having received the Constitutional Majority, is hereby declared passed. House Bill 2373, Madigan - Daniels - Preston. Clerk will read the Bill."

Clerk Leone: "House Bill 2373, a Bill for an Act to amend the law

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

123rd Legislative Day

May 23, 1984

concerning documents and papers of the Industrial Commission. Third Reading of the Bill."

Speaker Matijevich: "Out of the record. House Bill 2423, Rea - Hannig. The Clerk will read the Bill."

Clerk Leone: "House Bill 2423, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Franklin, Representative Rea, on House Bill 2423. Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 2423 is probably the most important coal Bill that we will deal with during this legislative Session. This Bill has one simple purpose, and that is to protect the coal industry and the jobs of 15,000 coal miners from being put to death by acid rain legislation. Even though most Illinois coal has a high sulfur content, it can be used if two things happen, and both of these are addressed in this Bill. The Bill presents two income tax credits in the area of the use of Illinois coal for research and for pollution control equipment, an amount equal to 20% of expenditures during a taxable year for coal research sponsored and approved by the Illinois Coal Research Board and an amount equal to 5% of expenditures during a taxable year on equipment purchased for increasing the use of Illinois coal in a facility owned or operated by the corporation. This will definitely provide an incentive for the use of Illinois coal, and it is needed in order to persuade the utilities and industries to burn high sulfur Illinois coal with modern technologies and get rid of the sulfur. This Bill is supported by the Coal Association, by UMWA, by the various utilities, and it's one that certainly will help Illinois utilize one of our most valuable resources which has come at a time that will not only protect but create additional jobs and provide additional revenues to the

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

123rd Legislative Day

May 23, 1984

State of Illinois. I ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 2423. On that, the Gentleman from Lee, Representative Myron Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. Just last week, Illinois entertained the Canadians in the Acid Rain Conference. Eight Members of this House, six Members of the Senate spent two days with them on this very significant subject. We realize that there might be some opposition from certain quarters relative to this tax credit. It's important for the industry of this state and for the ecology of this nation that we get on with doing what we have to do to get rid of the SO(2) deposits; therefore, I would urge a positive vote."

Speaker Matijevich: "The Gentleman from DuPage, Representative Gene Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. Will the Gentleman yield to a question?"

Speaker Matijevich: "He indicates he will."

Hoffman: "What is the fiscal impact on the... on the state?"

Speaker Matijevich: "Representative Jim Rea."

Rea: "First of all, I'd prefer not to answer the question, since my lunch is here. But secondly, according to the Economic and Fiscal Commission, I might say that they... say that there will be... that they... this will give additional incentives for the use of Illinois coal to the degree that these incentives increase Illinois production and the revenue losses resulting from the credits would be partially, if not largely, offset by revenue gains from increased mine employment and production, plus the fact that your additional research that would be done would bring in additional federal monies, and you would probably

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

123rd Legislative Day

May 23, 1984

receive 10 dollars for every one that would add additional monies here. So I'd say in over a period of time that we would gain rather than having any loss whatsoever."

Hoffman: "Well, this would appear to be something different than the information that I have in terms of... of what... using past history, and looking at what the tax credits would be would be somewhere in the neighborhood of 10 million dollars, and if you convert that to a tax deduction, you're talking somewhere in the neighborhood of... of a quarter million dollars. Did that make sense?"

Rea: "No."

Hoffman: "Alright. Thank you very much for your candid response to my... to my inquiry, starting from your initial statement and following straight through to the conclusion of your rather lucid explanation and response to my... my query. I would suggest to the Members of this Body, with all due respect to comments made by the Representative from Lee, that as we move into the last weeks of this legislative Session we're going to be voting on appropriations. We're looking at trying to match those appropriations where... with the resources that we have to recognize that we have a short-term problem as well as the long term to which this Bill is addressed, and I would suggest that we give careful consideration to voting in favor of this legislation for that reason. We need to have the resources if we are to manage the expenses that are before us, and so for that reason, I stand in opposition to this legislation."

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

Piel: "Thank you, Mr. Speaker, will the Gentleman yield for a question, please?"

Speaker Matijevich: "He indicates he will."

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

123rd Legislative Day

May 23, 1984

Piel: "Representative Rea, there's a couple of things. First of all, why do we have such a late date on the Sunset provision on this? I notice we have a 1995 Sunset provision on this."

Rea: "That's correct. 1995 because it does take a while for installation and for the research and development, and if we don't have it developed at that time for the use of Illinois coal, then we probably never will have."

Piel: "Okay. I notice that the credit here is... Now is this just newly purchased equipment that would use... for use of Illinois coal, or would this be present equipment they have also?"

Rea: "Not equipment already there, but it could be used or new equipment as long as it's a purchase of equipment for that purpose, and in the Bill, there's an Amendment that clearly defines that it must be for the pollution control equipment and not for other types of equipment."

Piel: "Because, you know, maybe I'm misunderstanding what you're saying, but according to our analysis, this would be present equipment as well as future equipment, I mean, if they were to work on present equipment for use of Illinois coal."

Rea: "It would be... It would not be present equipment. It would be new equipment or different equipment to what is already there."

Piel: "Maybe I could ask you one more question, then we'll stop. I notice the Farm Bureau, the Municipal League, the Department of Revenue are all opposed to this. Could you explain to me why the Municipal League and the Farm Bureau are against this?"

Rea: "I... I don't know because they did not talk to me about it. I can't understand why they would be. I would think they would be in support of it because of the benefits it would

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

provide. For instance, the benefits to the... to the state's economy of a one time tax credit of, say, 500,000 dollars for such a system can be measured in permanent jobs, say, for instance, about 40, and in saved unemployment compensation or welfare payments and state income taxes paid by job holders about 35,000 a year, or in the money put into the economy at least a million and a half per year for the coal purchased and easily two and a half million by that time the money has been spent and recirculated. This money would be spent in Illinois and would replace an even larger amount that would otherwise leave the state to pay for fuel purchases from out of this state. So I would think that if they really looked at the Bill, if they really understood what was here, that they would come out in support of it. I would think they would be in support of those goals and objectives."

Piel: "Is there a loss of revenue to local government? Do you think that's the reason they're possibly against it?"

Rea: "No."

Piel: "You're offering a tax credit and there is no loss of revenue to local government? Is that what you said?"

Rea: "No, because this will be made up, as I pointed out earlier, through the other benefits."

Piel: "No further questions. Thank you."

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

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

Speaker Matijevich: "Yes. Proceed."

Hastert: "Does this relate exclusively to Illinois coal or the research that's being done? Can it be done with coal from Kentucky, or coal from Wyoming or coal from Montana?"

Speaker Matijevich: "Representative Rea."

Rea: "This... Any of these projects would have to be approved by

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

123rd Legislative Day

May 23, 1984

the Coal Research Board, and those would be, of course, they would be the facilities within the State of Illinois, and naturally... and also it says... the corporations of Illinois coal utilization, which are already utilizing Illinois coal. There... I don't know that there would be any other from outside the state."

Hastert: "But isn't it true, Representative, that most, not most, but a great deal of the coal we use outside or in this state comes from outside of the State of Illinois. As a matter of fact, it's coal that we already pay a coal severance tax on in Wyoming and Montana and are funding their local governments. That's true. Right? And any benefit that we would accrue here would accrue also there. Is that not correct?"

Rea: "Well, most of the coal that comes in here, you're talking about probably over 20,000,000 tons a year, that is... that comes into Illinois is burned and utilized here of low sulfur. There's not hardly any high sulfur coal that comes into the State of Illinois. It's all practically low sulfur, and with this here Bill, this would help eliminate bringing... transporting coal into Illinois and would be an incentive to utilize Illinois coal."

Hastert: "Thank you, Representative. Mr. Speaker, to the Bill, please."

Speaker Matijevich: "Proceed."

Hastert: "You know, Representative Rea and I have stood up and gone round and round on this basic concept many times, both in Committee in Revenue where this Bill went out not with an overwhelming majority and both... and also on this House floor. One of the things, Ladies and Gentlemen, you have to remember that we're talking about a tax credit for industry, a tax credit which is... means that you take the dollars right off the top of any income made, that the tax

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

123rd Legislative Day

May 23, 1984

credit that these companies already receive environmental protection credits on their property taxes, also on their income taxes. It's a tax credit against the Illinois income tax that they already receive a credit federally for this same type of research. So what we're doing, even though I was on the mine trip with Representative... the fine Representative from Lee County, and I understand the problems, but we're setting a precedent here. We're setting a precedent where we give tax credits to Illinois industry. This case, it's a 20% tax credit. We could probably extend that to any other industry in Illinois whether it's farming, gasohol, petroleum exploration, milk, when you want to put, you know, extra ingredients in milk and all types of tax credits for anybody doing... doing research. I think it's a very bad precedent at a time when we're on a very tight budget in this state, at a time when we're considering whether we're going to raise people's income taxes across the board or we've made a commitment not to do that type of thing. But when we start passing tax credit, industrial and business tax credits, we're saying one thing, that we're going to give some people special breaks and we're going to stick it to the everyday taxpayer, the guy who is back home punching the clock and working in the mines and the factories. And I ask you to vote 'no' on this piece of legislation."

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

Dunn, R.: "Thank you, Mr. Speaker, Members of the House. This would be administered by the Coal Research Board. I was privileged to serve as one of the first members on the Coal Research Board for two years or for a year and a half, and I know that Board to be a responsible Board. They would administer the program, I'm sure, correctly. This Bill is

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

123rd Legislative Day

May 23, 1984

a Bill that has been before us before. Last year, Representative Rea passed the same Bill, or two years ago, and passed the House and passed the Senate. At that time, because of our financial crunch, the Governor did veto it. Then when it came back for override, I think it got 57 votes. So this is not a new idea. It's one that we've supported before. It's a Bill that will increase production of coal. It'll increase revenue to the state. It will bring in more dollars for federal research, and certainly, it's a Bill that's going to stimulate industry and business. And I think that's what this General Assembly has been... not been doing enough of lately. This is opportunity to help out an industry that really needs it, and I'd urge an 'aye' vote. Thank you."

Speaker Matijevich: "Representative Rea to close."

Rea: "Thank you, Mr. Speaker, and as Representative Dunn said, this is an industry that really needs some attention. Coal is a very valuable resource to the State of Illinois, not just to the coal producing areas, but has quite an impact on the total state, and with this legislation, it will help us meet the crisis of the... acid rain legislation at the federal level. It will keep us in... help keep us in business here in the State of Illinois, will provide jobs and at the same time encourage the use of high sulfur coal in an environmentally safe manner. So I would ask for a favorable Roll Call at this time, and we are not discriminating against any type of industry. There has been credits and there has been attention given to other resources of the state, and it's time we do this in terms of coal, especially with the crucial problems that we're facing today. I ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 2423. The question is, 'Shall House Bill

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

2423 pass?' All 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 77 'ayes', 34 'nays', and House Bill 2423, having received the Constitutional Majority, is hereby declared passed. House Bill 2479, on page 10 of your Calendar, Mautino - DiPrima. The Clerk will read the Bill."

Clerk Leone: "House Bill 2479, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

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

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2479 makes the changes in our statute that were already enacted by the federal and state law and their provisions over the past three or four years. The legislation specifically drops a ten year residency requirement which was considered unconstitutional. It deletes the requirement that the Commission report annually to the Governor, because they don't report to the Governor, they report to the Attorney... the Attorney General. We add brokers to the classifications. We extend the right to... the provisions for political and gaming information that was eliminated by the Federal Government. We also have three Amendments on the Bill. One Amendment offered by Representative Giorgi addressed the question of the non-home rule units still having the hearing process over licensure provisions. The second was a technical one in nature, as it pertains to... to the Chicago home rule provisions by Representative Cullerton, which was an agreed Amendment with Representative Vinson, and the third Amendment has to do with the... the proximity of churches within 100 feet to be

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

123rd Legislative Day

May 23, 1984

considered and determined by those home rule units. That's basically what the Bill does, and I'd be happy to answer any questions."

Speaker Matijevich: "Representative Mautino has moved for the passage of House Bill 2479. On that, the Lady from Cook, Representative Pullen, Penny Pullen."

Pullen: "I'd like to ask a question or two, please."

Speaker Matijevich: "Proceed."

Pullen: "Sir, you said something about Amendments that had been adopted, and I wonder whether you would clarify the Amendment concerning liquor license holders being established within 100 feet of a church?"

Mautino: "That was Representative Cullerton's Amendment. It was the provision that said, if you were in business within 100 feet of a church, and you were in business when that church was established there, and your enterprise does more than 51% of their business in nonalcohol related items, you were authorized, if the city so desired, to give you a liquor license. This addresses only hotels, motels, grocery stores and drug stores as the intent of the legislation."

Pullen: "So this Bill still does allow the grandfathering of certain liquor license holders to operate within 100 feet of a church."

Mautino: "Yes. Under the local ordinance. It's 500,000 and above. It has not changed the statewide provision. That was the Amendment that Representative Vinson had a concern about. If Representative Cullerton would like to respond, I would be happy to..."

Pullen: "Do you mean that that provision is restricted to those cities that are 500,000 in population or more?"

Mautino: "That's what the Amendment is, yes."

Pullen: "So that only in cities of 500,000 or more would the grandfather clause be operative?"

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

123rd Legislative Day

May 23, 1984

Mautino: "No, the grandfather clause is operative statewide."

Pullen: "Except in those cities."

Mautino: "Because, first of all, you get your liquor license. Before you get your state license, you have to get a city license. They wanted the controls as it pertains to home rule unit City of Chicago in that Amendment."

Pullen: "I just want to get this straight. Except in the City of Chicago, this Bill would allow the grandfathering of certain liquor license holders to operate within 100 feet of a church. Is that correct?"

Mautino: "They are already grandfathered in statewide. This would allow the City of Chicago to control that licensure. That's what that Amendment did."

Pullen: "Thank you."

Speaker Matijeich: "The Gentleman from Marion, Representative Dwight Friedrich."

Friedrich: "This just applies to Chicago, Representative Mautino?"

Mautino: "That Amendment only applied to cities 500,000 and more."

Friedrich: "Well, does this change the provision? I had a Bill, a couple of... three years ago, to define where the 100 feet starts. Does this change that?"

Mautino: "No, Sir."

Friedrich: "Okay. Well, for the benefit of those who might not know this, this... the 100 feet starts at the building, not the edge of the territory. So if a church owns 40 acres, it doesn't start from there. It starts from the edge of the sanctuary, or the educational building, whatever."

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

Brummer: "Yes, with regard to the issue of allowing liquor licenses within 100 feet of a church, in fact I think it's

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

123rd Legislative Day

May 23, 1984

church, school, veterans' homes, several other categories, it is my understanding that if we pass this, with regard to downstate, now motels, hotels, stores will be able to operate within 100 feet. We will have removed the 100 feet... feet requirement as a state item in downstate."

Mautino: "Downstate is grandfathered in."

Brummer: "Well, under the existing law, anything that was in existence on the effective date of the Act is grandfathered in. Any new facility, as a result of this Amendment, could sell within a 100 feet if they are a motel, hotel, store or whatever. Is that correct?"

Mautino: "True. Correct."

Brummer: "So... So downstate... We are changing the existing law downstate, and we would be allowing facilities to sell within 100 feet of a church if that was not their primary... primary business, if they were a hotel, motel, store, convenience store, that type of thing."

Mautino: "If it is the prerogative of the local liquor control commissioner to issue that license, you're answer is correct."

Brummer: "Well, obviously, the local liquor license commission can make a decision to whether they wanted to issue it or not, but under the existing law there is a flat state prohibition from them being within 100 feet unless they were in existence prior to, I don't know, 1939 or something like that. We're removing that, so that would open this up and allow downstate... would allow a hotel or motel to operate within 100 feet and be issued a liquor license, a new liquor license, within 100 feet if the local unit of government allowed that."

Mautino: "Yes."

Brummer: "That is correct?"

Mautino: "That is correct."

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

123rd Legislative Day

May 23, 1984

Brummer: "So it does have impact downstate. It's not only with regard to Chicago. It has impact downstate."

Mautino: "The prior question addressed only Amendment #... Amendment #3 by Mr. Cullerton. That's what my answer came from."

Brummer: "Okay. But... So that everybody is clear here, this would allow the sale of liquor within 100 feet of a church or school downstate if the local commissioner allowed it. That's correct. Okay. Thank you."

Speaker Matijevich: "The Gentleman from Rock Island, Representative Brunsvold, Joel Brunsvold."

Brunsvold: "Would the Representative yield for a question?"

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

Brunsvold: "Would this... Would this affect convenience 711 type stores that are located near schools that would sell say beer and wine as a... as one of their line of items but their main purpose would be food, you know, convenient type of operation?"

Mautino: "Well, that hasn't changed if they do 51% of their business in nonalcohol related items."

Brunsvold: "Which they do. They would... If they were located within 100 feet of a school, they could go ahead and sell beer and wine in that situation."

Mautino: "If the local liquor commissioner gave them a local liquor license."

Brunsvold: "Thank you."

Speaker Matijevich: "Representative Mautino to close."

Mautino: "Thank you very much. I think everyone knows exactly what this Bill does. I'm sorry if I had a difficult time responding to the Chicago Amendment, but that was the main issue of concern, the 100 foot as it pertains to schools and churches. It is my feeling that at the local level the local commissioners do not allow those issuances of those

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

123rd Legislative Day

May 23, 1984

licensures. I don't think that would change anything. All this legislation does is codify what has been done at the state and federal level in prior years and leave the determination at the local level, and I know of no instances where they have been issuing liquor licenses near schools or churches. And I doubt very much whether this would change the thinking in downstate Illinois, and it does leave the local commissioner in Chicago to their own discretion as it pertains to grandfathering in. And I ask for an 'aye' vote."

Speaker Matijevich: "Representative Mautino has moved for the passage of House Bill 2479. The question is, 'Shall House Bill 2479 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 97 'ayes', 10 'nays', 6 answering 'present'. O'Connell. 'Present' for O'Connell. 97 'ayes', 10 'nays' and 7 voting 'present', and House Bill 2479, having received the Constitutional Majority, is hereby declared passed. House Bill 2836, Panayotovich - Giorgi. Clerk will read the Bill."

Clerk Leone: "House Bill 2836, a Bill for an Act to relieve excessive unemployment in the state by giving preference to the construction of public works and improvements to Illinois laborers. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Panayotovich. Sam Panayotovich on House Bill 2836."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2836 is a Bill designed to give Illinois residents job preference on public construction projects that is funded by tax dollars. It'll create the Illinois Preference Act that will not conflict with the U.S. Constitution. Since 1939, we have had a Preference

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

123rd Legislative Day

May 23, 1984

Act here in the state, and just this past April, the Illinois Supreme Court had found that it was illegal. What we're trying to do with this new Bill and the new Preference Act is, first of all, to have it not violate the U.S. Constitution by making it an Emergency Unemployment Relief Act, that at a certain unemployment level of 5% in two proceeding months, we would have to hire Illinois people to put to work. And I will answer any questions on this Bill."

Speaker Matijevich: "Representative Panayotovitch has moved for the passage of House Bill 2836. On that, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, I know the Sponsor is well intentioned with this Bill in attempting to make sure that more Illinois construction people are employed on public projects, and that's all well and good; however, the Bill itself is fraught with peril in that there's no way that can be implemented to meet the objectives of what the Sponsor intends to do. Let me give you just an example. For example, a number of state contracts, particularly with the Department of Transportation, require work to be done on a bridge, for example, over either, oh, the Mississippi at... where Illinois and Iowa join or at the Wabash or Ohio Rivers, things of that sort. This Bill would prevent the use of workers from both states on these projects. I don't see that as accomplishing what the Sponsor intends to accomplish, and in addition to that, that certain union locals in, say Chicago, or Gary, or East St. Louis or St. Louis and the Quad City Region, for example, they span over portions of two state area. And as a result of this Bill, then you couldn't really authorize or make sure that resident workers were being employed on these projects. I think it would preclude the possibility of developing a

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

123rd Legislative Day

May 23, 1984

working relationship of contractors between the State of Illinois and, say, Iowa, or Kentucky, or Missouri and so forth. So as I stated, although well intentioned, and I understand what his objectives are, I don't think it really will accomplish what he's intending to do; therefore, I plan to vote 'no' on the Bill."

Speaker Matijevich: "The Gentleman from Marion, Representative Dwight Friedrich."

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Well, with the prevailing wage law we've got in Illinois, isn't it a fact that most of the, I would say almost all, of the people in construction and building trades are union and would be hired out of the union halls? How would they be hiring them from other states? I don't understand that?"

Panayotovich: "As far as... As far as our understanding, it'll apply to Illinois construction projects."

Friedrich: "But aren't the people who are hired on construction projects under the prevailing wage law and, in the cases I know about, all the contractors are under contract with the unions to hire out of the union halls, why would they hire them from Indiana or someplace else?"

Panayotovich: "Well, the idea is that we want them to hire them from our union halls."

Friedrich: "I'm saying, don't they, though? As a matter of fact, they hire the local union hall which would have Illinois people not Indiana people or..."

Panayotovich: "Well, I would assume that... somebody in Indiana could also belong to a union in Illinois."

Friedrich: "And this would prevent the union hall... This would overrule the union, then, if they wanted to run somebody in from Indiana?"

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

123rd Legislative Day

May 23, 1984

Panayotovitch: "What we would want them to do is hire the person from Illinois first."

Friedrich: "Suppose the guy from Indiana had seniority? You're going to overrule the union?"

Panayotovitch: "I... I'm... The union's backing this Bill."

Friedrich: "I'm wondering... I'm..."

Panayotovitch: "And I don't think..."

Friedrich: "Well, I really think you're trying to fix something that ain't broke. That's what I..."

Speaker Matijevich: "The Lady from Champaign, Representative Helen Satterthwaite."

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

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

Satterthwaite: "How do you define the residency? Is there a particular period of time that the person has to have been in state?"

Panayotovitch: "It's not specified in legislation that we have now."

Satterthwaite: "Well, part of my problem, I guess, is that in cases I'm aware of even if a person is hired from another state, they frequently come in and establish a temporary residence within the State of Illinois, and I don't know how we would know who qualified as a resident and who did not unless there were some length of residency required."

Panayotovitch: "The enforcement procedure would be held by the Attorney General's Office and the Department of Labor here in Illinois to make sure that the person would be a resident of the state."

Satterthwaite: "The other question I would have would relate to what happens in terms of granting of contracts if you are trying to grant the contract on the basis of the low bid? Are you saying that the contract would have to be rejected even if it were the low bid if they were not guaranteeing

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

123rd Legislative Day

May 23, 1984

to use Illinois residents?"

Panayotovich: "On response to your other question on the residency, we... we have a 30 day period in there. They have to live within the state for 30 days and establish..."

Satterthwaite: "Previous..."

Panayotovich: "Right. Previous to... being employed..."

Satterthwaite: "Previous to employment in this project."

Panayotovich: "... and must remain in the state. That will answer your first question, and would you repeat your second one again?"

Satterthwaite: "The second question then is, what happens in the case of a bidder with a low bid who does not guarantee to hire totally instate residents. Does that mean that the low bid has to be rejected?"

Panayotovich: "The point of the Bill is that he would have to guarantee Illinois residents to put Illinois people back to work."

Satterthwaite: "Even if that drove up the cost of the project?"

Panayotovich: "Yes."

Satterthwaite: "Thank you."

Speaker Matijevich: "The Gentleman from McLean, Representative Gordon Ropp."

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

Speaker Matijevich: "Indicates he will. Proceed."

Ropp: "Now, Mr. Representative, I am somewhat in accord with your intent, and I think Illinois people ought to work in Illinois jobs where that possibility is viable. My question is, who in the world is going to and how do you determine whether or not a person is a resident within 30 days of... that lives in Illinois?"

Panayotovich: "I would have to think that the Attorney General would have to look at... if a case came up, I would have to think of possibly bills, utility bills, residency... an

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

123rd Legislative Day

May 23, 1984

address with a bill on it for let's say telephone or gas company or some... some sort of identification like that."

Ropp: "Well, are you attempting to find new kinds of work for the Attorney General... Attorney General's district offices that are going to be scattered throughout the state? Is this the..."

Panayotovich: "If it'll put Illinois people back to work, sure."

Ropp: "Put them back to work one way or another, either regulating each other or going out and checking all of these things."

Panayotovich: "Putting them all back to work, Representative."

Ropp: "Well, then, it almost seems like this is an added layer of bureaucracy just checking on people who are checking on people, and though I support the idea that we ought to have Illinois people, I'm not sure that this is a right move and..."

Speaker Matijeich: "The Gentleman from Lee, Representative Olson."

Olson: "Will the Sponsor yield?"

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

Olson: "Is the Class C misdemeanor provision still a part of the Bill?"

Panayotovich: "Is the what?"

Olson: "I noticed in our analysis that if the failure to go with the mandate that would be a Class C misdemeanor violation. It said, 'mandates that the state and all units of local government shall give Illinois laborers their... preferential treatment...'"

Panayotovich: "It's still part of the Bill."

Olson: "Thank you very much."

Speaker Matijeich: "Representative Panayotovich to close."

Panayotovich: "Thank you, Mr. Speaker. I think that this is a Bill that we should all jump on. I think that it's

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

123rd Legislative Day

May 23, 1984

something that we can go back to our areas. We've got to put people back to work. Let's put money in their pockets. Let's these people put food back on their tables. We're going to save the state money by taking them off the unemployment rolls. We've had double digit unemployment now for the past year. This will not cost the state any money. It will basically save the state some money. Unemployment is a statewide problem. It's not just a Cook County problem. It's a problem in Peoria, McLean, Champaign, DuPage, Boone, all the counties throughout the state, and I think that we've got to take a step to put people back to work. This has been the law since 1939. We have had this. We are correcting the problem that the Illinois Supreme Court has saw in the Bill. We are cleaning it up. We want to put our people back to work, and I want an 'aye' vote and request it. Thank you very much."

Speaker Matijevich: "Representative Panayotovitch has moved for the passage of House Bill 2836. The question is, 'Shall House Bill 2836 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take... take the record. On this question, there are 81 'ayes', 29 'nays', 1 answering 'present'. House Bill 2836, having received the Constitutional Majority, is hereby declared passed. House Bill 2837, Madigan - Ronan. Is Ronan ready for that? Out of the record. House Bill 2960, Alexander - Markette. Alexander ready for that? Read the Bill."

Clerk Leone: "House Bill 2960, a Bill for an Act to prohibit certain employment practices. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Ethel Alexander, on House Bill 2960. Representative Alexander, 2960. This is on page 15 of your Calendar."

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

123rd Legislative Day

May 23, 1984

Alexander: "Thank you, Mr. Speaker and to the Members of the House. This is a new Act, and I think it's a very good piece of legislation. And I hope that you will give it your sincere attention. The Act prohibits three types of activities on the part of an employer. One, the employer may not require, as a condition of employment, that an employee disclose his or her wages. Two, the employer may not require the employee to sign any document to deny the employee the right to disclose his or her salary. Three, an employer may not discharge, discipline or discriminate against, in terms of job advancement, an employee who decides to disclose his or her wages. This is an Act which will prohibit certain violations that have existed, do... existed, in some industries where a... and a person may be sitting next to you doing less work than you are, does not have your skill, your expertise, and who would be earning more money than you would for the same job. This Bill is aimed at helping women, and minorities and any other person who would be discriminated against with this type of practice. It does not require any part of state... funding or anything. It merely says that you cannot discriminate with regards to conditions of employment, with regards to telling about your wages that you would be earning. I will answer any questions if there are any. If not, I move for the passage of House Bill 2960."

Speaker Matijevich: "Representative Alexander has moved for the passage of House Bill 2960. On that, the Gentleman from Peoria, Representative Fred Tuerk."

Tuerk: "Would the Sponsor yield?"

Speaker Matijevich: "She indicates she will. Proceed."

Tuerk: "I have one basic question. What is the need for the Bill?"

Alexander: "Representative Tuerk, if you have never been

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

123rd Legislative Day

May 23, 1984

discriminated against in any type of employment, under any job, then you would not, of course, understand the legislation. There are persons who are employed on jobs daily who do not receive the amount of money that the job calls for. They pay you, say, a 100 dollars a week, and you're sitting next to me. I'm producing more work than you would ever hope to produce, and they're giving me 75 or 72.50. That is discriminatorial."

Tuerk: "Do you have solid evidence that this is happening in the State of Illinois?"

Alexander: "You are looking at one that it happened to in the system."

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

Speaker Matijevich: "Proceed."

Tuerk: "I don't see any need for the Bill. There's no question in... in some cases, I suppose, you could probably build a case across the state where employees have been discriminated against. But I don't think this is a common practice; and, therefore, there's no need for the legislation to cloud up and clutter up the statute books. I... I would suggest a 'no' vote is the proper vote."

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

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

Speaker Matijevich: "She indicates she will. Proceed."

Vinson: "Representative Alexander, I am a person who has been discriminated against, and I still don't understand the Bill. And I want you to tell me what we're really trying to correct."

Alexander: "Representative Vinson, I will accept you telling me that you have been discriminated against. The Bill..."

Vinson: "Every day, by the way. But go ahead."

Alexander: "This Bill... This Bill could be used by women, and

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

123rd Legislative Day

May 23, 1984

minorities and men, and I'm not excluding you men in any shape, point or fashion, that in the event that you were able to determine that John Doe who sits next to you, who's doing less work than you, who does not have your expertise, your intelligence, your ability, is making big money, and you're sitting there actually doing the job. It... It also says that it will open up the job classifications within any structure so that there can be a equal, par equal, payment of salary for equal job descriptions. This is all it's doing."

Vinson: "The idea is that if we all know what each other makes that then we'll be better able to self police the situation to see whether or not we're being discriminated against."

Alexander: "That is correct. That's all it's doing. It's not hurting anybody. I'm sure employers would not really fight this Bill, unless they are guilty of the practice. That's the only..."

Vinson: "Unless they're guilty of the practice of..."

Alexander: "Of discriminating in job classifications, and payments and wages."

Vinson: "I don't know that I can... that I can make that leap of faith to... as to why they might oppose the Bill, but I'm concerned about... What about the right to privacy?"

Alexander: "The right to privacy where employment is concerned? I wouldn't have the faintest idea about that, Representative Vinson."

Vinson: "You know, some of us feel that we would rather not have our salary disclosed because we're embarrassed about how low it is. Have you thought about that one?"

Alexander: "That may be true, but by the same token, it should not be a part of the employment that an employee cannot not disclose it and that his job might be in jeopardy if he so decides to disclose it. That's the gist of the Bill."

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

123rd Legislative Day

May 23, 1984

Vinson: "Well, I think despite the fact that I've been discriminated against, I'm with Tuerk on this one."

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

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "She indicates she will."

Cullerton: "Representative, you sit next to Representative Braun on the floor, don't you?"

Alexander: "I certainly do."

Cullerton: "Do you know that she makes 5,000 dollars more than you do for..."

Alexander: "That is correct."

Speaker Matijevich: "She's not too happy about that either."

Cullerton: "And you know, you work so much harder than her. Now, do you know that Representative Vinson, who said he was... who said he was discriminated against..."

Speaker Matijevich: "By the way, Carol Braun is standing right next to you."

Cullerton: "I know it. She's... She's paid more than you. But Representative Vinson makes more money than most of the Republicans over there. Now, could... do you really believe, Representative, that he's being discriminated against or discriminated in favor of?"

Alexander: "I think he's being discriminated in favor of. He has a very, very, very highly technical and tedious job to perform for the Republicans, so we'll accept his making more than anyone else."

Cullerton: "But... But what this... All our salaries are public. Right? And you're just saying in this Bill that... that salaries in the private sector should be made public as well. Is that right?"

Alexander: "That is correct."

Cullerton: "Okay. Well, it sounds like a good idea to me. We're

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

123rd Legislative Day

May 23, 1984

all down here. We... Our salaries are made public. I don't make as much as Representative Vinson, even though I work harder. But the fact is that it's public record, and I don't see why anybody would be afraid to make public the salaries of their employees. So for that reason, I think it's a good idea. I think we should all vote for it. It should be on the Consent Calendar."

Speaker Matijevich: "Representative Pullen had her light on, but it's not on now. Representative Klemm, the Gentleman from McHenry. Representative Klemm."

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

Speaker Matijevich: "She indicates she will."

Klemm: "Representative Alexander, I guess I've gotten a little confused hearing some of the dialogue. Could you tell me, is there a law now in the statutes that prohibits an employee from being able to tell somebody their salary?"

Speaker Matijevich: "Representative Alexander."

Alexander: "Thank you. No, there is no such law, but the practice has and does exist with some employee... employers relationship."

Klemm: "You're saying that there are some businesses out there in the private sector that tells an employee that if you ever dare tell anybody what you make, you'll be fired?"

Alexander: "That is correct. Or I am employed, I've gone into a job, as in my case, and I was offered a salary, and I worked for that salary. And I found out some 10 years later that the job that I was performing should have been paid three times what I was getting. The person next to me was getting it and wasn't doing a thing."

Klemm: "But... But the..."

Alexander: "And they had been told, you're told not discuss your salary when you go in on these jobs, not to tell anybody."

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

123rd Legislative Day

May 23, 1984

Klemm: "Did you ever ask... Did you ever ask the person what they made and they refused to tell you?"

Alexander: "They will not tell you."

Klemm: "So the employee wanted to maintain their privacy, and just... none of your business."

Alexander: "That is permissible. That is permissible. But to... for an employer say that this is a term or condition of your employment, that you cannot disclose it and that there could be retribution with regards to you making such a disclosure is, I say, discriminatorial. It is against the grains of..."

Klemm: "Okay. I think you answered my question. I have another question."

Alexander: "Surely."

Klemm: "Representative Cullerton had pursued a little bit about making our salaries available or known. Being in the public sector, obviously this is, I think, proper that the taxpayer knows what they're paying us. Is this Bill, as... as Representative Cullerton had indicated... Would this Bill mandate or in some way say that all private salaries must be listed, or posted or be made available some place?"

Alexander: "There is nothing in here that says anything has to be listed or posted. It merely says an employer cannot fire me, or discriminate against me, keep me from advancement if I choose to tell Representative Aaron... Jaffe what I make as a salary. That's all it does."

Klemm: "And for firing a person who does that, would that still be justifiable cause in court to substantiate that there wasn't discrimination done in spite of what you're saying?"

Alexander: "I don't understand it."

Klemm: "If, in fact, you were fired because you, at the lunch counter, told me what you made, wouldn't you really have a valid cause to go to court under Illinois and federal law

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

123rd Legislative Day

May 23, 1984

and say that that was discrimination other than just revealing your salary?"

Alexander: "I don't think so."

Klemm: "You don't think so."

Alexander: "That's the purpose of this Bill, to put some... out there so that this practice that has existed and does exist, well, now there'll be some grounds for employees to have a safe situation out there with employment."

Klemm: "Thank you. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Klemm: "It just seems to me as if we really don't need the legislation. I really don't see a problem of somebody, because I don't know of any employee who has not been able and willing, if they want to, to reveal their salary to somebody else. I'm really a little surprised that a company can very honestly get away with it. In the first place, I don't think it's right, first of all. I agree with you wholeheartedly, but I really don't think in court that could ever hold up, that that person, whoever the salary was revealed by, that you could terminate that person's employment, and they could have said, 'Well, I never even told anybody. Maybe somebody in payroll did it.' That it would hold up in court. And certainly I have no problems with somebody revealing their salaries, but then again, too, I think it's nothing wrong with somebody saying, 'Hey, it's none of your business what I make. That's my business.' I don't think the Bill is necessary."

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

Kulas: "Thank you, Mr. Speaker. I don't make enough money to listen to all this diatribe, so I'll move the previous question."

Speaker Matijevich: "Representative Kulas moves the previous

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

123rd Legislative Day

May 23, 1984

question. Those in favor say 'aye', those opposed say 'no', and the main question is put. Representative Alexander to close."

Alexander: "Thank you. I would merely move for the passage of House Bill 2960. Thank you."

Speaker Matijevich: "Representative Alexander has moved for the passage of House Bill 2960. The question is, 'Shall House Bill 2960 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all... Representative Van Duynes, the Gentleman from Will, one minute to explain his vote."

Van Duynes: "Are you discriminating against me?"

Speaker Matijevich: "No. I just... I didn't see your light."

Van Duynes: "Didn't see the light. Well, the only thing I wanted to do was to ask Representative if there was anything in... in the Bill that would allow us to find out the newspaper editor's salary that write against us raising our salary, reporters also."

Speaker Matijevich: "The Gentleman from DuPage..."

Van Duynes: "I'm going to vote 'aye' anyway."

Speaker Matijevich: "...Representative McCracken, one minute to explain his vote."

McCracken: "Representative Alexander is well intentioned, but she's taking what's now a Constitutional right protected by the 1st Amendment and merely making it a statutory right. So if you're in favor of the concept vote 'no' and retain the Constitution."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 71 'ayes', 44 'nays', 1 answering 'present', and House Bill 2960, having received the Constitutional Majority, is hereby declared passed. House Bill 3057, Representative Curran, is on page 16 of your Calendar. The Clerk will

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

123rd Legislative Day

May 23, 1984

read the Bill."

Clerk Leone: "House Bill 3057, a Bill for an Act to amend the Health and Safety Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Sangamon County, Representative Mike Curran, on House Bill 3057."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3057 amends the Illinois Health and Safety Act to make this Act applicable only to employees of state and local governments, rather than, as at present, to all employees in both the public and private sector. The reason for doing this is the employees in the public sector face a wide array of hazards on the job. According to the National Safety Council, government workers are two and a half times as likely to be injured on the job as private sector workers, and these injuries are often more serious. And yet, at the present time, we have 600,000 in Illinois public employ... public employees who are not covered, who are excluded from coverage under the OSHA Act, and for almost a decade, there has not been an Illinois safety program to provide for protection for these over a half million of your constituents and my constituents. House Bill 3757 (sic - 3057) is intended to correct this inequity and provide for health and safety inspection for public employees by implementing our... our existing Illinois Health and Safety Act. I ask for an 'aye' vote."

Speaker Matijevich: "Representative Curran has moved for the passage of House Bill 3057. The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Will the Gentleman yield for a few questions?"

Speaker Matijevich: "Indicates he will."

Mays: "Is this office not already in state statute?"

Curran: "That is correct, Representative. The Department of

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

123rd Legislative Day

May 23, 1984

Labor is... who will be doing the enforcing, is already in state statute."

Mays: "What specific areas of change, then, are you suggesting from the statute that currently exists?"

Curran: "Well, under the present set of circumstances, the... the responsibility which, by the way, is not being enforced is split between the Department of Labor and the Industrial Commission. Under this Act, it would all be under the Department of Labor. In addition to that, we're updating the enforcement provisions of this Act. We believe it is not fair, for example, to have civil penalties imposed by State Government on a sister government, a fellow... another government, whether it's state or local. And I think the other major provision is that there is a comprehensive testing program... a comprehensive training program for employees performing work of a hazardous nature."

Mays: "You mentioned that currently these areas in statute are enforced by both the Industrial Commission and the Department of Labor, according to our statute."

Curran: "According to our statute, that's correct."

Mays: "Okay. How much funding are you talking on this? How much would it take to implement this?"

Curran: "The Department of Labor estimates... estimates that it would be 903,000 dollars. That's roughly a cost of one and a half dollars per employee per year. A small price to pay."

Mays: "Okay. Okay. So backing back in, you said the Department of Labor is currently not implementing this statute."

Curran: "That's correct."

Mays: "Is it a line item that they require to implement it, or can they just do it out of their general fund appropriations? Are they just, you know, absolutely

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

123rd Legislative Day

May 23, 1984

forgetting about the law that's on the books?"

Curran: "Essentially, yes. And the reason for that is that we have an OSHA Act which covers the public employees, I'm sorry, the private employees, and as of 1975, under Governor Walker, the entire responsibility for the enforcement of that Act was shifted from State to Federal Government. And so we're not enforcing it at all in Illinois."

Mays: "Okay. Well, so then are you seeking an appropriation in the Department of Labor's budget to implement this law, should it become law?"

Curran: "Once this law becomes law, once we pass this Bill, yes, we will have to have an appropriation."

Mays: "Will that be coming in this fiscal year?"

Curran: "It would have to."

Mays: "Okay."

Curran: "And it would be, I believe, 903,000 dollars, according to them."

Mays: "Back on the 903,000 dollars. How many employees is that going to get us for this enforcement of this Act?"

Curran: "About 600,000. 600,000 state, county, municipal employees in Illinois."

Mays: "That would be the number of employees that would be covered, so to speak, but how many enforcement people are we going to be putting in the Department of Labor to implement this Act with 903,000 dollars?"

Curran: "It's... It is not provided in the legislation. The Department simply gave us, as far as I know, a bottom line figure of 903,000 dollars. I don't know how many individuals we would be putting to work."

Mays: "Okay. Will this Bill give the state OSHA Department more power in the public sector than the federal OSHA has in the private?"

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

123rd Legislative Day

May 23, 1984

Curran: "It's a good question. In fact, it would give it less than the Feds now have over the private sector."

Mays: "Okay. And then finally, you have the Attorney General's Office defending the Department of Labor against those agencies that are cited. Is that correct?"

Curran: "That's correct."

Mays: "Who would then defend the agencies?"

Curran: "Well, under... under present circumstances, if you have that kind of a conflict, outside counsel would simply be retained by the other department. Let's say the Department of Revenue, for example. The Department of Revenue, under those circumstances, would retain outside counsel so there would not be a conflict."

Mays: "Alright. To the Bill, Mr. Speaker. I would suggest a 'present' or 'no' vote on this measure. We already have the state statute to do just what the Gentleman suggests. What he would do is expand it somewhat. He... He will be seeking funding for it, and I think really that is basically what we need to implement the Act already on the books. So this is in sum, a useless piece of legislation that I think will cause some conflicts within the agencies in terms of enforcement as well as representation, and I would urge a 'present' or 'no' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Bob Terzich. Terzich. His light is on. The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I stand in support of this Bill. When I know how the private sector is directed to allow inspectors in to see that their plants are safe and that their workers are protected, I would feel very bad to think that we wouldn't do the same for our state employees. The Federal Government does it on behalf of the private sector, but it has delegated that duty to

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

123rd Legislative Day

May 23, 1984

the states on behalf of the state employees and local government. Also, I think we can save some money. We're always talking about workmen's comp and unemployment compensation and how they've risen very much over the years. If we had less people being injured, I think we could save the money there that it's going to take to administer this Act, and I think this is a good forward step."

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

Dunn, J.: "Will the Sponsor yield?"

Speaker Matijevich: "Yes. Proceed."

Dunn, J.: "I'm a little confused. The analysis of the... The Amendment is now the Bill, isn't it? Isn't that correct?"

Curran: "That's correct."

Dunn, J.: "The Amendment analysis I have says this, 'Only employees of state and local governments are covered.' Currently the statute... statute is applicable to all private and public sector employees."

Curran: "That's correct."

Dunn, J.: "What does the current law do? About 10 years ago, the State of Illinois essentially got out of the OSHA business. I don't know what the... Currently, what does the Illinois Health and Safety Act do to or for employers and employees, and how are you changing that by eliminating private employees and... or employers and covering only governmental employers..."

Curran: "It..."

Dunn, J.: "...and employees?"

Curran: "Right now, as far as I know, there is no enforcement of the Illinois Health and Safety Act. What we need for... on this Bill, for the changes I outlined earlier, is we need a Bill to get this thing going again. We've got 600,000

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

123rd Legislative Day

May 23, 1984

constituents, 600,000 men and women in this state, public employees, who have no coverage. That's the reason for doing this."

Dunn, J.: "Well, then... But the analysis says that, currently the statute is applicable to everybody, and the representations that I heard made on the floor yesterday and again today are that state employees, under the current statute, are not covered. Is the analysis incorrect?"

Curran: "They're covered. It's just not enforced, and it has not been enforced since 1975. Under OSHA, the private employees are already covered. Under this Bill, we'll... we'll start covering state employees again in an active way. Since 1975, we've not been doing it. This just... This just puts it into effect for 600,000 employees in Illinois at the cost of about one and a half dollars an employee."

Dunn, J.: "Are you... Now, I still don't understand. If... If... Do we have a statute on the... on the books, you say, that we are... have not enforced that covers all employees?"

Curran: "That is correct. It is, in... In fact, the Department of Labor was cited in its last audit for not doing that."

Dunn, J.: "What substantive changes are... does this Bill make in the Illinois Health and Safety Act, then?"

Curran: "Okay. As mentioned earlier to the Representative from Adams County, the Department of Labor would be the enforcing agent, rather than splitting the enforcement between the Department of Labor and the Industrial Commission, as is now the case. We would also be updating the enforcement provisions. Under present statute... the enforcement provisions, the state could... could enforce a fine. We didn't believe that it was proper for the... for one government to be fining another government on... on this particular matter, so what happens is, the government

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

has... has the right to go into court and stop... for an injunction and stop a governmental agency or another form of government from providing hazardous work place for employees. And finally, this Bill provides a comprehensive training program for those employees who are involved in hazardous work so that they will be able to avoid those hazardous situations and not get injured."

Dunn, J.: "What... What standards are followed? Are the federal OSHA standards to be followed?"

Curran: "The Department of Labor has the right, under this Bill, to promulgate the rules and regulations to carry out this Act."

Dunn, J.: "Well, what rule... What I'm asking is, are we going to set up a state OSHA, and are we going to have all the expense of duplicating the federal OSHA requirements or not?"

Curran: "The federal OSHA does not cover the public sector. We're not talking about duplicating. We're talking about covering these employees."

Dunn, J.: "What is going to be..."

Curran: "For the first time in 10 years."

Dunn, J.: "Local governments are screaming now. What is going to be the cost to local government and in accordance with the State Mandates Act, how is local government going to be paid for the cost of administering this legislation?"

Curran: "Well, the cost is a funny thing. For example, we can go to your own districts where a... municipal employee, a Mr. Ed 'Pettyjohn', was killed last year or the year before when he fell into an open pit and drowned. Now he was a municipal employee, and there is going to be a tremendous cost in your own particular area for his death. That death would probably be somewhere in the vicinity of 481,000 dollars. I think that's what the average death costs.

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

123rd Legislative Day

May 23, 1984

Now, when you talk about costs, that... the cost of that gentleman's death in your particular district is going to be substantial to your particular local government."

Dunn, J.: "I'm familiar with the case in which you're talking about. It's a terrible tragedy, but what we're talking about here is... is a different issue. We have a State Mandates Act. You're asking for implementation of a new program. What will the cost be to units of local government, and who is going to pay for the cost? I... I don't hear you say that the state is going to pay anything. Is there a provision in this Bill that exempts the State Mandates Act?"

Curran: "There is not such a provision."

Dunn, J.: "And what will... Then what will..."

Curran: "And this is not a new program. As we've said over and over again, it amends an old program. It simply takes private sector employees out."

Dunn, J.: "I'm a little unclear about what you're doing. I was here when we... when the State of Illinois got out of the OSHA business, and the... the major emphasis for enforcement of OSHA was transferred to the Federal Government. And for many, many years, there were no complaints. Maybe the Federal Government's not doing its job in the area of OSHA now. But if you're not changing anything substantively, I don't know that we have anything but a skeleton left on our statute books for health and safety because the... the guts of everything is in the federal law. And..."

Curran: "Excuse me, Representative. I think probably I failed to make myself clear."

Dunn, J.: "Well, I guess so."

Curran: "Let's divide private employees... Or it separates private employees from public employees. That's what this

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

123rd Legislative Day

May 23, 1984

Bill is doing. What you are talking about are things that have been going on for the last 10 years only for private employees, not for public employees."

Dunn, J.: "Well, then... then we go back to my original question, the analysis says, 'Currently the statute is applicable to all private and public sector employees.'"

Curran: "It has not been enforced."

Speaker Matijevich: "Could we try to conclude this as..."

Dunn, J.: "Well, I..."

Curran: "We've gone over this..."

Dunn, J.: "I... I don't under... To the legislation..."

Speaker Matijevich: "Proceed."

Dunn, J.: "...Mr. Speaker. I guess I have engaged in long dialogue. I really don't understand what, if anything, we're trying to do here, and I think we're all sensitive about the... the cost to local government. I'm a long time proponent of... of health and safety, and health and safety at the local level, and the state level and the national level. We currently have a federal OSHA, and if it's not doing the job, we should bring action to bear upon the Federal Government. I don't think we can afford a bureaucracy that would be needed to implement OSHA on a state basis. That's why we... why we eliminated the program in the past. If I recall correctly, former Representative Ed Kornowicz was, I think, the last head of the State OSHA Agency, and we...we felt that it would be a program that ought to be transferred, the responsibility for which ought to be transferred to the Federal Government. And I... all I see are confusing statements at the present time, and while I support health and safety, I can't support this Bill in its present form."

Speaker Matijevich: "The Gentleman from Peoria, Representative Tuerk."

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

123rd Legislative Day

May 23, 1984

Tuerk: "Mr. Speaker and Members of the House, the previous speaker touched on part of the information that I was going to attempt to impart to the group, and that is the historical perspective of this whole issue. Back in the early '70's, we had what is called IOSHA, which was the Illinois plan for OSHA. The Department of Labor felt, over a period of time, that frankly, it couldn't supply the expertise with the people that it had in force. They weren't able to enforce OSHA regulation. At that time, at the original... Well, at the outset I presume, the cost of the program was similar to what the fiscal note implies that it would be 903,000 dollars. Let me remind you that by the mid '70's when Illinois decided that... to turn the whole system back to the Feds, we were spending about 5,000,000 dollars in the mid '70's. So I can assure you that the cost related to OSHA at this point at 903,000 dollars would probably be more in tune with between 5 and 10 million dollars. I don't think there's a need. There wasn't a need back in the '70's. I don't think the need has been determined at this point that we need to implement the program. It's a costly program. I don't think it's needed; therefore, I would suggest a 'no' vote on the Bill."

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

Terzich: "I move the previous question."

Speaker Matijevich: "That's not necessary now. Representative Curran to close."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This important labor Bill does two things, and before I get to that, I'd like to clear up a couple of serious misconceptions. One, the Representative from Peoria just said that the cost, in his estimate, would be

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

123rd Legislative Day

May 23, 1984

between 5 and 10 million dollars. I don't know whether he picked that out of the air, or from his wastebasket, or in his drawer or wherever, but the administration's own Department of Labor says it will be 903,000 dollars, not 5 million or 10 million. That's an absurd figure, and it's misleading. I think it's unfair. Also, there is no need... With respect to the Gentleman from Macon, there is no need for a mandate exemption. This is not a new program; and, therefore, there is no need for a mandate exemption. When the Gentleman from Macon was discussing his confusion, I became confused listening to his... his discussion. He was talking about two separate programs. He was talking about a private program that deals with private employees versus this program which deals with public employees. The private employees have been covered for the last 10 years, but in your district, and in my district and around this state, we have 600,000 public employees who are not covered by any health and safety Act. Those people are two and a half times as likely to get hurt on the job, and their injuries are likely to be more serious. This Bill provides for a safety at the work place for those more than a half million employees in all our districts. It allows for a single agency, not for confusion as the Gentleman from Adams suggested, but for a single agency, the Department of Labor, to do away with that confusion, to do away with that split responsibility of enforcement. And finally, the underlying reason for this Bill and the necessity of this Bill, besides the obvious fairness to a half million employees that we provide these safety features to these employees, the safety program, the safety training, we reduce sick days. We reduce injuries. We reduce workmen's compensation costs. This is an important labor Bill. I think it's now

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

123rd Legislative Day

May 23, 1984

just been cleared up, and I ask for an 'aye' vote."

Speaker Matijevich: "Representative Curran has moved for the passage of House Bill 3057. The question is, 'Shall House Bill 3057 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. The Gentleman from DeWitt, Representative Vinson, for what purpose do you rise?"

Vinson: "I think we ought to verify this."

Speaker Matijevich: "The Gentleman has asked for a verification. The... The record is 64 'ayes', 37 'nays', 7 answering 'present', and Representative Curran asks for a Poll of the Absentees. Representative Alan Greiman in the Chair."

Speaker Greiman: "Mr. Clerk, poll the absentees."

Clerk Leone: "Poll of the Absentees. Countryman. Virginia Frederick. Harris. Huff. Markette."

Speaker Greiman: "Markette 'aye'."

Clerk Leone: "Nash."

Speaker Greiman: "Nash 'aye'."

Clerk Leone: "Pangle. Pierce."

Speaker Greiman: "Pierce 'aye'. Representative McGann 'aye'."

Clerk Leone: "Taylor. And Vitek."

Speaker Greiman: "Mr. Leverenz 'aye'. Mr. Vitek 'aye'. Mr. Christensen 'aye'. Yes, Ms. Frederick. Ms. Frederick 'no'. Mr. Vinson, do you want to persist in the verification? In view of the numbers that have come on, do you wish to persist in the verification?"

Vinson: "Yes, I do wish to persist."

Speaker Greiman: "Alright. Alright. Mr. Bowman asks leave to be verified. Alright, Mr. Bowman. Alright, Mr. Clerk. Yes, Mr. Marzuki."

Marzuki: "Leave?"

Speaker Greiman: "Mr. Marzuki asks leave to be verified. Mr.

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

123rd Legislative Day

May 23, 1984

Domico and Mr. Brookins ask leave to be verified. Alright?
And Mr. Nash asks leave to be verified. Mr. Clerk, proceed
to verify the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios.
Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock.
Capparelli. Christensen. Cullerton. Curran. Currie.
DeJaegher. DiPrima. Domico. Doyle. Farley. Giglio.
Giorgi. Greiman. Hallock. Hannig. Hawkinson. Hicks.
Homer."

Speaker Greiman: "Excuse me, Mr. Clerk. Ms. Topinka, for what
purpose do you seek recognition?"

Topinka: "Yes, a point of information, Mr. Speaker. You know,
being in the Minority, information doesn't always kind of
filter down to us, but apparently the Chicago radio
stations are... are all astir that there is some potential
that there is a new Mayor in the City of Chicago."

Speaker Greiman: "Ms. Topinka."

Topinka: "Could you confirm that or not?"

Speaker Greiman: "Ms. Topinka, we're in the middle of a Roll
Call. I didn't... I didn't recognize you for a news
release. Mr. Clerk, proceed with the Roll."

Clerk Leone: "Continuing with the Poll of the Affirmative.
Homer. Jaffe. Keane. Kirkland. Koehler. Krska.
Kulas. Laurino. LeFlore. Leverenz. Levin. Markette.
Marzuki. Matijevich. Mautino. McAuliffe. McGann.
McPike. Nash. Oblinger. O'Connell. Panayotovich.
Pierce. Preston. Rea. Rhem. Rice. Richmond. Ronan.
Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle.
Terzich. Turner. Van Duyne. Vitek. White. Winchester.
Wolf. Younge. McNamara. Zwick. And Mr. Speaker."

Speaker Greiman: "Mr. Vinson, Mr. Giorgi and Mr. Preston ask
leave to be verified. Do they have leave? Yes. Alright.
Mr. Vinson."

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

123rd Legislative Day

May 23, 1984

Vinson: "Mr. Speaker."

Speaker Greiman: "Yes, Mr. Vinson."

Vinson: "Where is Mr. Preston?"

Speaker Greiman: "Mr. Preston is right here. Alright, do you have questions of the Affirmative Roll?"

Vinson: "Yes. Representative... Representative Bullock."

Speaker Greiman: "Mr. Bullock. Is Mr. Bullock in the chamber? He is right here in the middle aisle."

Vinson: "Mr. Speaker, I wonder if I might ask where we're starting from."

Speaker Greiman: "Yes. 71 affirmative votes, and Ms. Breslin asks leave to be verified. May she have leave?"

Vinson: "Yes."

Speaker Greiman: "Thank you. 71 affirmative votes."

Vinson: "Representative Farley."

Speaker Greiman: "Mr. Farley. Mr. Farley in the chamber? How is Mr. Farley recorded?"

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

Speaker Greiman: "Remove Mr. Farley from the Roll."

Vinson: "Representative Jaffe."

Speaker Greiman: "Mr. Jaffe is in his chair."

Vinson: "Representative Keane."

Speaker Greiman: "Mr. Keane is in his chair."

Vinson: "Mr. Kulas."

Speaker Greiman: "Mr. Kulas. Mr. Kulas. Mr. Kulas in the chamber? While I'm looking for him, Mr. Clerk, John Dunn 'aye'. Mr. Kulas. How is he recorded?"

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

Speaker Greiman: "Remove the Mr. Kulas from the Roll Call."

Vinson: "Representative LeFlore."

Speaker Greiman: "Mr. LeFlore is in his chair."

Vinson: "Representative O'Connell."

Speaker Greiman: "Mr. O'Connell is in his chair."

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

123rd Legislative Day

May 23, 1984

Vinson: "Mr. Slape."

Speaker Greiman: "Mr. Slape. Mr. Slape is at the side."

Vinson: "Mr. Hicks."

Speaker Greiman: "Mr. Hicks. Mr. Hicks... at the rear of the chamber. Mr. Mautino be verified, Mr. Vinson?"

Vinson: "Yes."

Speaker Greiman: "Yes. Alright."

Vinson: "Mr. Ronan."

Speaker Greiman: "Mr. Ronan is sitting in his chair."

Vinson: "No further questions."

Speaker Greiman: "On this Bill, there are 70 voting 'aye', 38 voting 'no', 3 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Order - Labor and Business - appears House Bill 3073. Mr. Hicks. Mr. Hicks. Yes, Mr. Hicks, the Gentleman from Jefferson, moves... asks for leave that House Bill 3073 be heard at this time and waive the appropriate rules, since this Bill previously was on Second Reading. Does the Gentleman have leave? The Gentleman has leave. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3073, a Bill for an Act in relationship to coal mining. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, I'd like leave for Representative Rea to handle this Bill. He's the hyphenated Sponsor of the Bill."

Speaker Greiman: "Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. Actually, Amendment 2 becomes the Bill, and we have discussed the issue. There has been an issue as it relates to the use of diesel engines underground in coal mines in Illinois. And what this Bill does now is that it will... that mines that already do have the use of diesel power equipment may be

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

123rd Legislative Day

May 23, 1984

able to continue that until January 1st, 1986, and there will be no new permits issued in the meantime while the Department of Public Health shall conduct a study of the underground coal mines which use the diesel powered equipment and also explosives for the breaking down of coal, and will then make a report back as it relates to the health and safety of the miners. This is an agreed Bill by the Coal Miners Association, by the UMWA, by the Governor's Office, and I know of no opposition to the Bill."

Speaker Greiman: "Gentleman from Franklin has moved for the passage of House Bill 3073. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', 1 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Order of Business - Labor and Business appears House Bill 3074. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3074, a Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks. Are you going to take that, or is Mr. Rea going to take that?"

Hicks: "No, Sir, I'm going to take this one."

Speaker Greiman: "Mr. Hicks. Proceed, Sir."

Hicks: "Yes, Sir. House Bill 3074 is a Bill that provides that the Department of Commerce and Community Affairs shall have the power to collect information regarding technologies... current technologies available to Illinois businesses for the purpose of burning Illinois coal. It's a Bill that we

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

123rd Legislative Day

May 23, 1984

amended here on the floor due to consideration of DCCA and now we have fulfilled their request. I think they are all in agreement now. It's an agreed Bill all around. I'd ask for support of the Bill."

Speaker Greiman: "Gentleman from Jefferson moves for the passage of House Bill 3074. And on that, is there any discussion? There being... yes, Gentleman from Winnebago, Mr. Hallock."

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

Speaker Greiman: "Indicates he will."

Hallock: "I see that this Bill now is permissive. Is it necessary? It seems to me the Department of Commerce and Community Affairs would have the power to do this right now."

Hicks: "Currently, yes, Sir. They do have that power, but they are not doing so. This Bill is going to ensure that they do so to help the Illinois businesses."

Hallock: "Well, I'm all in favor of helping Illinois business, but if the Bill says that they may do this or that, how is that going to encourage them to do it?"

Hicks: "Currently, Sir, they have not been doing this in... far as tying together the technologies that are available through the Department of Energy and Natural Resources. We are simply providing for them to get together with the other agencies here in the state and make those things that we currently know in the state available to Illinois businesses when they come to DCCA and ask for their help in promoting Illinois businesses. They currently aren't doing that now. We are asking them to do that."

Hallock: "So what you are saying here, by the power of suggestion, you are hoping that DCCA will get the word and go ahead and start doing this."

Hicks: "Yes, Sir, and that also goes down to when we talk about

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

123rd Legislative Day

May 23, 1984

their budget. If we appropriate dollars in order for them to do that, that's the key part."

Hallock: "Okay."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 104 voting 'aye'... and 7 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On Special Order of Business and Labor appears House Bill 3108. Out of the record. We'll return to that later. On Special Order - Labor and Business appears House Bill 3117. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3117, a Bill for an Act in relation to Motor Vehicles. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is the legislation you have all been waiting for, I believe. Specifically, that that you have heard a lot from your constituents on on both sides of the question. I happen to be an individual that believes in the free enterprise system and what this legislation does... something tells me I am in trouble. What this legislation does is repeal the Section of the law that was passed by the House and the Senate over our objections last Session, was signed by Governor Thompson, that closed new and used car dealers, recreational sales facilities, et cetera, on Sunday. If the free enterprise system is to ever operate on the supply and demand theory, it must do so with independent capital, with the determinations and the managerial ability of those individuals who operate, who

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

123rd Legislative Day

May 23, 1984

hire and who provide goods and services. It is my feeling that the State of Illinois should not be intruding in that area. Twenty years ago, Judge 'Moran' on a very similar piece of legislation deemed the closure on Sunday to be unconstitutional. This last Session, after the Supreme Court hearing that authorized the closure on Sunday, I take some type of solace in the determination by Justice Simon in his dissenting opinion. The State of Illinois, in my estimation, should not be involved in telling an independent entrepreneur when they should open or close their businesses. The free enterprise systems says you have the key for your own business. You have the opportunity to keep it open or to close it, according to your own wishes. Many of the editorial positions taken by the news media, radio, TV and newspaper has been in favor of House Bill 3117, and I appreciate that. The issue is not only new and used car dealers. I'd like to give you a scenario for those of you downstate that is also embodied in that repeal. We have RV, recreational vehicle centers, with showrooms, usually in the country areas and adjacent to those facilities are a camping store and a campground. If and when this legislation and the mandating of the closing on Sunday is adhered to by the Secretary of State, those RV centers would also be closed because they are under the umbrella of new and used vehicle dealers in this state. I don't believe that you, right now, realize the type of backlash you are going to receive when, in fact, Sunday sales are prohibited on June 1st. The hours of... an individual determines where his or her business is operating is a private decision. That should not be addressed by legislation. Please don't ignore the voices of those who have no organized lobby - the citizens of the State of Illinois - who should have the opportunity to shop

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

123rd Legislative Day

May 23, 1984

and purchase whenever they feel the need. The process has also been kind of muddied because the barbers and beauticians have introduced legislation to close barber shops and beauty shops on Sunday, which means that in mall areas or shopping areas, it could conceivably happen that they would be closed there as well. I believe that if, in fact, this legislation is not passed, there will be an attempt to close retail stores in general on Sunday, and then you will see the outcry of the citizens of this state. Those individuals who support the closure are the same individuals who say, 'Keep government off of my back. Don't put any more restrictions or regulations on me as a business person. I will make my own determinations.' What this legislation will do would allow the individual business person, new and used car dealers, RV service centers, et cetera, to set their own hours, to provide for the sales as well as the employment of many individuals. I ask you to repeal a mistake that was provided by this General Assembly and signed by this Governor for heaven knows what reasons. I have nothing against the new and used car dealers. It is a philosophical question with me and with many of the individuals on this floor that we should not be setting hours of business in this state. Many of you have said to me, 'You are exactly correct, 100 percent correct in what you are doing, but I can't support it because many of the auto dealers have contacted my office.' I say to you if that's your problem, it's time to stand up and be counted or forever, forever, do not ever issue the words 'Keep government off my back,' if you allow this legislation to go down. I'll be happy to answer any questions."

Speaker Greiman: "The Gentleman from Bureau moves for the passage of House Bill 3117. Now, Ladies and Gentlemen, a number of

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

123rd Legislative Day

May 23, 1984

people are seeking recognition, and I want to give as many people the opportunity to speak on this as would like to. However, remember that there are a number of people asking for recognition, so ... make your remarks brief, if possible, okay? Alright. Any discussion? The Gentleman from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. I, too... I, too, like Representative Mautino, am free enterprise. He and I together form quite a team for free enterprise and for being open whenever you want to be. I fought this Bill two years ago, and there was a reason for passing it, I guess, then. Business was bad. All the dealers couldn't keep their doors open a lot of them. That's no longer true. Chrysler and General Motors came down here the other day and spent barrels of money to lobby all of us to put seat belts in, make it fines. So they are making money now, and they can afford to stay open if they want to. They can close if they want to. This is a Bill that I think is really a restriction on the free enterprise system. I'd certainly urge everyone that can, if you are not locked in with your car dealer or with your union, I would urge you to vote... to vote to let... to repeal the Bill that we passed two years ago that was a bad deal then. I'd urge and 'aye' vote."

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

Leverenz: "Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Leverenz: "Representative Mautino, could you explain the... are the contiguous states and the automobile dealers there open or closed on Sunday?"

Mautino: "I have... I have been informed that the State of Missouri has the blue laws which is what we will have on the books after June 1 unless 3117 is passed. I understand

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

123rd Legislative Day

May 23, 1984

that in southern Illinois, many of the individuals from Missouri shop in Illinois at this time. I don't have the current posture of Indiana or Iowa or Wisconsin."

Leverenz: "Would you take the Bill out of the record until you find that out?"

Mautino: "No."

Speaker Greiman: "Further questions?"

Leverenz: "To the Bill, Speaker. The Bill passed last year and this is an attempt to reverse that. The Bill that we passed was upheld by the Supreme Court. 80 percent of the automobile dealerships, I understand, wanted to be closed on Sunday. There are a number of good reasons, I believe, for that, even though it sounds absurd. First... occasionally I do one of those things, too. First, it allows an employer to hire a better person in a dealership. If you have had any experience with car salesmen, you will understand why they should be able to hire better people if they are closed on Sunday because a good person probably wants to be home like you or I. Secondly, the dealers in my area, of which there are about a dozen, in talking to ten of them, they asked to be closed on Sunday. They are small businessmen. They are constituents of mine. They asked us time and time again, and especially Representative Mautino always promotes the interests of small businessmen and women, they ask for something, the government should respond. The surrounding states, and I understand all of them, are closed on Sunday. Those that want to be open are the big ones, the supermarkets if you will, that want to be open on Sunday that advertise on radio and television and certainly in the newspapers, and I probably can understand why the editorials in the newspapers are written in favor of them being open on Sunday because it generates advertising revenue to the newspapers. The fact is they

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

123rd Legislative Day

May 23, 1984

asked for it and they wanted it. I'd ask you all to vote 'no'."

Speaker Greiman: "Further discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "Just a couple of quick questions before I address the Bill. Representative Mautino, why... I know you are not the Sponsor of the original enacting legislation, but why Sunday rather than Wednesday or Saturday or Tuesday? I'm sure there are people whose religious faiths are such that Sunday isn't unique to them or special to them. Why do you pick out Sunday?"

Mautino: "I'd be happy to... yes, I... I did not support the original concept that was presented a few years ago by Representative Huskey and DiPrima. I addressed the Sunday closing because that's what the statute addressed when it was passed and signed into law. There was no specific reason, but what you are saying is absolutely correct. It could be Monday, Tuesday, Wednesday, Thursday such as barbers where I happen to come from. They are closed on Monday."

Johnson: "And why... why automobiles only? As a matter of fact, we have seen in the newspapers the monstrous increases in salaries that big car executives have voted themselves. Industry is doing well. Why not book stores or barbers - I guess the barbers are asking for it though - or delicatessens? Why cars?"

Mautino: "I think those are the next steps. It's... It's amazing that in 1984 we are looking at government taking a greater role on the request of the individual businesses. If George Orwell's 1984 were to ever have any implementation, it would be with the legislation that is on the books now and to go into effect. You are exactly correct. There would be nothing to stop the philosophy of having

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

government decide when any business opens or closes.
That's the Big Brother concept."

Johnson: "Addressing the Bill."

Speaker Greiman: "Proceed."

Johnson: "Nobody in this chamber, nobody really believes that the current state of the law is what it ought to be. I mean I defy anybody in here, however you are going to vote on this Bill, to tell me or to tell your constituents that you really believe that this state ought to be in the business of dictating to the car industry when they can be open and when they can't. There is absolutely nobody in here who really believes that. Now, I understand that there has been heavy lobbying on this. I have gotten the same calls you have. We have all, in some form or another, gotten contributions from people who are concerned with this legislation, but nobody in here really believes that it's government's position to do. There is nothing about the car industry. There is nothing about Sunday that makes this unique or that there is any compelling public reason why we ought not to repeal this Bill. Most contractors don't advertise in the telephone book and in the newspaper. So I suppose we can adopt the position that because most contractors don't do it, that we ought to prohibit any contractors from advertising. I would suppose there are parts of this state where most restaurants don't serve prime beef in their industry. So I suppose it's to their self interest to get 80 percent of them together and say nobody can serve prime beef in their restaurants because 80 percent of the business people in that particular area are of that inclination. Maybe most book stores in a given locality don't want to sell the Bible or don't want to sell or something else because of whatever reason. That doesn't mean that those who want to be able to sell those things

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

123rd Legislative Day

May 23, 1984

ought not to be able to do it. What I'm saying is what we have, if we allow this Bill to go into effect or if we allow the law to go into effect and don't pass this Bill, we have corporate socialism. And whether socialism emanates from the government, directly or indirectly, and through the conduit of business or otherwise, it's just as bad. To people who say, well, my employees don't want to sell or don't want to work on Sunday, there's clear Supreme Court decisions, U.S. and Illinois Supreme Court decisions, that say you can't fire somebody for exercising their religious freedom. So that's not really an argument either. Downstate dealers, for the most part, are closed on Sundays. I have had a number of them call me and they say well, we don't care. It doesn't matter. We are not open anyway. This is a Cook County problem. And if it's a Cook County problem - and I suggest to you it's not really a problem any more - why should that be imposed upon the rest of us? If those individuals who don't want to open on Sunday, and there's 80 percent of them or 90 or 95 or 60 percent of them don't want to close... or do want to close. Let them close. Let the restaurants who don't want to serve prime beef serve a different kind of beef. But don't let us be in a position of having government tell people and tell consumers - and in a good many cases, this is the one day of the week people can shop - tell consumers and business people, for no reason at all, that they can't operate in the free enterprise system. Representative Mautino is absolutely correct. If you vote against this Bill, don't ever come back here again and talk about limited government. Don't ever come back here again and talk about free enterprise because if you do, you realize that is the absolute epitome of hypocrisy. It's a good Bill. It's the best Bill of the Session and I urge a 'yes'

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

123rd Legislative Day

May 23, 1984

vote."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker. Just to... I just want to say, really, that I agree with everything that Representative Johnson stated. I think the concept of Sunday closings was ridiculous when it was first brought up two years ago. It's asinine. It's nonsensical. It serves no part of the public good, which is the only reason we've been sent here to legislate. It serves only a special interest and they change their mind. I have had many letters from people in the car industry who are against Sunday closing, who want to be open because Saturday and Sunday are the two main shopping days, as Representative Johnson stated. This Bill is a good Bill. It's a shame that we have to be voting on it because the Sunday closings never should have been passed in the first place."

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

Vitek: "Mr. Speaker, Ladies and Gentlemen, I move the previous question."

Speaker Greiman: "Gentleman... Mr. Vitek moves the previous question be put. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the previous will be put. Mr. Mautino to close."

Mautino: "Thank you, Mr. Speaker. The issue is very clear. The issue is government intervention in private enterprise, rules, regulations governing when an individual does business. If you favor the concept of the free enterprise system in allowing individual competition to set forth the parameters of the business community, then you should vote 'yes' on 3117. If you feel that it is the responsibility of this Body and this governmental forum to kowtow to

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

123rd Legislative Day

May 23, 1984

individuals in a specific industry who can't resolve their own problems and who really don't want to compete on an even basis, then I suggest that you vote against this legislation. But if you feel that you, in your own heart, could live in your occupation with government setting the time and the date and the day of the week that you operate, then we have a difference of opinion. My opinion is that no individual in this Body would sanction government telling them when they could do anything. I ask for an 'aye' vote on 3117."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mr. Mautino, were you seeking recognition?"

Mautino: "Yes, will you poll the absentees, please?"

Speaker Greiman: "Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Domico. Farley. Harris. Huff. Taylor. White. And Younge. No further."

Speaker Greiman: "On this Bill there are 48 voting... Mr. Clerk, we have closed the board, have we not?"

Clerk O'Brien: "Yes, it's locked."

Speaker Greiman: "On this Bill there are 48 voting 'aye', 57 voting 'no', 6 voting 'present', and Mr. Mautino asks leave that the Bill be placed on the Order... no? Okay. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. On Special Order - Labor and Business appears House Bill 3161. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3161, a Bill for an Act relating to claims for refund of certain occupation and use tax payments and amending certain Acts herein named. Third Reading of the Bill."

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

123rd Legislative Day

May 23, 1984

Speaker Greiman: "Mr. Keane, are you going to proceed with that? Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 3161 amends the Use Tax Act, Service Use Tax Act, and the Service Occupation Act, as well as the Retailers' Occupation Tax Act. It provides that if a taxpayer does not receive a tentative determination notice from the Department of Revenue within 15 days after filing a claim for a refund pursuant to any of those Acts that I mentioned, the taxpayer may deduct the amount claimed from a subsequent tax payment. Provides that if the claim is later disallowed, the taxpayer shall be liable for resulting interest and penalties. There was a fiscal note on this and basically it says there... it's a wash because the Department of Revenue indicated... however, since the Bill provides that the retailer remains liable for any deductions that are later disallowed, the Bill would have no impact on state revenues. Be happy to answer any questions or... ask for favorable..."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of House Bill 3161. On that is there any discussion? Gentleman from Kendall, Mr. Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to join the Gentleman from Cook County and rise in support of this Bill. Basically what this Bill does and I've known... if you are like myself, have had scores and scores of calls with small businessmen who have either credits coming from the Department of Revenue or they have refunds coming from the Department of Revenue and then they have new tax bills coming up, and up to this time, they haven't been able to use their credits against the liabilities that they have. All this Bill does is allow small businessmen to take those Department of Revenue credits or refunds and use them against the liabilities

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

123rd Legislative Day

May 23, 1984

that they have forthcoming. It makes good sense. It simplifies the process, and I ask for your affirmative support. It's a good small business Bill."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 111 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the order of House Bills Special Order - Labor and Business appears House Bill 3221. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3221, a Bill for an Act to amend Sections of the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, let me say that this Bill is agreed on by the parties to the unemployment compensation agreement last year, business, labor, as well as the Bureau of Employment Security. What this Bill does, it establishes two locally held accounts, a revolving fund within the Illinois Department of Labor, and these two accounts will then allow the Department to continue the payment of emergency job search funds to the work incentive program participants. This Bill has been offered for introduction by the Bureau of Employment Security within the Department of Labor. It was requested by the Comptroller's Office and I'll be glad to respond to any questions you may have or further explanation if you feel it's necessary. If not, Mr. Speaker, I move for the passage of House Bill 3221."

Speaker Greiman: "Gentleman from DuPage moves the passage of

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

123rd Legislative Day

May 23, 1984

House Bill 3221. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. We have now concluded some of the Bills on this Special Order of Business. Mr. Cullerton, for the purpose of a Motion."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that we continue Special Order of Business, Subject Matter - Labor and Business until Thursday, May 24th, 1984, at the hour of 10:30."

Speaker Greiman: "Mr. Cullerton has moved that the Special Order of Business - Labor and Commerce be moved until the hour of 10:30 tomorrow. Does the Gentleman have leave? Leave is hereby granted. The hour of 11:00 having arrived and having passed us by, we are now going to Special Order - Senior Citizens Disabled Persons, and on that Special Order appears House Bill 1535. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1535, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1535 deals with one of the most pressing problems facing the senior citizens in the State of Illinois and that is the cost of health care. The Federal Medicare law pays for a portion of the cost when a senior citizen gets sick and goes into the hospital. Theoretically, 80 percent, but with increased deductibles and coinsurance, that amount is actually less than 45

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

123rd Legislative Day

May 23, 1984

percent. The senior is required to pay the balance out of his own pocket or to have insurance that picks up this amount. This is known as supplemental Medicare, and a very large number of senior citizens in the state have such insurance coverage. This legislation gives the senior citizens some guarantees that the rates that they will... they are paying, under the supplemental Medicare, are fair and equitable. Over the last few years, the costs of the supplemental Medicare have gone up astronomically. This Bill would require a review of the rates by the Department of Insurance with the opportunity for public hearings. The companies would be required to justify their increases. This also gives the seniors an opportunity to participate in the process. The largest provider of supplemental Medicare in the State of Illinois is Blue Cross. Until December of 1982, Blue Cross was subject to rate review by the Department of Insurance. During that time, there was active and vigorous involvement on the part of the senior citizens. The senior citizens felt that the rates, whether they went up or didn't go up were fair, because they understood they had to be justified. They understood that they had a voice. They could participate in the hearings. They could hear what went on. This Amendment originally... this Bill originally only reestablished rate review for the Blue Cross Supplemental Medicare, but with Amendment #3, the scope of the Bill was broadened to protect all senior citizens who have supplemental Medicare. This legislation comes from the grass roots. The senior citizens came to myself. They came to the Speaker and they came to the other Members of the General Assembly. And they said, 'We are being hurt. We cannot afford these vast increases. We don't believe they are totally justified.' And they have asked for this legislation. They have lobbied this

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

123rd Legislative Day

May 23, 1984

legislation. They have talked to their legislators. There was a rally, for example, just three days after the primary at Chicago Temple in Chicago at which 500 senior citizens from the entire metropolitan area, from all parts of the city and the suburbs were present. We had a senior day a couple weeks ago in Springfield. And the vast majority of the senior citizens who were down here were lobbying on this Bill because they were concerned about this legislation. Now, this legislation is no guarantee that rates aren't going to go up because, objectively, as costs go up, the rates are going to have to go up. But what it is a guarantee is that the seniors are going to know that there is justification for the increase because there has to be a justification set forth at hearings. And there is also going to be an opportunity for the seniors to be involved. So if the rates do go up, they are not going to like it, but they are going to feel that the process is fair and equitable. That's what this Bill is all about, input on the part of the senior citizens, fairness. And I urge your support for what I believe is probably the most important senior Bill we will be dealing with this year. We've dealt with a lot of legislation that helps senior citizens, but there is no other Bill that has a direct... as direct a financial effect on the senior citizens of the state. I know a number of the Members on the floor initially felt it was wrong to single out one company even though that company provided the vast... the largest portion of the supplemental Medicare. I resisted the Amendment to expand, but it was the feeling of this majority of this Body that it should cover all. So for those of you who felt it was inequitable to only cover one company, that has been resolved. I continue to remain open as far as discussions about this legislation, but it has

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

123rd Legislative Day

May 23, 1984

come from the seniors. They feel very strongly about it. I tender this to you. I think it's a good vote on behalf of the senior citizen, and I urge your affirmative vote for House Bill 1535."

Speaker Greiman: "The Gentleman from Cook has moved for passage of House Bill 1535. And on that, is there any discussion? The Gentleman from Cook, Mr. Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Question of the Sponsor, please."

Speaker Greiman: "Indicates he will."

Nash: "Representative Levin, I'm Cosponsor in this Bill - hyphenated Cosponsor - and you had indicated in Committee, and it was let out of Committee, that you will not accept any Amendments on this Bill. If there were any placed on there that you would toot the Bill. Is that correct?"

Levin: "Representative, I was asked by a couple of the Members from the other side of the aisle in Committee, and I indicated I would resist Amendments, and I certainly did resist the Amendment that was offered by... Amendment #3. But I would point out that these same Members who asked me to resist, voted for Amendment #3, and it seems to me you can't have your cake and eat it, too. I understand the strategy, but the commitment, you know, the commitment was made and one would expect that the person that wanted the commitment would not be voting for the very Amendment that they wanted me to resist."

Speaker Greiman: "Do you have further questions, Mr. Nash?"

Nash: "Yes, Mr. Speaker. This was a good Bill, and I suggest to the Sponsor he take it back to Second Reading and remove the Amendment so we can vote on it."

Speaker Greiman: "Further discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

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

123rd Legislative Day

May 23, 1984

Speaker Greiman: "Indicates he'll yield for question."

Friedrich: "Do other states have this provision about rate fixing by the Department?"

Levin: "Representative, approximately 45 other states regulate some or all of the supplemental Medicare rates. Now, in most cases, this is limited to Blue Cross. The law we used to have on our books existed not only in the State of Illinois, but it also exists in about 45 other states and they still have that law."

Friedrich: "How do our rates compare to those? How do the rates charged in Illinois compare to those who are regulated?"

Levin: "I think it... I think it's fair to say that the rates we pay in Illinois, the senior citizens here pay, are by and large, larger... higher than the rates in other states."

Friedrich: "Well, that's not the information that I have, and I think you ought to check that, but I can tell you that they have gone up appreciably in other states and are comparable to what has happened to Illinois, also. So, putting the regulation on doesn't necessarily mean... I think it's a... just a gimmick to please senior citizens and make them think you are doing something when really, I don't think you are."

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

Brookins: "Will the speaker yield to a question?"

Speaker Greiman: "Indicates that he will yield for question."

Brookins: "Mr... Representative Levin, it's my understanding that the Bill was a very good Bill until you put the Amendment, and you had agreed to take the Amendment off."

Levin: "Well, Representative, I did not like the Amendment. The senior citizens who have been involved in this legislation liked the Bill as it was initially introduced, which was to basically reestablish something that existed previously. They also understood that to expand the scope of the Bill

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

123rd Legislative Day

May 23, 1984

would make it more... much more difficult to pass and as a result, we resisted the Amendment. Unfortunately, it was the feeling of a majority of this Body that that Amendment #3 should go on. I then went back to the senior citizens and I asked them for guidance as far as what they wanted to do. And they felt that we should go with the Bill as is, and if we can pass it, all the good... all the better. Their interest was in the Blue Cross. This, of course, is something which we fought. We did not win on that particular issue. You know, I personally prefer the Bill in its original form, but, you know, I did not prevail. Obviously, there is a lot of focus on both sides on that particular issue. You know... And there are, I know, many Members on both sides of the aisle who did feel it was inequitable to single out one company and one... and felt that they'd prefer to have all companies included. So, as I say, I preferred it in the original form. I think we did everything we could to keep it in the original form. That was, obviously, not the feeling on the part of the majority of the Members of the House."

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

Speaker Greiman: "Proceed, Mr. Brookins."

Brookins: "I... the Bill is a good Bill and I could support the Bill if the Amendment was not on it. I think that it's unfair and I know that you have been handcuffed, Mr. Levin. But, if you would take it back, we could support it and would support the Bill. It's a good Bill, but with that Amendment, it just kills it. That's what we have to do, so I urge a 'no' vote."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino."

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

Speaker Greiman: "Indicates he'll yield for question. Proceed."

Mautino: "As I read your Bill as amended, Representative Levin, I

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

123rd Legislative Day

May 23, 1984

see that you want the State of Illinois to get back into the rate making process. Is that correct?"

Levin: "With respect... Well, as with Amendment #3, it would require a rate review with respect to the lines of supplemental Medicare."

Mautino: "Do you recall what the past practice was in the area of workers' compensation?"

Levin: "Yes."

Mautino: "Is this not identical language for rate review under Medicare that was originally instituted under workers' comp?"

Levin: "Well, the procedure is similar and it's, of course, similar to what existed for the Blue Cross when Blue Cross was regulated."

Mautino: "And once we eliminated the state review under workers' compensation and went to open competitive... and open competitive system, what happened to the rates then? Did they not go down under the open competitive provisions?"

Levin: "I'm told that the situation is exactly the reverse, that what we have here is in an unregulated market right now, we are seeing large increases in the rates with respect to the supplemental Medicare. You know, that's... that's the experience right now."

Mautino: "Was it not the posture of Blue Cross and Blue Shield when they changed their method of operation from a non-profit structure, tax free structure to a mutual company, they did it because of the rate structure that was in place at that time that caused heavy losses?"

Levin: "No, I think they did because they got tired of, number one, having to justify their increases and number... and the senior citizens coming to and attending the hearings. And secondly, there was a provision in the law that stated they could not increase their rates if they did not act

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

123rd Legislative Day

May 23, 1984

vigorously to hold down the cost of health care, and they have been found to be out of compliance. During the time that there was rate regulation, they did get increases. Many of us felt that the increases were too extensive. But the process did provide that they were to be made whole, that there was not to be confiscation and, in fact, there were... there was a period of four years when there were no increases that were granted. And there was a period of about the last year and a half before deregulation when they did, in fact, achieve substantial increases in their rates. They were able to justify it, and they got them."

Mautino: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Mautino: "The proposal is laudable, Representative Levin. I have a problem, once again, stating that the state should be involved in the rate making process when, in fact, I have found personally that the open competitive market place has made insurance more reasonable or stabilized the increases. With your Amendment on... of Amendment #3, it seems to me that once again we are asking that the state put a lid on an entity, an insurance entity, so that there would be no increases when, in fact, maybe small increases that would occur under the competitive market place would be on a gradual reduced sphere, as opposed to not having any increases at all for five or six years and then a big hit at the end of that period. It is very laudable, what you are trying to do. But I am concerned that the open market place now is the area in which health care is going to be stabilized and not through rate evaluation at the state level. We got into many problems with workmen's compensation under the old provisions. I think that we don't need those same problems again. I'm sure the seniors have been deluged with insurance proposals as supplementals

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

123rd Legislative Day

May 23, 1984

to Medicare and Medicaid under Blue Cross and Blue Shield and there have been actions taken by the Attorney General in some instances and by state's attorneys in others to curb some of those illicit practices. The increases that they have been receiving under Blue Cross and Blue Shield, I agree, have been very large over the past year and a half. But I have a feeling that if this legislation is enacted, that in two years the increases would be drastically increased once again. And I am not so certain you have the right..."

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

Mantino: "...provisions for this legislation."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple questions?"

Speaker Greiman: "Indicates he will yield for questions."

Churchill: "Representative Levin, do you have any idea what the cost of this Bill will be?"

Levin: "Yes, we do have a fiscal note and the cost is fairly nominal."

Churchill: "And what would that cost be?"

Levin: "I think it was... I don't have the fiscal note on me. I think it was... \$126,000 according to the fiscal note that was filed with respect to Amendment #3."

Churchill: "And is that just for the staffing to take care of this?"

Levin: "Yes, the cost of the hearing officer and a court reporter would be picked up by the insurance company, which it was the procedure previously."

Churchill: "Is that true under the Amendment?"

Levin: "Yes."

Churchill: "Oh, I'm getting a contrary story here. They are saying that under the Amendment, the cost per hearing is

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

passed on."

Levin: "No, the Amendment simply deleted the balance on page one of the Bill from lines 15 through 27, which was the criteria... It was a limiting criteria. The rest of the Bill and the rest of the Amendment #2, which includes the cost question, was not affected by Amendment #3."

Churchill: "Representative, what line was that on, where it deleted the cost?"

Levin: "Pardon?"

Churchill: "What line was that?"

Levin: "Amendment #3 deleted the balance of the... of the Subsection 1, the sentence after the word... beginning with the word 'if', and ending on line 27 with the word 'Act'. It only affects... it reads, 'amends House Bill 1535 as amended in the first sentence in Subsection 1 of Section 363(b) by deleting everything after State of Illinois and inserting in lieu thereof a period.' So that the Amendment... the balance of Amendment #2 was unaffected and, as a matter of fact, the Department in its fiscal note, initially had some confusion, but ended up agreeing with me that the cost would be \$120,000, and what they did is, they took the share of the market that they had previously done on a fiscal note for Blue Cross, which was I think 28 percent, and they multiplied by four."

Churchill: "Unfortunately, the staff on our side takes a look at the Bill and disagrees with your position on the Amendment and believes that that portion is included, that those costs will be borne. And the figures that I have come out to about \$9,000 per hearing, and they are estimating about 250 to 300 hearings per year, so you are looking at perhaps two and a half million dollars per year."

Levin: "Well, Representative, we have the fiscal note from the Department. That is one of the reasons that we have the

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

123rd Legislative Day

May 23, 1984

procedure. There was a vote on whether or not the previous fiscal note was adequate. The feeling of the majority of the Members of the House was it was not. And so there was a new fiscal note filed, not by me, but by the Department of Insurance, based on Amendment #3 as they interpreted it. And their conclusion was, the cost would be \$120,000."

Churchill: "Representative, at some point, there still is a cost in this to provide all these hearings and everything, whether it be paid by the state or whether it be paid by the insurance companies. I guess my question comes back to you, then. Is that a cost which will be passed on to the senior citizens? Are we not really just tacking an additional cost on the senior citizens for the supplemental insurance?"

Levin: "Representative, the... if, as a result of the procedure, increases which are not justified are denied or held down, the savings, the net savings, is rather substantial."

Churchill: "I see. As a further and final point, Representative, it's my understanding that you made a commitment on this particular piece of legislation in Committee that the only scope of this Bill would define... be defined directly for Blue Cross/Blue Shield and that if the scope were expanded in any fashion that you would not proceed with this Bill. Is that not true that you made such a commitment?"

Levin: "I was asked about that by a previous speaker, and what I indicated to him I indicate to you was that there was a commitment that I made to Members from your side of the aisle in Committee, but it was the same Members that I made the commitment to who then voted for Amendment #3. It seems to me you can't have your cake and eat it, too. You know, you can't ask somebody to resist an Amendment and then turn around on the floor and vote for that Amendment. As I said earlier, I felt that the scope of the Bill should

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

123rd Legislative Day

May 23, 1984

have been limited. I fought it. We were not successful in that respect. The majority of the Members of the House felt that it should be expanded, that the protections the Bill provided should apply to all senior citizens who have supplemental Medicare, and we went back to the seniors and they wanted to proceed with this legislation. It's an important Bill... the very key as far as the cost to seniors of health care."

Churchill: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Churchill: "Yes, I rise in opposition to the Bill. I don't think that the cost analysis has been done properly by the Sponsor. I think that, were the Members to look at the Bill, they would find out that this is a higher cost than the Sponsor is guessing and telling us at this point. I also think that this Bill flies in the face of the history of what we have been trying to do with regulation of the insurance industry and I think, for that reason, it should fail. In the event that this Bill should get anywhere near the proper amount of votes to carry it, I would ask for a verification."

Speaker Greiman: "Further discussion? The Gentleman from Winnebago, Mr. Giorgi."

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

Speaker Greiman: "The Gentleman from Winnebago moves the previous question be put. All those in favor signify by saying 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the question is put. Mr. Levin, to close."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is probably the most important vote we will have this year with respect to senior citizens. The seniors are hurting as far as the cost of the supplemental

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

123rd Legislative Day

May 23, 1984

Medicare, and this legislation will help to guarantee to them that the increases, if there are to be increases, will be justified, that they will have some input in the process. What we are proposing isn't new. It's something that existed for Blue Cross for a period of forty years. It did not lead Blue Cross not to get increases that were justified, but it did make it possible for the seniors to be involved in the process and to have confidence that the rates were fair and equitable. Again, I urge you to cast your vote for House Bill 1535 and for the senior citizens of the State of Illinois."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Tate from... Gentleman from Macon to explain his vote, one minute."

Tate: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the Sponsor of this Bill was given a very fair hearing in Committee. He'd given to the Insurance Committee a commitment that if this Amendment was opened up to all insurance companies, he would withdraw the Bill. The Sponsor... if you respect the Committee process of this chamber, then the proper vote is a 'no' vote. But besides that, to the merits of the issue. We have been talking about free enterprise, here. This same chamber two years ago deregulated workmen's compensation. It deregulated Blue Cross and Blue Shield. But now what we want to do, one year later, is turn around and put rate regulation on virtually every insurance company in the State of Illinois. Hearings that would cost between six and nine thousand dollars per hearing, which wouldn't cost... which... the Sponsor, which did not even know the cost of the Bill itself, could not respond to the fiscal note. We could be conceivably talking about millions and millions of dollars.

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

123rd Legislative Day

May 23, 1984

Ladies and Gentlemen, I hope that 59 votes... I see that the vote is properly recorded. I just hope... encourage a 'no' vote. Thank you."

Speaker Greiman: "Mr. Brummer, to explain his vote. One minute, Sir."

Brummer: "Yes, very briefly in opposition and explanation of my vote. There are some 75 to 80 insurance companies write Medicare supplement in the State of Illinois. There is competition throughout the state with regard to this type of insurance. There is no reason for the State of Illinois to get involved in rate making. It is a Bill which is a fraud on the senior citizens, I would respectfully suggest, because I do... I am not convinced that there will be any savings at all to the senior citizens. In fact, if anything, there will probably be a net increase as a result of this. Competition in the marketplace is fierce. It sets the rates. It will keep the rates lower than... than they are or would be under the rate making process. It's exactly what we have gone through in reverse with regard to workers' compensation. We've taken the State of Illinois out of the rate making process. We have reduced rates as a result of that, as a result of competition in the marketplace. That best serves the senior citizens. A 'no' vote is the best vote on this."

Speaker Greiman: "Gentleman from Vermilion, one minute to explain his vote. Mr. Stuffle."

Stuffle: "Mr. Speaker and Members, I think Representative Brummer hit it on the head. This is a bit of a fraud. It probably does just the opposite of its intention. The original Bill had some strong provisions with regard to injunctive relief by the state's attorneys of this state and by the Attorney General wherein they could have made examples of some of the shysters that attempt to sell insurance. To go back to

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

123rd Legislative Day

May 23, 1984

rating is to defeat the purpose and the cause that we have been able to do in this state by getting away from it and opening this up to the marketplace in such a manner that we have had costs go down in all areas. And this Bill is not what it appears to be or intended to be, and it certainly is nothing like it was when it was introduced. And it ought to be defeated for all the reasons given here today."

Speaker Greiman: "Mr. Levin, to explain his vote. One minute, Sir."

Levin: "Thank you, Mr. Speaker. Let me just indicate that, you know, there obviously is not sufficient sentiment to go with the Bill with Amendment #3. I prefer the Bill in its original form. If I can get up to 47, it would be my intention to bring the Bill back, attempt to take off Amendment #3. So I'd ask for enough votes to get me to 47."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 47 voting 'aye', 59 voting 'no', 8 voting 'present', and Mr. Levin asks leave that the Bill be place on Postponed Consideration. Leave is granted and the Bill will be placed on the Order of Postponed Consideration. On the Order of House Bills Special Order - Senior Citizens Disabled Persons appears House Bill 2606. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2606, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

Hannig: "Yes, thank you, Mr. Speaker. I would ask leave of the House to bring this Bill back for purposes of an Amendment."

Speaker Greiman: "Gentleman asks leave to bring... return House Bill 2606 to the Order of Second Reading for the purpose of

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

123rd Legislative Day

May 23, 1984

Amendment. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk."

Clerk O'Brien: "Amendment #2, Hannig and Rea, amends House Bill 2606 on page one in line one and five and so forth."

Speaker Greiman: "Mr. Hannig, on Amendment #2. Oh, Mr. Rea. Mr. Rea, you are going to take the Amendment."

Rea: "Amendment 2 corrects action that was taken by Senate Bill 244 during the 82nd General Assembly when there was a... when it dealt with correctional officers and at the time thought that the teachers of the correctional system were included in it. And what this does, it provides an increase in retirement allowance and rate that they contribute for teachers employed by the Department of Corrections School District. It only involves approximately four or five hundred teachers and this is corrective action that they... that was intended in the original legislation. And I would move for its adoption."

Speaker Greiman: "Gentleman from Franklin moves for the adoption of Amendment #2 to House Bill 2606. Is there any discussion? There being none, the question is 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Macoupin, Mr. Hannig, asks leave that the Bill be heard at this time, waiving the appropriate rule. Does the Gentleman have leave? Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2606, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

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

123rd Legislative Day

May 23, 1984

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.

This Bill, now amended, basically addresses two problems. First, it works to provide for an additional member for the Downstate Teachers' Retirement Article of the Pension Code. In the pension laws and the way the pensions are administrated, there is a board which oversees the investments of the various pensions that we fund in this state. Currently, for the retired downstate teachers there is a nine member board. What this Bill proposes to do is to expand that board to ten members and to provide that that extra member is an annuitant. That is, it is a retired teacher. The teachers, for an awful long time, have felt that it is important that the... an annuitant have a voice in what is being done and how these investments are being made. And while the active teachers do have a voice, at the present time, the annuitants have no direct voice other than casting their vote along with the teachers who are currently working. So what we are trying to do by the first part of this Bill is to provide that there is, indeed, an annuitant on the board which makes the policy decisions concerning the pensions. Now, this Bill in Committee was supported by the retired teachers and by the Illinois Education Association. The second part of the Bill is the Amendment we just adopted, Representative Rea's Amendment, which addresses an oversight that we had last year when we provided an alternative formula for guards who worked at prisons, for people who are at correctional institutes. We inadvertently forgot to give this additional method of computing benefits to the people who teach at the prisons. Inadvertently, we forgot that they were under the teachers' pension retirement system and this Amendment now, which is part of this Bill, will address that inequity. I think,

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

123rd Legislative Day

May 23, 1984

together, that this is a good piece of legislation, and I would move for its passage."

Speaker Greiman: "The Gentleman from Macoupin moves for the passage of House Bill 2606. Is there any discussion? The Lady from Cook, Ms. Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Greiman: "Gentleman will yield for a question. Proceed, Ms. Pullen."

Pullen: "Would you please tell us what the increase in unfunded liability is, due to Amendment #2?"

Hannig: "The cost annually is \$300,000."

Pullen: "According to the pension impact note, the increase in actuarial liability is a million nine hundred thousand. How does that compare to unfunded liability?"

Hannig: "Could you repeat the question? I'm having trouble hearing."

Pullen: "According to the pension impact note, the increase in actuarial liability is a million nine hundred thousand. How does that compare to unfunded liability?"

Hannig: "The total unfunded liability of the system is 2.9 million... billion, I'm sorry. 2.9 billion, roughly."

Pullen: "And how much does this add to that?"

Hannig: "1.9 million."

Pullen: "So this Bill adds 1.9 million to the already difficult unfunded liability problem for this system, is that correct?"

Hannig: "I would point out that two-thirds of the cost is being picked up by the employees, so we are not simply giving our state employees something for nothing."

Pullen: "Well, that's not what I'm asking. I'm asking what the increase in unfunded liability is and you said 1.9 million, right?"

Hannig: "That's correct."

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

123rd Legislative Day

May 23, 1984

Pullen: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 88 voting 'aye', 23 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On Special Order of Senior Citizens Disabled Persons appears House Bill 3152, which is presently Consideration Postponed. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3152, a Bill for an Act creating the Commission for the Blind and amending certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask leave to bring this Bill back to Second Reading for the purposes of an Amendment."

Speaker Greiman: "Gentleman from Cook asks leave to return the Bill to the Order of Second Reading for the purpose of an Amendment. Gentleman have leave? Leave is hereby created. Mr. Clerk."

Clerk O'Brien: "Amendment #2, Cullerton, amends House Bill 3152."

Speaker Greiman: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There was some confusion with regard to this Bill when it was first debated. People thought that this was a legislative commission and people were voting against the Bill as a result of it. It is not a legislative commission and to make that point even more clear, I have an Amendment here that changes the word commission to council, and I would just point out that the purpose of

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

123rd Legislative Day

May 23, 1984

this Bill is really an executive reorganization and has nothing to do with commissions within the Legislature. So I would move for the adoption of Amendment #2."

Speaker Greiman: "Gentleman from Cook moves for the adoption of Amendment #2 to House Bill 3152. On that is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman from Cook, Mr. Cullerton, moves that the appropriate rule be suspended in order to have immediate hearing on House Bill 3152. Does the Gentleman have leave? The Gentleman has leave. Leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3152, a Bill for an Act creating the Council for the Blind and amending certain Acts herein named. Third Reading of the Bill."

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

Cullerton: "Yes, I want to compliment the Clerk for accurately picking up the Amendment. It must be in the computer already. This Bill, as the Clerk indicated, creates a Council of the Blind, assuming the powers and duties relating to the blind that are being exercised by the Illinois Department of Rehabilitative Services, including the administration of the Illinois Visually Handicapped Institute in Chicago and the Illinois School for the Visually Handicapped in Jacksonville and the administration of the Blind Vending Stand Program. We debated this Bill on a previous day. There were questions concerning who was in favor of it. There are two... basically two groups of... organized groups of blind in Illinois, one the National Federation of the Blind, affiliated in Illinois,

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

123rd Legislative Day

May 23, 1984

is very much in favor of the Bill. The Illinois Council for the Blind has taken no position. I believe it will be a... I'd appreciate your support for the Bill. Thank you."

Speaker Greiman: "Gentleman from Cook has moved for the passage of House Bill 3152. On that is there any discussion? The Gentleman from Cook, Mr. Piel."

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

Speaker Greiman: "Indicates he will yield for a question. Proceed, Sir."

Piel: "John, we just accepted an Amendment #2. Basically, what we did, we changed the word 'commission' to 'council'. So basically, what the thing is, the Bill hasn't changed at all, except you are just calling it a council instead of a commission, correct?"

Cullerton: "Yes, well, first of all, if you don't mind, I would like to say that we didn't slip an Amendment on. We just voted for it and I... I explained it. And the reason why I put that Amendment on..."

Piel: "I didn't say... you misunderstood me. I didn't say we slipped an Amendment on. I didn't say that at all."

Cullerton: "We slid an Amendment on?"

Piel: "No, I didn't say that. Excuse me, I'm hoarse."

Cullerton: "We adopted... we adopted an Amendment."

Piel: "No, you said that I slipped... I said that we slipped one on. I didn't say that."

Cullerton: "Okay, no. The reason for that was there was some confusion on our side of the aisle as to whether or not this was a commission in terms of like a legislative commission, which as you know, is a controversial issue this Session. To make that clearer to the Members, I changed the word from 'commission' to 'council'. That's the purpose of the Amendment."

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

123rd Legislative Day

May 23, 1984

Piel: "Okay, what would be the cost of the council, cost to the taxpayers?"

Cullerton: "Well, again, this was debated the other day and I pointed out that the purpose of the Bill is to transfer the organization of the services for the blind from DORS, Department of Rehabilitative Services, to another agency and the theory is that it will not cost any more money. It's more of a structural change, rather than a change that will result in having to spend more money."

Piel: "What is, you know, what is the reason for changing? You know, I mean you say that a lot of people were concerned when you said commission, but what is basically the difference between... I mean we didn't restructure the Bill at all. What is the difference between just changing one word to council, the word commission to council?"

Cullerton: "The Amendment doesn't change the structure. It's the Bill that does that. And the Bill, itself, says that the Governor shall nominate seven members... he shall appoint four members confirmed by the Senate and it's this seven member council that will administer the services to the blind. And, as I indicated, the reason for this is to accommodate the recommendations made by these groups of the blind so that they will... that they feel that they would be better served by having a council of which they would have four visually impaired members on the council and they just feel that this governmental reorganization would benefit them."

Piel: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill we are considering today establishes an arrangement that is... that is not unlike arrangements that

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

123rd Legislative Day

May 23, 1984

are common throughout the United States. Federal law, indeed, takes cognizance of special organizational structures for blind. This legislation is perfectly consistent with that federal legislation and with practice elsewhere in the nation. So what we are doing here, it seems to me, is quite appropriate and is something that is supported by the blind community in the State of Illinois because they feel that this will lead to better service for them. And I believe that that is something that we all ought to be able to agree upon. If the blind themselves are in a position of helping to establish policy, they... better services for them are sure to follow. I urge a 'aye' vote."

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

Topinka: "Yes, if I may ask some questions of the Sponsor, please."

Speaker Greiman: "Proceed, Ms. Topinka."

Topinka: "Yeah, does the Bill basically stay the same and would this, indeed, cost the state three million dollars more to basically create an agency that is already being taken care of now, presently under the Department of Rehabilitative Services?"

Cullerton: "Well, we debated this before. The... to answer your question, the Amendment just changes the word 'commission' to 'council'. The issue of the money is a debate between the people at Department of Rehabilitative Services who feel that this will be a very costly move and that it will... there will be higher administrative costs, et cetera. And the advocates of the blind have indicated that they want the same amount of money that's being spent now..."

Topinka: "They would want the three million dollars that this program would involve?"

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

123rd Legislative Day

May 23, 1984

Cullerton: "Not... no additional... there should be no additional money for administrative costs. That's what their position is. And, you know, I'm just saying that, you know, we have to go through the appropriation process to appropriate money and we can... we can be... and watch that, and I'm indicating the purposes of legislative intent right now that it's not intended to increase the cost."

Topinka: "Alright. If I may ask another question, where would the multiply handicapped blind go? Would they fall under this Department then, or then would they revert back to the Department of Rehabilitative Services, or where would they land?"

Cullerton: "We talked about that the last time we debated it as well, and the answer I gave then stands, that when there is someone who is blind, as well as having other infirmities, that there could be an interagency agreement between this new council and the Department of Rehabilitative Services. Right now they have to be treated by two separate counselors, and it would not in any way hamper the services to the blind."

Topinka: "At this moment in time, if this passes, therefore, would all shared services be lost unless inter-department agreements be established?"

Cullerton: "I don't think so at all, no. I don't see any reason why there wouldn't be an inter-governmental... inter-agency agreement."

Topinka: "Okay. To the Bill, Mr. Speaker. We have debated this issue before and I... you know, I think we have probably kicked it around as much as it can be kicked around and changed words back and forth. But ultimately, we are still talking about 6.8 percent of the population, which is blind, getting roughly ten percent of the current budget from the Department of Rehabilitative Service. It is the

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

123rd Legislative Day

May 23, 1984

Department's perspective here that this will cost three million dollars to the state to allow this group to break away and start over again, thus reinventing the wheel. I think it also sets a precedent that, should this become law, that every other handicapped group can, therefore, demand equal time, equal rights and also try and fragment off. What we are going to wind up with, here, is something that's going to be very difficult to administer, and it's going to be expensive in the long run. That's it."

Speaker Greiman: "There being no further discussion, Mr. Cullerton to close."

Cullerton: "Mr. Speaker, I would just ask for a favorable Roll Call on this Bill."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 63 voting 'aye', 40 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We have concluded now the Special Order on Senior Citizens Disabled Persons. We will now proceed on the Order... the Special Order of Banking and Finance. And on that Order of Business appears House Bill 1063. Mr. Clerk, is Mr. Pierce in the chamber? Out of the record. On Special Order - Banking and Finance appears House Bill 1800. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1800, a Bill for an Act to amend Sections of the Illinois Credit Card Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Homer, the Gentleman from Fulton."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. In 1973, the Legislature adopted a Credit Card Act to protect

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

123rd Legislative Day

May 23, 1984

against fraudulent use of credit card transactions. Since that time and in recent years has been the advent of the debit card which is what is used when an individual has access to a money center or an Easy Answer, where a card is inserted, numbers are pushed and cash is returned against a previous deposit. This Bill simply would include protections for debit cards essentially the same as we have already had in the law for credit cards. And I think that through Committee negotiations we have resolved any objections to the Bill, and I would ask for your support."

Speaker Greiman: "The Gentleman from Fulton has moved for passage of House Bill 1800. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', none voting 'no', none... 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Order - Banking and Finance appears House Bill 2780. 2780, out of the record. On the Order of House Bills Special Order - Banking and Finance appears House Bill 1063. We'll back up. Mr. Pierce, you prepared on that? Mr. Clerk, read the Bill. 1063."

Clerk O'Brien: "House Bill 1063..."

Speaker Greiman: "Mr. Pierce, for what purpose do you seek recognition?"

Pierce: "Mr. Speaker, you don't have the right number on the board, do you?"

Speaker Greiman: "1063."

Pierce: "Alright, Mr. Speaker, on House Bill 1063, I was prepared to go ahead today, but in view of circumstances in Chicago

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

123rd Legislative Day

May 23, 1984

with the Continental Bank, I will ask that this Bill be heard... held on Third Reading pending further developments."

Speaker Greiman: "Alright. Out of the record then. Now, on the Order... on the Order of... Special Order of House Bills, Banking and Finance appears House Bill 2939. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2939, a Bill for an Act relating to interest earned on taxes collected on behalf of tax districts amending certain Acts therein named. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer. Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 2939 addresses a problem that's become very serious for counties, and it deals with the issue regarding the retention of interest on monies collected by a county collector prior to distribution to the taxing districts. We've had other proposals that have dealt with this subject, and basically, just as a very brief review. The county treasurers, pursuant to the Treasurers' Act, had been over the years depositing all interest earned on these tax monies in the county general fund to be used for county purposes. Through a series of court cases that originated in DuPage County brought by the Wooddale Library District, that concept was challenged and the appellate court and ultimately the Supreme Court held that counties could not retain the interest earned on those monies, but rather had to turn those over and distribute them to the taxing districts along with the taxes due to the taxing districts. The court went on to further provide that counties would be liable for this obligation dating back to 1976. This has resulted in a potential liability for all counties in the State of Illinois of 150 million dollars that counties

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

123rd Legislative Day

May 23, 1984

would have to pay back if the court cases stand. The Supreme Court has currently agreed to review the holdings of the lower court with regard to the issue of whether the liability ought to be retroactive to 1976, and we do not know how that will be resolved. This legislation very simply says that if, ultimately, the courts decide that the money must, in fact, be repaid to the taxing districts, then this legislation would permit counties to issue funding bonds to pay that obligation and to levy a tax sufficient to retire those funding bonds, but would, in order to protect the taxpayer, require that the taxing districts tax levy be abated in an amount necessary to compensate them for any monies they should receive from the counties. The bottom line is that the taxpayer would be protected. The counties would be held harmless and all of the taxing districts would, insofar as the retroactive issue, be put in the position that they always believed themselves to be prior to the Wooddale decisions. It's an important Bill which would become crucial in the event that the Supreme Court does not grant relief, and I would urge your approval of the Bill."

Speaker Greiman: "Gentleman from Fulton moves for the passage of House Bill 2939. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he will, for a a question."

Ropp: "Mr. Representative, actually, this is kind of the second part of the two part proposal by the... ruling by the judge which deals with the retroactiveness, if that happens, and I think you have stated that if the Supreme Court overrules that, then this Bill, if passed, would not necessarily be needed, right?"

Homer: "If the Sup... That's correct, Representative Ropp. If

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

123rd Legislative Day

May 23, 1984

the Supreme Court should determine that the application of the Wooddale case should not be retroactive, then this Bill would not be needed."

Ropp: "Okay. And the Bill that we passed that I had last week or so, actually, in fact, deals with a situation from a point now beyond. This Bill deals with now and back to 1976."

Homer: "That's correct. They are actually mutually consistent compatible concepts. Your Bill, as I understand it, would increase or allow counties by referendum to increase their levy sufficient to pay the counties for the expenses they incur as a result of acting as the collector. This Bill does not deal with prospective treatment. It deals only with that issue of the retroactive obligation of counties."

Speaker Greiman: "Further discussion? There being none, the question is 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. I'm sorry, Mr. Piel, to explain his vote."

Piel: "I don't need to explain my vote, but I just happened to notice on our analysis, it said, 'a back door referendum.' I was just going to ask them if it was still in the Bill after the Amendment?"

Speaker Greiman: "Well, perhaps he can shake his head. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 102 voting 'aye', 10 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills, Special Order - Banking and Finance appears House Bill 2961. Mr. Keane? Mr. Keane in the chamber? Out of the record. On Special Order - Banking and Finance appears House Bill 3001. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3001, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Speaker Greiman: "The Gentleman from Cook, Mr. Preston. Mr. Preston, are you joining us today? Thank you, Sir. Proceed, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3001 establishes a homestead property tax exemption for disabled persons similar to the homestead exemption that exists for senior citizens. The Bill proposes to expand the terms of the senior citizens homestead exemption to include disabled persons. The definition of a disabled person, as used in the Bill, has been taken from the senior citizens and disabled persons property tax relief. This would give additional property tax relief to people who are handicapped who are disabled in Illinois, as I said, similar to the kind of homestead exemption we give to seniors over the age of 65. This would give some relief to people who badly need this type of relief. It is supported by a whole list of organizations for the disabled, and I encourage your 'aye' vote."

Speaker Greiman: "The Gentleman from Cook moves for passage of House Bill 3001. And on that, is there any discussion? The Gentleman from Kendall, Mr. Hastert."

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

Speaker Greiman: "Indicates he will yield for a question. Proceed."

Hastert: "Representative Preston, could you tell me, does the Mandates Act apply to this?"

Preston: "The... My belief is that it does... it does constitute... According to our analysis, it does constitute a reimbursable state mandate."

Hastert: "So, what your saying then, basically, is that the state would have to reimburse to local governments anything that would be impacted upon them by this Bill. Is that

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

123rd Legislative Day

May 23, 1984

correct?"

Preston: "That's my understanding, yes."

Hastert: "Do you know what that fiscal impact would be upon the State of Illinois?"

Preston: "I don't have those numbers. I'm sorry, I don't have that number." The amount of the exemption would be \$2,000 annual exemption, which would be an exemption from that amount of property tax when it's taxed to a disabled."

Hastert: "But what your saying is there was never any request for a fiscal note, so we don't have any real dollar figure on what this might be?"

Preston: "I'm... No, I'm saying I don't have it in my possession right now as I'm talking to you. I'm sure that number is available. I just don't have it."

Hastert: "Well, thank you, Representative. Mr. Speaker, to the Bill. Mr. Speaker, to the Bill?"

Speaker Greiman: "Mr. Hastert, proceed on the Bill."

Hastert: "Ladies and Gentlemen of the House, this is a situation where we again have been involved. What it does is, this is another property tax exemption. If you've read your mail from your school districts, from your local governments, you've seen this type of situation come down again, time after time after time in this House of Representatives. What we are attempting to do or what we actually do in this type of legislation, is completely desecrate the tax base that we have in the State of Illinois. This Bill not only destroys the tax base, but also says that the State of Illinois must pay back any dollars that are impacted by such a Bill. I think that we're in a situation time where we can't afford to do this anymore. Now, I realize that there are people who are worthy. People who have special problems. People who... senior citizens. Now we've really in history tried to take

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

123rd Legislative Day

May 23, 1984

care of those people, but now we come down with another piece of legislation, which gives another exemption on property tax base in the State of Illinois, which impacts our local governments. Which impacts the state government, in this case. I think it's something that we don't want to do, and I ask for a 'no' vote on this Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Would the Sponsor yield, Mr. Speaker? Would the Sponsor yield..."

Speaker Greiman: "Yes, indicates he will."

Ropp: "Representative, did you state the cost of this under the previous speaker? I didn't hear that."

Preston: "No, I did not, because I don't have that exact figure. There are approximately 16,000 disabled persons who are responsible for paying property taxes in the State of Illinois. Those are the people who would be able to benefit from this disabled exemption. The exact figure, however, I do not have, but it can readily be figured out. It's a \$2,000 annual exemption to some 16,000 disabled persons or whatever amount of those 16,000 actually apply for the exemption."

Ropp: "Do you have any knowledge as to a particular area in the state that might be more in need of this kind of exemption? I mean are there more disabled persons in one part of the state than another?"

Preston: "I really couldn't answer that, I... the number would be... would follow the population figures of the State of Illinois. There would certainly be more disabled persons, for example, in Cook County than in Alexander County that we, some time ago, wanted to change to Cairo County. But it would follow the number of disabled persons like the number of senior citizens, like the number of any other category of persons would follow population centers, and it

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

123rd Legislative Day

May 23, 1984

applies state wide. I mean it applies, you know, there are disabled persons, Representative, in your district, in my district and the district, of course, of every person in this Body."

Ropp: "Okay, this only... This would apply, then, to any individual who actually owns a home, no matter how old he might be, compared to our current senior citizens' exemptions. Is that correct?"

Preston: "That is correct, and it would... provided that persons falls within the definition of a disabled person as used in the Senior Citizens - Disabled Persons Property Tax Relief Act."

Ropp: "Generally, I have supported this kind of legislation that deals with senior citizens, because I've somewhat felt it covered a broader base. And I think this particular legislation begins to segregate the different classes of people in our state, and I think it really begins to cut into our tax base. And we ought to be cautious about voting for this, and I hope we all really consider it and vote 'no'."

Speaker Greiman: "Further discussion? Mr. Preston, to close."

Preston: "Thank you, Mr. Speaker, I find it somewhat ludicrous that previous speakers who I respect greatly are talking about building the tax base in the State of Illinois on senior... on disabled persons who exist among us. Those who are least able to earn their livings and to contribute tax dollars to the State of Illinois. I just received a letter today from the Governor of Illinois who is telling me that our fiscal situation in the state is better today than it had previously been. But yet we hear rhetoric about worrying about the tax base of Illinois, and we're looking to build up that tax base on the bones of 16,000 disabled persons. This Bill gives some modicum of relief

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

123rd Legislative Day

May 23, 1984

to people who need the relief the most among us. I can't believe that anyone in this House would think that the \$2,000 annual exemption that is given to disabled persons, disabled persons such as Dolly Hallstrom, who is a former Member of this House, and others, is so bad... that revenue loss is so detrimental to the State of Illinois, it makes no sense whatsoever. These people need our assistance. They need our help, and I encourage your 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Mr. Peterson, one minute to explain your... Mr. Peterson, you may take as long as you like to explain your vote. I apologize for not recognizing you. The Calendar was over your light, proceed, Sir."

Peterson: "Thank you, Mr. Speaker, I would just like to remind people who are Members of this Body that we already have in place a Senior Citizens and Disabled Persons Property Tax Relief Act. It's put out by the Department of Revenue. We are already giving tax relief to these people, and we do not need another program. And I urge a 'no' vote. Thank you."

Speaker Greiman: "Mr. Matijevich, would you reach behind you? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 63 voting 'aye', 43 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Yes, for what purpose does, Mr. Vinson, seek recognition?"

Vinson: "Well, I believe Representative Hastert would like a verification, and I wanted to make sure he had that chance."

Speaker Greiman: "Well, Mr. Vinson, Mr. Hastert neither turned on his light or did he... nor did he seek recognition until

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

123rd Legislative Day

May 23, 1984

after I declared the vote. And Mr. Hastert acknowledges that and is sitting down."

Vinson: "Speaker?"

Speaker Greiman: "Yes, Mr. Vinson."

Vinson: "As you saw, I had my hand raised. Are you going to deny me the verification?"

Speaker Greiman: "Mr. Vinson, I saw you had your hand raised after I declared the vote, and... I... and..."

Vinson: "That is not true, Mr. Speaker."

Speaker Greiman: "Mr. Vinson. I looked up, and I looked... I assumed someone would ask for a verification. No one did until after I declared the vote. On the Order of House Bills, Special Order - Banking and Finance appears House Bill 3024. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3024, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a very technical Bill in nature. It just corrects some of the deformities that we created when we passed out the Income Tax Bill last year. There is no one opposed to this Bill. I think it's agreed on both sides of the aisle, and I move for the passage of House Bill 3024."

Speaker Greiman: "The Gentleman from Cook, Mr. Turner, has moved for passage of House Bill 3024. And on that, is there any discussion? The Gentleman from Winnebago, Mr. Hallock."

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

Speaker Greiman: "Indicates he'll yield for a question."

Hallock: "Well, I appreciate your comments about this being an agreed Bill and all, but I don't know what the Bill does. What are we agreeing to?"

Turner: "Basically, it just amends various Sections in the income

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

123rd Legislative Day

May 23, 1984

tax regarding... let me... Let me take this out of the record, and I'll talk with the Gentleman a little more about it."

Speaker Greiman: "The Bill will be out of the record. On Special Order of Business - Banking and Finance appears House Bill 3069. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3069, a Bill for an Act in relation to the collection of state taxes. Third Reading of the Bill."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this is part of the Governor's STEP program, Stop Tax Evasion, and it's the second of a three Bills series in this regard. This Bill deals with bulk sales transactions and provides that where we have a bulk sales transaction, the buyer can be liable for any tax which has been finally assessed under our Illinois income tax law. We currently do this for sales tax. We're expanding that to the income tax. At this... The time this was debated earlier, there was some conversation that this would be based on some future income tax liability, but it only deals with any unpaid finally assessed income tax which the seller might owe to the State of Illinois. This Bill also modifies the certificate of registration under existing law. A retailer is allowed to operate thirty days before he gets a certificate of registration, in an effort to curb itinerate merchants who come into the state, sell for a few weeks or maybe even up to thirty days and leave without the payment of any tax, you will be required to get your sales tax certificate before you start business. It also modifies the statute of limitations, extending the statute of limitations in an effort to allow the Department to better collect past due taxes which are due. It allows the offset of delinquent taxes against refunds, and it provides for... It includes

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

123rd Legislative Day

May 23, 1984

in the Bill the penalties for those who give bad checks in payment of taxes under the Deceptive Practice Act, and that part of the Bill which was subjected to was amended to take out the objections. And we have not expanded that type of remedy or changed it from the Criminal Code, but have incorporated that in this Bill. I'd be glad to answer questions or would certainly encourage an 'aye' vote on this legislation."

Speaker Greiman: "The Gentleman from Livingston has moved for the passage of House Bill 3069. Is there any discussion? The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Brummer: "Representative Ewing, with regard to the issue of deceptive practices, as amended, are the standards for deceptive practice now as amended the same as deceptive practices under the Criminal Code?"

Ewing: "They are."

Brummer: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Tom, I don't have the Bill in front of me. We discussed this Bill a few days ago. Is it still in the legislation that the income tax due and payable would be held in escrow by a... an individual who is purchasing that business? It's still in there? You're making an individual responsible for somebody else's income tax. Is that correct? Under the Bulk Sales Act?"

Ewing: "It's the same provision under the bulk sales that you have for past due sales tax on a business that you buy. You, as the purchaser, are required to retain back from your payment to the seller the amount of tax that he might owe. In this case you are required to retain any income

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

123rd Legislative Day

May 23, 1984

tax which has been finally assessed at the time of the closing. It has nothing to do with the tax that he'll earn that'll be payable as a result of any profit he makes on this deal."

Mautino: "Once again for clarification, your Bill - let us assume an individual is buying a business under the Bulk Sales Contract Act on May 1. Okay? In escrow, you are asking the purchaser to set aside the income tax of Tom Ewing who not only owns his Dairy Queen, but is also an attorney before the consummation of that sale can occur. Is that what you're doing?"

Ewing: "Only if I have past due finally assessed tax liability to the State of Illinois."

Mautino: "Well, you would have tax liability for example from January until May. Would you not?"

Ewing: "It doesn't cover that. Only prior final assessed taxes for prior years."

Mautino: "Well, I... To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed."

Mautino: "We have... We have avenues available to us in the Department of Revenue to collect income tax from individuals. The individual income tax that is owed by social security number. I still see no reason to tie up a sale of property based upon one individual setting aside the income tax payment of another individual in our free enterprise system. I just don't believe that that's a good concept, using the income tax in the Bulk Sales Act. I agree with using sales tax, use tax, etc., but not the income tax. That's putting a burden on a purchaser to pay someone else's income tax that would be due. It's up to the Department of Revenue with all the individuals we have now working there, I would think, to go out and collect the income tax from that individual by social security number

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

123rd Legislative Day

May 23, 1984

and federal employer identification number. If that is the case, and it is still not correct in the Bill, I respectfully request a 'no' vote on this piece of legislation."

Speaker Greiman: "Further discussion? The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will. Proceed, Sir."

Dunn, J.: "One of the previous speakers indicated that we have had this Bill before. And as it now stands in its present form, what does it do to someone who writes a check to pay state income taxes, and it bounces?"

Ewing: "The wording has been included in the statute, which would use the word... paraphrasing 'dealing with knowingly at the time he issued the check, knowingly knew that it would not be honored'. And that's the wording we have in the deceptive practice statute. He would have to knowingly have issued a check, and at the time he issued it know that it was not going to be good. That's the same standard that we have in the Deceptive Practice Act."

Dunn, J.: "For the purposes of this discussion, I guess legislative intent, what is the legislative intent regarding someone who writes a check, puts it in the mail knowing at the moment the check is written and it's put in the mail there are not sufficient funds to cover the check. The person intends to beat the check to the bank by getting to the bank with a deposit in the next two or three days, and... and let's say that inadvertently, or as internal revenue service is doing now, they cash the checks quite quickly, and the check beats the taxpayer to the bank. So the taxpayer knew at the time the check was written that there were not sufficient funds, but the taxpayer had planned to beat the check to the bank and didn't make it."

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

123rd Legislative Day

May 23, 1984

Do we have a archfiend on our hands at that point?"

Speaker Greiman: "Further discussion? The Gentleman from Cook..."

Dunn, J.: "Wait minute, I asked a question."

Speaker Greiman: "Oh, I'm sorry. I'm sorry, Mr. Dunn."

Dunn, J.: "I know it's tough to tell, but I did ask one."

Speaker Greiman: "Proceed."

Ewing: "The wording, Mr. Dunn, and I think you can read this, Representative Dunn, but I will read it. 'Any such person who purports to make such payment by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository shall be guilty of a deceptive practice.' That is the description in the Criminal Code. That is the description in here, and I cannot tell you what the case law happens to be on that. Maybe you know, but if it is..."

Dunn, J.: "I think this is a significant point. I'm asking you for the purposes of your legislative intent. In the example I put forth, do you wish to make someone a criminal or not?"

Ewing: "If, Representative Dunn, we already have the Deceptive Practice Act in this state, and I cannot tell you without seeing the cases whether he... whether that has been held to be a deceptive practice. We know that if he knowingly knows that the depository will not pay it when it is presented, that is a deceptive practice."

Dunn, J.: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. When it came up before, I indicated to the Sponsor - and I wish I had a letter here before me - but we passed similar legislation, I believe, a year ago, and I wrote to the Director of the Department of Revenue and outlined pretty much the example I have set forth with the taxpayer,

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

123rd Legislative Day

May 23, 1984

April 15th, completes the Illinois and federal tax returns and puts the checks in the mail and thinks to himself or herself, 'My goodness, I owe more money than I thought I had to pay, and I know this check will bounce unless I beat it to the bank,' fully intending to beat it to the bank. And some of us fail to do so. We forget or we're distracted or for whatever reason perhaps you don't beat the check to the bank, and it looks to me like this legislation is... is making a criminal out of a person who fully intends to pay the taxes. In the business community it's known as playing the float. Maybe that shouldn't be, but I think they're darn few business people right in this room who.. who don't do that. They pay a bill whether it be income tax or not, and then rush to the bank to make a deposit. They do that with regard to meeting payroll. They do it in regard to all kinds of things, and I don't think they're fiends. I don't think they're archfiends. I don't think they're criminals. I think they're honest hard working everyday people who do not need to be considered criminals. I raised this issue with the Director of the Department of Revenue, and he agreed with me and said, 'We're not after the people who do what your talking about, Representative Dunn. We will give them mercy.' Well, if you're going to give them mercy, let's not put it in the statute books in the first place. Let's not subject someone to... to indictment or information. Let's not subject them to going into the criminal courts to deal with the State's Attorney, a public disgrace just because they happen to bounce a check which they fully intended to pay. And the 'knowing and willful' provision of this legislation indicates that if you know at the time at the time you write the check you don't have the money in the bank, you're a criminal. And I don't think that's what we're

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

123rd Legislative Day

May 23, 1984

after at all. We're after the people who really are out to beat the government out of their money. We have a Deceptive Practices Act in our Criminal Code. I don't think we need to do any more to clutter up the statute books. This particular part of the statute is not needed, and I would certainly urge the Members to oppose it."

Clerk O'Brien: "Representative McPike, in the Chair."

Speaker McPike: "Further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Leverenz: "Representative, is this the first time that income tax is going to be linked to the sale of business?"

Ewing: "Under the Bulk Sales Act, yes. Far as I know..."

Leverenz: "I'm... I'm sorry. I can hardly hear you."

Ewing: "Under the Bulk Sales Act, as far as I know, yes."

Leverenz: "And this is part... Is that the personal income tax of an individual will be linked to the business sale?"

Ewing: "If it is an individual selling the business, it would be any individual tax that he owed that had been finally assessed. So it would have to be for a prior year. If it were a corporation, it would be the corporation's tax that would have been assessed for a prior tax year."

Leverenz: "And that's on page eight, lines 20 through 23, I suggest. Is that correct? Page four, rather? Or any other income is traceable to the base income of the taxpayer?"

Ewing: "Well actually, that part of it, the bulk sales part, starts on page two and goes over through page four."

Leverenz: "Right, well, okay. It's the first time, though, that the income tax liability of the seller is going to be tied to the sale of the business. Don't you believe that that will hamper the sale of businesses from one person to

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

123rd Legislative Day

May 23, 1984

another?"

Ewing: "No, I don't, Representative. If... if they owe tax, and it's finally assessed. You know this is nothing speculative. It's not what they're gonna make on this deal. It's back taxes owed to this state, and you, as the Chairman of Appropriation, know how badly we need that. And if we can collect it from the proceeds that that seller gets before he heads out of state, we'd be better well do it so that we can have it down here. It's money owed to the State of Illinois."

Leverenz: "Also included for the first time would be the real property tax, if I read correctly."

Ewing: "No, that is not..."

Leverenz: "On page two, line 11?"

Ewing: "No, real property is included as part of the things that will bring it under the Bulk Sales Act, but not real property tax. That's assessed at the local level."

Leverenz: "Is the real estate tax... Is the sale of real estate a bulk transfer under the UCC? Is it currently under the UCC? Under the Uniform Commercial Code?"

Ewing: "I couldn't... I cannot answer that for certain. I doubt it, but I cannot answer that with certainty."

Leverenz: "You're... This is being done because the Department of Revenue is having problems in collecting the individual income tax currently? Is that the rationale behind this? Because it's part of your... your tax... Stop Tax Evasion Program, and your analysis says it will increase State Revenue by accelerating sales tax revenues by changing the method of calculating sales tax liability. So it appears that you're gonna change the system some way to speed up the payment of sales tax."

Ewing: "That's not included in this Bill, Representative."

Leverenz: "That's coming out of your analysis."

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Ewing: "I think that's 3062."

Leverenz: "Your staff analysis. That's what it says in your analysis. It's gonna speed it up by changing the method of calculating sales tax liability and altering the procedure for remitting prepaid sales taxes on motor fuel, and you say that's not in the Bill?"

Ewing: "That's part of the third Bill in the package. That's talking about the entire three Bill package."

Leverenz: "Do you have any idea of what percent of the income tax liability currently is... has been readjusted to where the state is getting more because of a tax audit or a tax examination? Is it that high of a percentage of people that are lying, and you want to nail them for a deceptive practice, under this?"

Ewing: "I think you're missing the whole point, Representative. The... It's not to nail people that are lying or we have to audit and find out. This is about tax that we know is owed to the State of Illinois. This is somebody's fair share of the tax that they owe to the State of Illinois. It is not something... We're not on a fishing expedition. We know... The state knows that they owe them tax. They're only trying to have a better way of collecting it, and we want to get the tax before somebody leaves the state. And it is difficult to collect tax from a person who leaves the state and has no connections or ties either business in this state where the state can get at it. So, this would set up a procedure where that tax liability fully assessed and decided. Nothing that's in the court would be included. Nothing that's up...contested would be included. Only that which is fully decided would be subject to being withheld before they sell their property, their business, and leave the state. It looks to me like a very good way to collect our tax."

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

123rd Legislative Day

May 23, 1984

Leverenz: "Well, it might look... To the Bill"

Speaker McPike: "Proceed."

Leverenz: "And my Parliamentarians and attorneys on this side of the aisle have suggested that it would be tremendously in the opposite of what the Sponsor thinks might be done. I know the Gentleman stands to speak in opposition to a number of the Bills offered by this side of the aisle, and this one might be the best one to vote 'no' on. Thank you."

Speaker McPike: "Further discussion? The Gentleman from Grundy, Representative Christensen."

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

Speaker McPike: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Representative Ewing, to close."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. There's been a lot of conversation on this. We have tried to make this Bill palatable to both sides of the aisle. I think I support a lot of legislation in this House that I think is good for the State of Illinois. Many of us don't like to have... to put more teeth in our tax laws, but none of us like to feel that we're paying our fair share, and somebody else isn't paying their fair share. That's what we're getting at, here. We aren't going to put people in jail if their check bounces, but we would have a way to get that money and not have them laugh at us, while we go on paying our taxes carrying our fair share of the responsibility in this state. This is good legislation, if you want to collect taxes so that we can spend it here for the good purposes of the State of Illinois. If you don't, vote 'no'. But I'm asking for a 'yes' vote so that we can

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

123rd Legislative Day

May 23, 1984

collect the added \$55,000,000 that this program will bring into the state treasury."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 3069. The question is 'Shall House Bill 3069 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Hawkinson, to explain his vote."

Hawkinson: "Thank you, Mr. Speaker. As you know, I opposed this Bill on Second Reading because of the deceptive practice language and for all of the reasons stated by Representative Dunn. But for that reason, the Sponsor further amended the Bill and put in the language as currently exists in the deceptive practice law. It will not cover the type of situation that Representative Dunn is concerned about. It will not make criminals of those who simply do not get to the bank on time. It will require the same standard of proof as in the existing Deceptive Practice Act, and a 'yes' vote is the proper vote."

Speaker McPike: "Representative Koehler, to explain her vote."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have supported this legislation because of one of the provisions contained within this legislation that has to do with the certificate of registration. Under current law, a retailer is allowed to practice here in the State of Illinois and sell goods, and to operate for thirty days before he gets his certificate of registration. And what this has done is to allow individuals to come into our state, maybe bring a truck load of furniture, a truck load of paintings, set up in the local park and sell and never have the sales tax collected on the items that he is selling. And what this legislation would do is say you have to have your certificate of registration before you can set up shop to sell either in the local central park or in... or in a store doing business. So, I think that this

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

123rd Legislative Day

May 23, 1984

is an important part of the legislation and would ask your support."

Speaker McPike: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 66 'ayes', 38 'nos', 3 voting 'present'. Representative Dunn."

Dunn, J.: "Request a verification, Mr. Speaker."

Speaker McPike: "The Gentleman has requested a verification. Representative Ewing asked for a Poll of the Absentees. Representative Wolf."

Wolf: "Mr. Speaker, may I be verified?"

Speaker McPike: "Yes, Representative Wolf."

Clerk O'Brien: "Poll of the Absentees. Cullerton. Farley. Giglio. Harris. Huff. Keane. Matijevich. Taylor. Terzich. White. And Younge."

Speaker McPike: "Proceed with the Affirmative Roll Call."

Clerk O'Brien: "Barger. Barnes. Berrios. Breslin. Capparelli. Churchill. Countryman. Cowlshaw. Daniels. Davis. DeJaegher. Deuchler. Didrickson. Doyle. Ralph Dunn. Ewing. Flinn. Virginia Frederick. Dwight Friedrich. Giorgi. Hallock. Hastert. Hawkinson. Hensel. Hoffman. Homer. Johnson. Karpiel. Kirkland. Klemm. Koshler. Krska. Mays. McAuliffe. McCracken. McGann. McMaster. McPike. Mulcahey. Neff. Nelson. Oblinger. Olson. Parcels. B. Pedersen. W. Peterson. Piel. Pullen. Richmond. Ronan. Ropp. Ryder. Satterthwaite. Steczo. Stuffle. Tate. Topinka. Tuerk. Vinson. Wait. Winchester. Wojcik. Wolf. Woodyard. Zwick. Mr. Speaker."

Speaker McPike: "Representative Dunn, questions of the Affirmative?"

Dunn, J.: "Capparelli?"

Speaker McPike: "Capparelli? Representative Capparelli?"

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

123rd Legislative Day

May 23, 1984

Dunn, J.: "Wait a minute, never mind him."

Speaker McPike: "The Gentleman withdraws his request for Representative Capparelli. Further questions?"

Dunn, J.: "Churchill?"

Speaker McPike: "Representative Churchill? He's in his chair."

Dunn, J.: "Barnes?"

Speaker McPike: "Representative Barnes? She's in the aisle."

Dunn, J.: "Berrios?"

Speaker McPike: "Representative Berrios? The Gentleman in the chamber? The Gentleman is not in the chamber. Remove him from the Roll Call. Representative McGann?"

McGann: "Yes, Mr. Speaker, would you kindly change my vote from 'yes' to 'no'."

Speaker McPike: "Representative McGann 'no'. Representative Richmond?"

Richmond: "May I be verified, Mr. Speaker?"

Speaker McPike: "Yes, Representative Richmond is verified. Representative Hallock requests to be verified. Okay. Representative Peterson wants to be verified. Okay. Representative Peterson. Anyone else? Representative Farley? Turn Representative Farley on."

Farley: "How am I recorded, Mr. Speaker?"

Speaker McPike: "You're not recorded. You're recorded as not voting."

Farley: "Would you vote me 'aye' please?"

Speaker McPike: "Representative Farley 'aye'. Any other requests? Proceed, Mr. Dunn."

Dunn, J.: "DeJaegher?"

Speaker McPike: "Representative DeJaegher? Is the Gentleman in the chamber? Remove Representative DeJaegher."

Dunn, J.: "Koehler?"

Speaker McPike: "Representative Koehler is right here on the podium."

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

123rd Legislative Day

May 23, 1984

Dunn, J.: "McCracken?"

Speaker McPike: "Representative McCracken? Is the Gentleman in the chamber? Remove Representative McCracken."

Dunn, J.: "Giorgi? Oh, wait. Never mind him. Nelson?"

Speaker McPike: "Representative Nelson? She's on Democratic side."

Dunn, J.: "Hoffman?"

Speaker McPike: "Representative Hoffman? Representative Hoffman in the chamber? Remove Representative Hoffman."

Dunn, J.: "Mulca... Krska?"

Speaker McPike: "Representative Krska? The Gentleman is not in the chamber. Remove him from the Roll."

Dunn, J.: "Homer?"

Speaker McPike: "Representative Homer? The Gentleman is not in the chamber. Remove him from the Roll."

Dunn, J.: "Wait?"

Speaker McPike: "Representative Wait is in the chamber."

Dunn, J.: "Ronan?"

Speaker McPike: "Representative Ronan? Representative Al Ronan? He's in front."

Dunn, J.: "Representative Pullen?"

Speaker McPike: "Representative Pullen is in her chair... standing next to her chair."

Dunn, J.: "Representative Wojcik?"

Speaker McPike: "Representative Wojcik is in her chair."

Dunn, J.: "Representative Didrickson?"

Speaker McPike: "Representative Didrickson is in her chair."

Dunn, J.: "Representative Zwick?"

Speaker McPike: "Representative Zwick? She's in her chair."

Dunn, J.: "Representative Tate?"

Speaker McPike: "Representative Tate? The Gentleman in the chamber? Remove Representative Tate."

Dunn, J.: "Kirkland?"

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

123rd Legislative Day

May 23, 1984

Speaker McPike: "Representative Tate has returned. Return him to the Roll Call. What was your last request?"

Dunn, J.: "Kirkland."

Speaker McPike: "Representative Kirkland? Is Representative Kirkland in the chamber? Remove Representative Kirkland. Return Representative Homer to the Roll Call. Representative Ewing?"

Ewing: "Is Representative Krska on the Roll Call?"

Speaker McPike: "Representative Krska has been removed."

Ewing: "I think he's in the back."

Dunn, J.: "I think Mr. Krska has been removed from the Roll Call, and..."

Speaker McPike: "I don't see Representative Krska. He's been removed from the Roll Call."

Dunn, J.: "If he's not in the chamber, he's removed."

Speaker McPike: "Further questions? Representative Terzich votes 'aye'. Further questions? Mr. Dunn, do you have any further questions?"

Dunn, J.: "What's the count, Mr. Speaker? How about Representative Davis, while we're waiting?"

Speaker McPike: "Representative Davis? Is Representative Davis in the chamber? Representative Hoffman is recorded as voting 'aye'. Representative Davis in the chamber? Representative Kirkland has returned... just a minute, Representative Hallock. Representative Kirkland has returned. Return Representative Kirkland to the Roll Call. Representative Hallock?"

Hallock: "Yes, Mr. Speaker. Yesterday in debate we talked about leadership courtesy. Representative Davis is back in his leadership office, and I believe that courtesy should extend to both sides of the aisle."

Speaker McPike: "Well, we've tried to extend that courtesy to the Speaker and to Minority Leader Daniels, and I don't know

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

123rd Legislative Day

May 23, 1984

that we've extended it to everybody in leadership. If that is..."

Hallock: "Well, yesterday you did on your side, and I would hope it would extend today on our side. Or be the same for both sides in the future."

Speaker McPike: "Further questions? Representative Kirkland has been returned to the Roll Call. Mr. Dunn, do you have any further questions?"

Dunn, J.: "Just withdraw the request to verify Representative Davis."

Speaker McPike: "The Gentleman withdraws the request on Representative Davis."

Dunn, J.: "And may we have the count?"

Speaker McPike: "Do you have any further questions, Sir?"

Dunn, J.: "I don't know. I'd like to know what the count is."

Speaker McPike: "63 'ayes', 39 'nos', and this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair will go to the subject matter of hazardous waste, and take those Bills on Second Reading that need Amendments and those Bills on Third Reading that need to be returned to Second Reading for Amendments. At the end of that, we will proceed to the Special Order of Business - State and Local Government. Representative Vinson?"

Vinson: "Yes, Mr. Speaker, is it the Chair's intention on this order at this point to let all those Members who wish to have Bills on the Order to take the Bills back to Second for purposes of Amendment?"

Speaker McPike: "Yes, that's the intent. Some of these Bills are on Second Reading. Some are on Third, and we would hope to get leave to return those on Third to Second Reading for purposes of Amendments. Representative Cullerton?"

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

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

123rd Legislative Day

May 23, 1984

the House. I would move that we continue the Special Order of Business, Subject Matter - Banking and Finance, until Thursday, May 24, 1984 at the hour of 12:30."

Speaker McPike: "The Gentleman has moved to extend the Special Order of Banking and Finance until tomorrow at the hour of 12:30. Hearing no objections, the Gentleman's Motion carries. On the Order of Hazardous Waste appears House Bill 3036. Representative Breslin in the chamber? The Lady is not in the chamber. We'll return to that Bill. House Bill 3037, Representative Keane. Representative Keane in the chamber? House Bill 3038, Representative Barnes. Representative Barnes, are you ready for your Amendment?"

Barnes: "I think there's still another Amendment that is supposed to be coming on this Bill."

Speaker McPike: "Alright, out of the record then. House Bill 3040, Representative Barnes."

Barnes: "I'm not ready."

Speaker McPike: "Out of the record. House Bill 3041, Representative Keane. Out of the record. House Bill 3042, Representative Barnes. House Bill 3043, Representative Barnes. Representative Barnes, are you prepared to go with 3042, '43 or '45?"

Barnes: "Not at this time."

Speaker McPike: "Thank you. House Bill 3174, Representative Homer. Page five of the Calendar, Second Reading, House Bill 3174. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3174, a Bill for an Act to amend the Toxic Substance Disclosure to Employee Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Clerk O'Brien: "Floor Amendment #2, Woodyard, amends House Bill 3174."

Speaker McPike: "Representative Woodyard."

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

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Homer, amends House Bill 3174 as amended in Section 6 by deleting..."

Speaker McPike: "Representative Homer, Amendment #3."

Homer: "Leave to withdraw."

Speaker McPike: "The Gentleman withdraws Amendment #3. Representative Mautino, for what reason do you rise?"

Mautino: "Mr. Speaker, you bypassed 3044 when you were on the position of Third that necessarily needed Amendments. I was wondering if you went out of Order?"

Speaker McPike: "No, there was no intent to do that. If anyone has a Bill that's on the Subject Matter of Hazardous Waste, and they would call it to the attention of the Chair, we will get to the Bill."

Mautino: "Well, I have three of them, and what I'll do is I'll wait until you get down to 3175, and I'll bring those back at that time."

Speaker McPike: "Fine. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Homer, amends House Bill..."

Speaker McPike: "Representative Homer, Amendment #4."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I would move the adoption of Amendment #4, which very simply serves as an Amendment to the Employee Right to Know Act, which we passed last year, to provide for an exemption for retailers under that law - retailers who are not involved in manufacturing, processing or mixing process. The purpose of the Bill is to satisfy some legitimate concerns raised

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

by retail merchants who are only tangentially involved in the handling of various materials, and are not involved in the manufacturing or processing. And because of the inadvertent requirement on them to engage in additional paperwork, filing, training and labeling, we're asking that this Amendment 4 be adopted to the Bill, and which, in fact, actually becomes the Bill."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #4. Is there any discussion? Being none, the question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "There has been a fiscal note request, a state mandates fiscal note request filed. Representative Vinson asks leave to withdraw the request for a fiscal note. Hearing no objections, leave is granted. The same request to withdraw the state mandates fiscal note. Hearing no objection, leave is granted. Requests are withdrawn. Third Reading. Representative Mautino, would you give us a list of the Bills you would like to have called?"

Mautino: "Thank you, Mr. Speaker. I was just informed by the staff that the Amendments that are being prepared have not been brought up from LRB yet. So, I would like to reserve the right tomorrow to bring the Bills 3040... excuse me... 3044, 3175 and 3179 from Third back to Second for the purposes of Amendments at that time, when they are prepared and provided to the Membership."

Speaker McPike: "It's the Chair's intention if we do not finish this Order today to return to this Order again tomorrow."

Mautino: "Thank you."

Speaker McPike: "House Bill 3194, Representative Currie. Read

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

123rd Legislative Day

May 23, 1984

the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3194..."

Speaker McPike: "Representative Keane, you have a number of Bills on hazardous waste that we would like to call. The Amendments have been filed. House Bill 3041, Representative Keane. Representative Keane, on House Bill 3041. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3041, a Bill for an Act to create the Hazardous Waste Technology Exchange Service Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Do I have leave to take House Bill 3041 back to Second for purpose of an Amendment?"

Speaker McPike: "The Gentleman asks leave to return 3041 to Second Reading. Hearing no objections, leave is granted."

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

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

Keane: "Thank you. All this Bill does is, it takes the research from the University of Illinois and puts it... and turns it over to the Board of Natural Resources or the Illinois Department of Energy and Natural Resources. They have the money, and they have the responsibility for doing this, and I would ask for a favorable approval of Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1, and on that the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker McPike: "Indicates he will."

Koehler: "Thank you, Representative Keane. Can you tell me if that is the only change that you have made by your Amendment #1 to House Bill 3041? It... with by the Amendment is that the only change that you have made in the

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

123rd Legislative Day

May 23, 1984

original Bill?"

Keane: "The language is the same as to what the duties are, but it just transfers it from the U of I to the Department of Energy and Natural Resources."

Koehler: "Thank you very much. That was a good change, and I support that."

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

Cullerton: "Yes, will the Sponsor yield?"

Speaker McPike: "Indicates he will."

Cullerton: "Representative Keane, when this Bill was on Second Reading, I filed a request for a fiscal note, which you filed. And rather than have me file another request, I wonder if you can tell what effect the Amendment would have with regard to any fiscal impact?"

Keane: "The Department's budget already includes monies for this purpose, and it's already taken care of. That's one of the reasons for the switch."

Cullerton: "So that this would be less costly than the Bill without the Amendment?"

Keane: "There would be no... yes, there would be no... The fiscal impact would be substantially less."

Cullerton: "Did you say that the Department already has money in their budget for this information?"

Keane: "That's my understanding."

Cullerton: "Are they currently doing this program?"

Keane: "No, they're currently... They've requested it. In doing this, you have to develop a certain expertise, and you just can't go out and pick the people up. They're further along than the U of I would be in developing... in meeting the direction that this legislation would have them go."

Speaker McPike: "No further discussion. Representative Keane, to close."

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

123rd Legislative Day

May 23, 1984

Keane: "I would just ask for adoption of Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading."

Keane: "Mr. Speaker, are we going to move these on Third now or..."

Speaker McPike: "No, Sir. No, Sir. Representative Keane, House Bill 3176. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3176, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

Keane: "Leave to bring the Bill back to Second for purpose of an Amendment?"

Speaker McPike: "The Gentleman asks leave to return 3176 to the Order of Second Reading. Hearing no objections, leave is granted."

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

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

Keane: "Thank you. House... or Amendment #1 makes some technical corrections, but it also brings back... It sets up a review of existing studies concerning deep well injections, and evaluates the safety of underground injections. It sets up an evaluation of alternative technologies which could be utilized to handle hazardous waste if underground injections were banned. And it asks for recommendations as to other technologies that pose less risk to public health. It also says that the board shall report by filing ten copies of their report with the clerk of the board within reasonable time. And it will also... this is with the

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

123rd Legislative Day

May 23, 1984

Board... Pollution Control Board... it also gives the board time to develop any regulations which the board shall feel that they have to have to modify or eliminate existing regulations. It's my understanding that these were all proposals. Amendment #1 is a proposal of the Board... the Pollution Control Board, and we're trying to bring the Bills into the same standard, the same posture as the Bills in the Senate. I'd be happy to answer any questions, and ask for adoption of Amendment #1."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #1. On that, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker. Would the Sponsor please yield for a question?"

Keane: "Yes."

Koehler: "Thank you, Representative Keane. Due to the fact that this Amendment has just recently come to my attention, could you explain to us exactly how Amendment #1 differs from the original Bill, please?"

Keane: "The major changes... Could you hold on for a second? I'll try to get it all down. It clarifies the use of existing wells, you know we'd have a moratorium on them. Where existing wells are being transferred for use, there would not be a moratorium."

Koehler: "I'm sorry. I can't hear you. Where existing wells are what?"

Keane: "Are transferred. Where they're transferring use. Let's say you have two wells, one you haven't used, and you are going to use it. You've already got the well dug, but you haven't put any... you haven't injected anything into it. That would be considered an existing well, it would not come under the moratorium for digging of new deep injection wells. Do I make myself clear on that?"

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

123rd Legislative Day

May 23, 1984

Koehler: "Yes, well would it or would it not come under this legislation?"

Keane: "That would... that's..."

Koehler: "The new well would."

Keane: "The new well, if it's an existing well that hasn't been used, then it could be used. The moratorium would not apply to wells that have been dug, but not utilized. So, the moratorium... you've... under the moratorium, you could not dig a well and use it. But if you had a well that was an unused well, and it was already in existence, then you could utilize it."

Koehler: "And what would this piece of legislation do to that?"

Keane: "Those wells could be used. The ones that are dug now could be used. The ones that... you cannot dig a new well."

Koehler: "Okay. Is that the only major change?"

Keane: "The only other things were the Pollution Control Board on page two. They asked for a number of those provisions. So, that they could... the way that they wanted to handle... the number of days... They know that they want 10 copies of the report, and they want 90 days after the study has been filed with the Board. The Board will hold public hearings, and upon conclusion of the hearings the Board shall publish findings and conclusions, and then they'll change whatever regulations they have to meet the findings. So, it's really what the Board... the Pollution Control Board wants."

Koehler: "Okay, thank you very much."

Keane: "I move the adoption of the..."

Speaker McPike: "No further discussion. The Gentleman moves for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

123rd Legislative Day

May 23, 1984

Clerk O'Brien: "No further Amendments."

Speaker McPike: "House Bill 3177, Representative Keane. House Bill 3176. Third Reading. House Bill 3177, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3177, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Leave that we bring this back to Second Reading."

Speaker McPike: "The Gentleman asks leave to return 3177 to Second Reading. Hearing no objections, leave is granted."

Clerk O'Brien: "Amendment #3, Keane."

Speaker McPike: "Representative Keane on Amendment #3."

Keane: "Thank you. In the Committee there was an Amendment that put the... the operation of House Bill 3177 into the Department of Public Health from the Illinois Protection... EPA, the Illinois Environmental Protection Agency. In the discussions between the two agencies, it was felt that the better agency to take the lead would be EPA, and this Amendment just puts it back with EPA. Again, it's the same posture that the Bill has in the Senate. I'd be happy to answer any questions."

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

Cullerton: "Yes, Representative Keane, this also is a Bill that a fiscal note was filed on, and I just wanted to know if, since we're amending it again, if you could tell us if that fiscal note would still be applicable or what the change might be?"

Keane: "From what I understand it might be slightly less, because the EPA felt that they were more likely. It was felt that the EPA was the more likely group because they already have

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

123rd Legislative Day

May 23, 1984

the testing capabilities. So, it should cost less."

Cullerton: "So, this Amendment will save us money."

Keane: "True."

Cullerton: "Well, that sounds like a good idea."

Speaker McPike: "Representative Koehler."

Koehler: "Thank you, Mr. Speaker, will the Sponsor please yield?"

Thank you, Representative Keane. Now, in your explanation, you sounded as though the Department of Public Health had been taken out altogether, but upon reading the Amendment, it sounds as if it is not out altogether. That perhaps there would be cooperation between the Department of Public Health, the agency and the local departments of public health. It might be a county department of public health. Is that correct?"

Keane: "That's exactly right. They will be cooperative. They can take samples and that, but the lead... the lead will be EPA."

Koehler: "They will be the responsible agency."

Keane: "That's right, but you are exactly correct when you say that the local and state Department of Public Health will be involved."

Koehler: "Okay, thank you very much."

Keane: "I move for the adoption of Amendment #3."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #3. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3180, Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3180, a Bill for an Act to add Sections to the Environmental Protection Act. Third Reading of the Bill."

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

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

Keane: "Okay, this is the same board of... Pollution Control Board request that was language that was in the other... in the other Bill that we discussed. It says the requirement for reporting findings to the board, 10 copies, the board has 90 days to conduct public hearings. Upon conclusions, they publish their findings and so on. This Bill deals with the resources are on nonhazardous special waste. So, it's different from the previous Bill in that we're dealing with the nonhazardous special waste. I'd ask... I'd ask... any question, and I'd ask for a favorable vote on Amendment #1."

Speaker McPike: "Representative Koehler."

Koehler: "Thank you, Mr. Speaker, would the Sponsor please yield? Representative Keane, again, due to the shortness of the time that these Amendments have been on our desks, I would ask you to explain any major difference between the original Bill and the Amendment."

Keane: "I'm sorry could we move... Mr. Speaker, could we move the Bill back to Second for purposes of an Amendment?"

Speaker McPike: "The Gentleman asks leave to return House Bill 3180 to Second Reading for purposes of an Amendment. No objections, leave is granted. Second Reading."

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

Speaker McPike: "Amendment #1, Representative Keane."

Keane: "Thank you. Amendment #1 deals with the same requirement that we had in the previous Amendment where the Pollution Control Board wanted to set up its procedure by law in the Bill, and what they do in this Bill is... what we do with this Amendment is... it's the same thing. They file 10 copies. The Pollution Control Board has 90 days before it has to have public hearings. Upon conclusion of the hearings, it must publish its findings and conclusions, and

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

123rd Legislative Day

May 23, 1984

the board also specifically determines whether as results of the findings and conclusions, any regulations of the board, existing regulations, should be modified or eliminated."

Koehler: "So, essentially you have added procedural language for the board?"

Keane: "Yes, and it deals with their nonhazardous special waste. This Bill deals with nonhazardous special waste, where the others dealt with..."

Koehler: "Yes, and I... I noticed that it dealt with the special waste category. And on the Amendment, on line 13 you have the word 'be'. I mean the letter 'b' and then 'whether any or all of the nonhazardous waste components of special waste should be deregulated.' Now, is that new language that is being added also?"

Keane: "Yes."

Koehler: "Okay, thank you very much."

Keane: "I would move for the adoption of Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendments adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3037, Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3037, a Bill for an Act to amend the Illinois Hazardous Materials Railroad Transportation Act. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "Leave to take House Bill 3037 to Second Reading for purpose of an Amendment."

Speaker McPike: "The Gentleman asks leave to return 3037 to

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

123rd Legislative Day

May 23, 1984

Second Reading. Hearing no objections, leave is granted."

Keane: "Thank you."

Clerk Leone: "Amendment #2, Keane, amends House Bill 3037."

Speaker McPike: "Representative Keane on Amendment #2."

Keane: "Amendment #2 is a very simple Amendment. All it does is, it defines the properties that relate to the transportation or shipment by rail of hazardous materials, and it further defines that by saying, 'that includes all portions of the facility which handle the shipment of hazardous materials transported or shipped by rail.' So we wanted to get a little bit tighter definition of what we mean by properties which related to the transportation or shipment by rail. So they have to be specifically involved. There is... that are specifically involved where the hazardous materials are handled. I move for the adoption of the Amendment. I'd be happy to answer any questions."

Speaker McPike: "The Lady from Marshall, Representative Koehler, on the Amendment."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield? Thank you, Representative Keane. In looking at the original Bill, and then knowing how the Amendment in Committee was placed on that that originally stricken language very similar to Amendment #2. Could you tell us why it is you are adding that language back in?"

Keane: "Yes, we are... There was some industry disagreement with the... with the way the Bill is. This is a worked out agreement with specifically Standard Oil, who is upset by the way the Bill was set. It's the way that the Bill has been amended in the Senate also, and it takes care of Standard Oil's problems with the Bill as it previously was written."

Koehler: "Could it have been the hastiness with which it was

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

123rd Legislative Day

May 23, 1984

considered in Committee that might have lead to the confusion that caused you to do one thing, and now have to do another? And then have to put it back after all?"

Keane: "No, I think... I really think that there was... We amended about five of these Bills, and it's been a lot of input by different people and this was an attempt to take care of a major concern of one big outfit."

Koehler: "Well, yes I would have some concern over the language myself. It seems very all inclusive, when it talks about all portions of the facility which handle the shipment of hazardous waste materials transported or shipped by rail. I think that that 'all portions' could certainly be interpreted very broadly."

Keane: "Well, it actually... it actually limits it, because the original one just says, 'properties which relate to the transportation or shipment by rail.' So, even if only 10 percent of the property was used for shipping purposes, you would have the right, without this Amendment, you would have the right to go through all the property."

Koehler: "Okay, can you give me an example of... do you mean like just the shipping area? Is that, in general, what you mean by this Amendment?"

Keane: "Yes, all portions of the facility which handle the shipment of hazardous material transported or shipped by rail. So, let's say... let's say...I don't know. Let's take a place like something that has a hundred acres, a business that has a hundred acres, and the hazardous wastes are never outside of 10 acres. Under the... Without this Amendment the people could go into those whole hundred acres and into the buildings that are on those hundred acres, whereas with the Bill here, they could only go where the hazardous wastes are, you know, used and handled. They can't go into the other, let's say the other ninety acres."

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

123rd Legislative Day

May 23, 1984

So, it limits the site."

Koehler: "Okay, thank you very much."

Keane: "Thank you. I'd like to move the adoption of Amendment..."

Speaker McPike: "The Gentleman moves the adoption of Amendment #2. The question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Representative Matijevich in the Chair."

Speaker Matijevich: "House Bill 3040, Barnes. Representative Barnes here? Read the Bill."

Clerk Leone: "House Bill 3040, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "I understand Representative Barnes asks leave to return this Bill back to the Order of Second Reading for the purpose of Amendments. Leave? The Bill is on Second Reading."

Clerk Leone: "Amendment #2, Barnes, amends House Bill 3040 on page one and so forth."

Speaker Matijevich: "The Lady from Cook, Representative Jane Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is merely a technical change so that we can get this Bill in the same form as the Senate version. And it merely deletes 'appropriate ranges' and inserts thereof 'agency approved categories'."

Speaker Matijevich: "Representative Barnes moves for the adoption of Amendment #2. All in favor say 'aye'... The Gentleman from Cook, Representative Cullerton."

Cullerton: "Mr. Speaker, I... I have a copy of it. I don't know

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

123rd Legislative Day

May 23, 1984

if anybody else does, though."

Speaker Matijevich: "Has this been distributed, Mr. Clerk? It has not. Let's take it out of the record for the moment. How about 3038? Are you ready with that, Jane?"

Barnes: "No, we just filed another Amendment on that, Mr. Speaker."

Speaker Matijevich: "Alright, how about 3042? Yes, hold 3040 on Second Reading. 3042, are you ready with that? 3042. Read the Bill."

Clerk Leone: "House Bill 3042, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "And the Lady asks leave to return House Bill 3042 back to the Order of Second Reading for the purpose of an Amendment. Does she have leave? Leave."

Clerk Leone: "Floor Amendment #2, Barnes, amends House Bill 3042 on page one and so forth."

Speaker Matijevich: "The Lady from Cook, Representative Barnes."

Barnes: "Mr. Speaker and Ladies and Gentlemen of the House..."

Speaker Matijevich: "One moment, I understand these Amendments have not been distributed. Hold the Bill on Second Reading. 3043. The Clerk will read the Bill."

Clerk Leone: "House Bill 3043, a Bill for an Act to amend an Act requiring labeling equipment of facilities relating to hazardous materials. Third Reading of the Bill."

Speaker Matijevich: "The Lady asks leave to return the Bill back to the Order of Second Reading for the purpose of Amendment. She has leave, and I understand... Representative Cullerton."

Cullerton: "Yes, I want the Lady to know that I am not, in any way, trying to stall the passage of these Amendments. I just think it's not a good idea to adopt them before they have been distributed to the Members, and I don't believe this one has been distributed."

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

123rd Legislative Day

May 23, 1984

Speaker Matijevich: "Alright. The Bill will be held on Second Reading. House Bill 3039, Breslin. The Clerk will read the Bill. 3039."

Clerk Leone: "House Bill 3039, a Bill for an Act to amend the Environmental Facilities Financing Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady asks leave to return House Bill 3039 back to the Order of Second Reading for the purpose of Amendment. Does she have leave? Leave, and the Bill is on Second Reading. Proceed with Amendments on the Bill."

Clerk Leone: "Amendment #2, Breslin, amends House Bill 3039 as amended."

Speaker Matijevich: "The Lady from Cook, Representative Breslin."

Breslin: "From LaSalle, Mr. Speaker."

Speaker Matijevich: "I'm sorry, LaSalle."

Breslin: "Thank you. Ladies and Gentlemen, Amendment #2 amends the Bill on page four, if you have it in front of you. To specifically indicate that methane gas recovery systems are not a part of those environmental facilities which would be excluded from the Illinois Environmental Facilities Financing Act. We want to be sure that those structures which are created for the management or recovery of gas generated by hazardous waste disposal sites or are used for recycling, reclamation, tank storage or treatment in tanks, which occurs on the same site as the hazardous waste disposal facility could still qualify for financing under the Illinois Environmental Facilities Financing Act."

Speaker Matijevich: "The Lady has moved for the adoption of Amendment #2. There being no discussion, all in favor say 'aye', opposed 'nay'. And Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 3039, Breslin."

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

123rd Legislative Day

May 23, 1984

The Clerk will read the Bill. I mean 30... no, no that's right, that's the last one you have, isn't it? Oh yes, 3036. The Clerk will read the Bill."

Clerk Leone: "House Bill 3036, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady asks leave to return House Bill 3036 back to the Order of Second Reading for the purpose of Amendment. Does she have leave? Leave, and the Bill is on Second Reading. Amendments from the floor?"

Clerk Leone: "Amendment #1, Breslin, amends House Bill 3036 on page two and so forth."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment was recommended by the Pollution Control Board. It makes clear that the board or court of competent jurisdiction has the authority to award reasonable attorney's fees and costs to the Attorney General and the State's Attorney. It also includes expert witnesses and the cost for consultants. The Pollution Control Board specifically wanted to include that. In addition to that, this Amendment specifically says that those amounts that are recovered under this fund shall be deposited in the hazardous waste fund. So, we know where the money goes to. Specifically into the Hazardous Waste Fund rather than into the General Revenue Fund. I ask for adoption of the Amendment."

Speaker Matijevich: "The Lady moves for the adoption of Amendment #1. The Lady from Marshall, Representative Koehler. Judy Koehler."

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

Speaker Matijevich: "She indicates she will. Proceed."

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

123rd Legislative Day

May 23, 1984

Koehler: "Thank you. Representative Breslin, now the major change... could you explain the major change that you made in this legislation? Originally, the Attorney General was to be awarded cost and reasonable attorneys' fees. Now by Amendment #1 how did you change that significantly? You added the States Attorney. Is that correct?"

Breslin: "No, the States Attorney was always in the Bill. We added that the... specifically, that the board could do it as well as the court. And in addition to that, we added that the fees for expert witnesses and consultants could be included. It is still up to the discretion of the board or the court to make this determination."

Koehler: "Alright, so essentially you added the board to those who can award fees, and you also added that they could... the award could cover the cost of expert witnesses and consultants. Is that correct?"

Breslin: "That is correct."

Koehler: "That is, if the finding was against the person who wanted to develop the land site. The disposal site."

Breslin: "Or the polluter... Yes, whatever the charge might happen to be. However, Ladies and Gentlemen, I have noticed a problem with this Amendment, and I would like to take this... Leave the Bill on Second, and take the Bill out of the record at this time. Thank you."

Speaker Matijevich: "The Lady asks leave to take the Bill out of the record, and leave to have the Bill remain on Second Reading. Leave. The Bill is out of the record. The Chair will now go to the Order of Special Order of Business, Subject Matter - State and Local Government, and there is... There is leave, and this has been cleared on both sides of the aisle, that House Bill 2376 be included on the Special Order of Business... Special Order of Business - State and Local Government. House Bill 2376. Leave, and

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

123rd Legislative Day

May 23, 1984

that Bill will be on the Special Order - State and Local Government. We'll be at ease for a moment. First Order... first Bill on the Order of State and Local Government is House Bill 1063, Pierce, on page seven of your Calendar. Out of the record. House Bill 1591, Hensel - Karpiel, on page eight of the Calendar. The Clerk will read the Bill."

Clerk Leone: "House Bill 1591, a Bill for an Act to amend an Act in relationship to county boards. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hensel, on House Bill 1591."

Hensel: "Thank you, Mr. Speaker, Members of the House. House Bill 1591 amends the Act concerning coterminous cities and townships. It provides that when a city which is coterminous with the township wishes to annex the vacant, industrial or commercial territory in an adjacent township, a referendum must be held in both townships. If a majority of those voting upon the proposition in each township vote in favor of the proposition, the territory in question shall be disconnected from the adjacent township and annexed to the township which was coterminous with the city. If a majority of those voting in both townships do not vote in favor of the proposition, the territory shall remain with the adjacent township. If the territory in the adjacent township is residential in character, then no referendum is required. Under this Bill, cities will forfeit nothing, as they will still retain their current status and benefit of the township levies and revenue sharing entitlements in all the areas now coterminous. I would ask for a favorable vote."

Speaker Matijevich: "Representative Hensel has moved for the passage of House Bill 1591. The Gentleman from Cook, Representative Cullerton."

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

123rd Legislative Day

May 23, 1984

Cullerton: "Yes, will the Sponsor yield?"

Speaker Matijevich: "Indicates he will."

Hensel: "Yes."

Cullerton: "Yes, Representative Hensel, who wants this Bill?"

Hensel: "The township officials feel that it's a good Bill, and it was sort of missed in the Constitution. And we feel it's a good Bill for the ... to help the townships. Apparently, they're losing some revenue by some of the coterminous cities."

Cullerton: "And who were they losing the revenue to?"

Hensel: "To the coterminous cities. When they annex the lucrative property that they're annexing, they're taking in the commercial and leaving the residential into the township that they're taking it from. And all we're asking is that before they can do that, that they go through a referendum, which we feel is more..."

Cullerton: "And so the cities would be opposed to this... this Bill."

Hensel: "Some of them are. We have a... We have a letter from the Mayor of Alton who had been opposed to this form of legislation, but now he's in favor of this Bill and is supporting it. And Alton is a coterminous city township."

Cullerton: "Well, there are approximately what - 18?"

Hensel: "Eighteen to twenty."

Cullerton: "Coterminous city townships?"

Hensel: "That's right."

Cullerton: "And, as I understand it, all annexations would require a referendum in both the city and the township. Is that correct?"

Hensel: "Not in the residential annexation, just in the resi... or the industrial, commercial and vacant property that is zoned industrial or commercial."

Cullerton: "Okay. Right now those annexations are by petition?"

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

123rd Legislative Day

May 23, 1984

Is that correct?"

Hensel: "It's by ordinance, I believe."

Cullerton: "Okay. I understand that, for example, Springfield, Illinois, where we now sit, is a coterminous city township. Is that correct?"

Hensel: "That's correct."

Cullerton: "And I understand that they have about 25 annexations per year; and, in some cases, there might just be one parcel. Under this Bill, these annexations would require elections in both the city and in the township. Is that correct?"

Hensel: "That is correct."

Cullerton: "So that, in this case in the City of Springfield, 25 referendum questions would be required to be on the consolidated election ballot when the election was held. Is that correct?"

Hensel: "I... I think the figure of 25 might be a little high, John. I'm not sure. But they would have to go with a referendum under the Consolidated Election Law."

Cullerton: "So then what would be the cost to the cities to increase the questions on the ballot? What would you estimate would be the additional cost to the... to the election authorities to run this... this referendum?"

Hensel: "There should be no additional cost on that, because it is at the regular scheduled election, and the... it just has to be a referendum on the regular election."

Cullerton: "Okay. Well, the purpose of the Bill..."

Hensel: "There would be no special election just for the referendum."

Cullerton: "Right. But just have additional questions, though, that have to be... to be added to the ballot. Additional..."

Hensel: "It's just adding it on to a piece of paper or a ballot."

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

123rd Legislative Day

May 23, 1984

Cullerton: "Right. Now, is the theory behind the Bill to make it so difficult for an elect... a voter to know what all of these annexations are all about so that, as a result, they probably won't end up voting for the annexation? Is that what the townships are really trying to get at, here?"

Hensel: "No. No, they're not. They're trying to give the people the choice of if they want to go into the coterminous township or remain in the township of which they presently are residing. But basically they're voting for the annexation of commercial and industrial."

Cullerton: "Well, sure. What they're concerned with, as you indicated before, is that they're losing the revenue to the cities. So, by requiring an election, it's clearly their intention to... hopefully their intention that these annexations won't go through. And so, as a result, they will be able to keep the revenue. So, it apparently comes down to a fight between townships and cities, and I'm... I don't know if this will help or hurt the Bill, but the Municipal League, I assume, is wildly opposed to the Bill. And, as you indicated, some of these 18 Illinois coterminous city townships, some of the mayors would be... continue to be opposed to the Bill. I just..."

Hensel: "Well..."

Cullerton: "I didn't want to really make that in the form of a question. I just really wanted to point that out on the House floor so that people knew what the issues were with regard to this particular Bill."

Hensel: "Well, as I mentioned before..."

Speaker Matijeovich: "That wasn't a question. The Lady from Sangamon, Representative Oblinger. And Representative Peg Breslin in the Chair."

Speaker Breslin: "Representative Oblinger."

Oblinger: "Madam Speaker, Members of the House, I am opposed to

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

123rd Legislative Day

May 23, 1984

this, coming from one of these coterminous cities, and I will raise the questions that I think you better think about. Number one, we do it by petition now. All of sudden we're going to do it by a referendum. In the City of Springfield, we have 126 precincts, and let's take Woodside, which is adjacent. They have 24 precincts. In order to hold one election, it's going to cost 40,000 dollars for the judges and the rent, plus the cost of the ballots, plus the cost of the time on the computers and plus the ti... the money for advertising. So, if the outside townships are losing any assessed valuation, they're going to be spending it for all these elections. If we have 25 annexations, which we've been averaging in this area, we will spend one million dollars on elections in one year to do all this. Number two, do you realize that city elections and township elections occur on the same day? If they're remaining in their old township, that's run by the County election Commission. The election in the city is run by the City Election Commission. What are you going to have, two registration cards? I can see this leading to a great deal of fraud, because they won't know whether to one card or two cards. Number three, in the city, the city takes care of the streets, the fire and the police protection. They do not pay a township tax for it. You go out in the adjoining township, and they have a road and bridge and a fire protection. So, they have different tax rates. What are they going to do? Pay the tax rate out in the township? Pay the city tax rate. Is this going to affect their road and bridge motor fuel tax? I think maybe they've got the right idea here, but they've certainly gone about it in a very clumsy way. And it will not work. I've had calls from the mayors, and I have had calls from the county clerks. And they say this would be

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

123rd Legislative Day

May 23, 1984

an impossible Bill to administer; that it ought to have some further work done on it. As a person who has lived here for a long time and having been county clerk, and I can tell you that I have to agree with them. It would be an awkward Bill, almost an impossible Bill to administer the way it's written now."

Speaker Breslin: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield for a question."

Steczko: "Representative Hensel, in your dialogue with Representative Cullerton, he had brought up 25 annexations per year; but, under House Bill 1591, the only referenda that you would have would be those that involve commercial property - correct? - and not residential annexations."

Speaker Breslin: "Representative Hensel."

Hensel: "That's correct, just commercial or industrial."

Steczko: "So that the number 25 would be appreciably less than that original number."

Hensel: "I would... I would hope so, yes."

Steczko: "Thank you, Madam Speaker, to the Bill. I rise in support of House Bill 1591, and I think the thing that could best describe the purpose of this legislation would be that it's an anti-rating Bill. All of us have had occasions in our local areas to hear of let... one unit of local government, maybe a school district of some type that happens to see a power plant or a ... a shopping mall or something of that nature in a district right next to them, that tries to get that piece of property for their assessed valuation. The same thing is happening in the cases of these coterminous townships. Over the last few years, six coterminous townships have rated 35 single townships to the tune of about a billion dollars in assessed valuation. The

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

123rd Legislative Day

May 23, 1984

question really doesn't come into mind when you talk about residential property, but everybody realizes that commercial property stands to have the highest benefit with the lease costs in terms of services, etcetera, so these coterminous townships are looking for that prime property to rip off from these single townships. So, Ladies and Gentlemen of the House, House Bill 1591 is no more than a protection device and a device to provide some protection to those areas so there will not be any rating of this prime commercial property. I think it's a good Bill, a good concept and would urge the House to vote 'yes'."

Speaker Breslin: "The Lady from DuPage, Representative Karpziel."

Karpziel: "I'm only... I'm going to close if there are no other..."

Speaker Breslin: "There are more to speak. The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Hensel: "Yes."

Hawkinson: "Representative, I have a couple of questions about the affect of such a referendum or failure of one or success of one on the nature of the coterminous city township in itself. If a referendum fails, may the city still annex the property into the municipality itself?"

Hensel: "Yes."

Hawkinson: "So, the municipality may extend its services, etcetera, taxes for roads, sewer, but the property does not become a part of the coterminous or the prior coterminous city township. Is that correct?"

Hensel: "That is correct."

Hawkinson: "What is the affect of that on the nature of the coterminous township? Does it cease to be coterminous?"

Hensel: "It will not be coterminous at that point."

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

123rd Legislative Day

May 23, 1984

Hawkinson: "What rights then will the city lose? Will it continue to be coterminous as to the already existing city township, or will it lose its coterminous nature altogether?"

Hensel: "It will remain coterminous on the boundaries that it was prior to the annexation of the adjacent property that they were trying to annex and that they did annex but was not included. That portion will still remain in the adjacent township, but the boundaries of the coterminous will remain the same as they were prior to that."

Hawkinson: "So, as I understand it, the failed referendum will not prohibit the city from annexing into the municipality..."

Hensel: "That is correct."

Hawkinson: "And it will also not destroy the coterminous nature of the existing coterminous city township."

Hensel: "That's correct."

Hawkinson: "One further question, Representative. As I understand the purpose as outlined by Representative Steczo, this is an anti-rating Bill to protect the E.A.V. of the townships that are being rated."

Hensel: "It has its advantages, yes."

Hawkinson: "And it will require a referendum by the township being rated to approve that annexation."

Hensel: "Yes."

Hawkinson: "Why, then, do you need a referendum in the annexing city? Why can't you just have the referendum in the annexed township and save some of the costs? Would you be willing to so amend this Bill in the Senate or take it back now?"

Hensel: "Well, I don't feel that there would be any additional cost, basically. You're having a referendum. You're having an election. You're..."

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

123rd Legislative Day

May 23, 1984

Hawkinson: "Well, what's the point..."

Hensel: "You're required by law to publish anything. You have to publish all your... what you're voting on at the elections."

Hawkinson: "But what's the point of having a referendum in the annexing city if the concern and the aim of the Bill is to protect that township? If you give them a referendum, why do you need one in the city?"

Hensel: "Well, it gives everybody the right to voice their opinion on whether they want to have that section in their coterminous city township."

Hawkinson: "Well, can you ever think of a situation where they wouldn't want to expand their industrial base?"

Hensel: "I have no idea, but..."

Hawkinson: "I mean, I don't imagine that happening. And I guess I'm asking you directly, are you willing to take out the city part of the referendum?"

Hensel: "I would say that it's possible that we could work out an arrangement to amend it. If we pass here, we could get an Amendment on in the Senate that would take care of that. It wouldn't be a big change. And I... If the cities would be agreeable to that, I'd be willing to see that an Amendment got put on it."

Hawkinson: "Finally, have you sought any opinion from municipal attorneys or otherwise as to whether or not, going back to my first question, whether or not this coterminous entity could continue to exist when the boundaries were not identical?"

Hensel: "Well, the city would still exist and the coterminous boundaries, like I said, would still remain the same as they are. But the city lines would be extended into the territory that they have annexed. Now, this happens in all other cities that are not coterminous, cities like

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

123rd Legislative Day

May 23, 1984

Naperville that annexed into townships, and there's no problems there. I don't understand, you know, why there's such a big worry over..."

Hawkinson: "Well, I guess the... I'm not an expert on coterminous city townships. But are there any additional powers that are vested in a coterminous city township that other cities do not have? In other words, I know that, for example, in a coterminous city township, that the city council also acts as the town board. That would not be changed under... under this Bill?"

Hensel: "There would be no change on that. We're just asking for a referendum at this point. We're not changing any of the coterminous functions or... of the city council or the township trustees or anything. It's just asking for a referendum any time that they want to annex a territory adjacent to theirs."

Hawkinson: "Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

Piel: "I move the previous question, Madam Speaker."

Speaker Breslin: "The Gentleman moves the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the previous question is put. The Lady from DuPage, Representative Karpziel, to close."

Karpziel: "Yes, thank you, Madam Speaker. This is a very important Bill for townships, and anyone here that has been or is involved with township government or cares about township government should be a proponent of this Bill. Under the current statute, coterminous city townships are able to annex property in surrounding townships at will with the people that live in those surrounding townships having nothing to say about having their tax base eroded and their property eroded. As Representative Steczo said,

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

123rd Legislative Day

May 23, 1984

in the last six years, townships have lost over one billion dollars in revenue base because of these annexations. One township, 'Chateau' Township, whoever represents that township is going to be losing 400 million dollars with a recent annexation by Granite City. There have been several court cases on this. The lower courts ruled in favor of the coterminous townships. The Appellate Court overturned that... that decision; and, when taken to the Supreme Court, the Supreme Court upheld the lower court's decision in favor of the coterminous townships, but they said that, because of their decision, and I'm paraphrasing, and even though they made the decision based on Section 5, Article VII, they said that they recognize that in some circumstances that this piecemeal dissolution of a township without referendum will just permit the township to... to eventually disappear and that it has caused some grotesquely shaped areas that are comprised of a coterminous city township surrounded by little parcels of the surrounding area that are still left in the other part of the township. They ended up by saying that the General Assembly should do something to correct this situation. That's what we're trying to do with House Bill 1591. We are simply giving the courts and giving the Illinois statute and giving these townships a remedy by which they cannot just be annexed piecemeal by a coterminous city township without them having anything to say about it. We're simply asking for equity and fairness. This Bill does not affect Chicago, nor does it affect any of the collar counties, with the exception, I believe, of one township in Lake County. In answer to some of the questions or some of the things that were raised, as far as the elections are concerned, we now have elections on the same day for both township and cities. In all other townships that are not

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

123rd Legislative Day

May 23, 1984

coterminous townships, I know that when we go to the polls on election day for a township election, those of us that live in a municipality in that township have to vote on that also. If we can, in our counties, can provide that kind of election service, certainly so can the coterminous townships. It al.. Some of the other things that were brought up is that we'll have to be paying taxes for cities and townships. And, again, those of us that live in a township and also a municipality that's not a coterminous township do the same thing. I would ask for your vote... your 'aye' vote on this Bill. It's a very fair Bill and an equitable Bill, and it would be a very good vote for you."

Speaker Breslin: "The question is, 'Shall House Bill 1591 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 87 voting 'aye', 21 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of State and Local Government appears House Bill 1726, Representative Terzich. Representative Terzich - Currie. House Bill 1726. Out of the record with leave to come back to that. House... the next order... The next Bill on this Order of Call is House Bill 2141, Representative McMaster. Clerk, read the Bill."

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

Speaker Breslin: "Representative McMaster."

McMaster: "Thank you, Madam Speaker. This is a Bill that was discussed at some length approximately a week ago. At that time, some of the people here were afraid it would take appointive powers away from the Mayor of Chicago, and it

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

123rd Legislative Day

May 23, 1984

will not. I hope you're listening, Larry. It will not take any appointive powers away from the Mayor of Chicago or any other mayor that I know of. Whoever might be mayor. This is a Bill that would give the right of the people within an airport authority, of areas containing a population of under 25,000, the right to elect the members of their airport authority and, in effect, give those people within which territory the airport itself lies some voice in what goes on with the airport. I would certainly appreciate a 'yes' vote for this Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 2141, and on that question, the Gentleman from Effingham, Representative Brummer."

Brummer: "We... Was this on Postponed Consideration?"

McMaster: "Yes."

Speaker Breslin: "Yes, Representative, it was."

Brummer: "Yes. This is the Bill we spent some time debating previously, and then... did not get the requisite number of votes. I... I would simply remind everyone that we... we had a significant debate regarding this previously. It affects areas in which... of less than 25,000 population. I have received numerous... a number of letters of opposition to this. The rural areas that would be affected by this in my area of the state, at least, do not want this. As I indicated last time in speaking in opposition, the appointing process allows the... the appointment of members to the airport authority or commission who would probably never be candidates otherwise. I give the example of a retired career person from... that had a career in general aviation and commercial aviation, who is serving and lending his expertise to the airport commission, would undoubtedly never be a candidate, would never run for office otherwise, and I think this is a bad Bill. It's the

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

123rd Legislative Day

May 23, 1984

same Bill we voted on previously, and it was placed on Postponed Consideration. And I would hope that it not pass this time."

Speaker Breslin: "The Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I would like to rise in opposition to the Bill, notwithstanding the possibility that in subsequent Sessions the Bill could be amended to affect municipalities in excess of 500,000 residents. The real issue here and the central issue here is whether or not we want to burden the taxpayers and mandates on local government to cover the cost of the election of officials to airport authorities. The other issue here is whether or not we want to diminish the authority or the prerogative of municipal officials throughout the state, especially those municipal officials in smaller communities who are really held accountable for their administrative decisions. I don't think we do. I don't think we need more elected officials. I don't think the taxpayers need to pay additional dollars to have a few handful of individuals elected to run an airport authority. I think in most small units in the urban area there are city managers who are paid to be professional administrators. Throughout other smaller municipalities, I think, the local village president or mayor is more than competent to administer the affairs of that municipality. So if you are for local government authority, if you are for home rule authority, if you are for tax savings, you'll vote against the Bill. If you want to expend more dollars, and create more elected positions and hire more politicians, then you'd vote 'aye'."

Speaker Breslin: "The Gentlemen from Cook, Representative Steczo."

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

123rd Legislative Day

May 23, 1984

Steczo: "Thank you, Madam Speaker, Members of the House. I rise in support of House Bill 2141, and I really can't understand a lot of the commotion and opposition that... that this Bill's come under. It was heard in the Counties and Townships Committee and amended in the Counties and Townships Committee to only affect those real small airport authorities, and the purpose of the Bill is to provide that the people living in the authorities would have some control over the operation of that particular airport. I would just like to mention to the Members of the House, two... two comments that were made in Committee that I find completely unbelievable. One was the opponents of this Bill indicating that they felt that appointed authority commissioners did a better job and were more responsive than those people who were elected. I'm not sure if I can believe that. And then secondly, in response to the question about not having people run for elections to these authorities, you know, let it be known and I think we can all see that Illinois has a high degree of volunteerism, both in running for these kinds of elected offices be they parks, school districts, et cetera. So I think that this Bill is well in order. I think it's fair, and I think it provides representation to those small districts down... airport districts downstate. And I see no reason why the House shouldn't overwhelmingly support it, and I... I would suggest an 'aye' vote."

Speaker Breslin: "The Gentleman from Effingham, Representative Brummer, for what reason do you rise? You have already spoken in debate."

Brummer: "Yes, on a point of personal privilege."

Speaker Breslin: "Yes. Proceed."

Brummer: "Yes, on a point of personal privilege, the prior speaker indicated somehow that this was amended in

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

123rd Legislative Day

May 23, 1984

Committee so the hubbub ought to be removed because it only affected the small areas. I would respectfully suggest that even the small areas are entitled to good laws, and this is not one of them."

Speaker Breslin: "The Gentleman from Lake, Representative Pedersen."

Pedersen: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Pedersen: "Representative McMaster, I've heard a lot of rhetoric, not only on this Bill, but other Bills regarding extra cost for elections. Aren't all the Bills we talked about today, wouldn't they come under the Consolidated Election Law? There would no extra cost to local governments unless they opted for a special election. But these would be under the Consolidated Election Law. Is that correct?"

McMaster: "Yes, that is quite true, and I am surprised at the people who have talked about putting on added expense to elect these airport authorities. And frankly, they know, I'm quite sure they know, in spite of what they are saying that there is no extra expense involved - absolutely not. It occurs at a regular election. You added another line on the consolidated election ballot, and that's all there is to it."

Pedersen: "Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Pedersen: "House Bill 2141 has been debated at length in this Body. I think we've basically gone through everything. We've explained the Bill. It's a good Bill. It gives the people in those respective areas a voice in their government regarding airport governance, and I would appreciate your support of this Bill. And I would hope you would vote 'yes'. Thank you."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, with all due respect to the Sponsor of the Bill, I've been in contact with all five of my airports in my area, and the Bill itself is addressed to those rural areas which I'm from. And it is a problem in those rural areas. It creates a real serious problem. We've been told that it doesn't affect the larger... such as the largest in my area, which would be Jefferson County, but I tend to tell you that it does affect that county because that... that county only takes in certain townships under that airport authority. Not all townships in that county are... participate in that airport authority, and due to that fact, even though the county population is above the limit because of the airport authority taking in smaller townships, it does take in even some of those larger airports you're talking about. We have a fine airport in my area. We have five airports in my area this effects by, and I think it's a Bill that's going to create real problems down in our area. I'm not opposed to electing any elected official, anyone to these offices, but I think of those areas and this area of expertise that's need in this thing. We need those particular people to be appointed to those boards."

Speaker Breslin: "There being no further discussion, Representative McMaster to close."

McMaster: "Thank you, Madam Speaker. I am amazed... chagrined that people would speak against the power of people within this state to elect. That is a privilege that we have in this country - the ability to elect people to represent us in office. The people who have argued vehemently against electing airport authorities are certainly elected to serve

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

123rd Legislative Day

May 23, 1984

down here. To think that they would say that we should have an appointed General Assembly is what they would infer, rather than an elected General Assembly. Probably there are people more qualified than I am to serve down here if they could serve on an appointed basis and would not run for the office. People say that qualified individuals, pilots, people with aircraft experience would not run if it were an elected office but would serve if it was an appointive office. I think that is poppycock. If anyone is truly supportive of an airport authority, I think that he would run for an election and not have any fear whatsoever of it. I think this is a good Bill. It gives the right to the people to elect those who represent them, and I can think of no better thing that we could have than the power of the people to elect. And those who vote against this are those who would support appointive jobs any place, rather than elective jobs. I think we should vote for the power of the electorate to elect."

Speaker Breslin: "The question is, 'Shall House Bill 2141 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 55 voting 'aye', 44 voting 'no' and 1 voting 'present'. Representative McMaster."

McMaster: "May I... Poll the absentees, please."

Speaker Breslin: "The Gentleman asks for a Poll of the Absentees. Please poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Berrios. Capparelli. Doyle. Farley. Harris. Huff. Jaffe. Keane. Krska. Mautino. Parcels. Saltsman. Shaw. Taylor. Terzich. Wolf. Younge. And Mr. Speaker."

Speaker Breslin: "Representative Ronan, for what reason do you rise?"

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

123rd Legislative Day

May 23, 1984

Bonan: "Madam Speaker, I want to switch from a 'yes' to a 'no'."

Speaker Breslin: "Change Representative Bonan's vote from 'yes' to 'no'. Are there any further changes of votes, or does anyone else wish to be recorded? Seeing that no one else wishes to be recorded, this Bill has 54 voting 'aye', 45 voting 'no' and 1 voting 'present'. This Bill, having failed to receive the necessary Constitutional Majority, is hereby declared lost. The next Bill on State and Local Business... Local Government appears House Bill 2332, Representative Bowman. It appears on Consideration Postponed, page 21 on your Calendar. Representative Bowman. Clerk, read the Bill."

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

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you. Madam Speaker, I'd like to ask leave of the House to return House Bill 2332 to the Order of Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Hearing no objections, this Bill is on Second Reading."

Clerk Leone: "Amendment #5, Bowman - Topinka, amends House Bill 2332 as amended."

Speaker Breslin: "Representative Bowman."

Bowman: "Fine. Thank you, Madam Speaker. Just for the records, since the copy of the Amendment that is printed and distributed to our desk does not have Representative Topinka's name on it, I would like to formally ask leave of the House to have Representative Topinka added as a joint Sponsor of this Amendment."

Speaker Breslin: "Is there any objection? Hearing no objection, Representative Topinka is added as a hyphenated Sponsor of this Amendment."

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

123rd Legislative Day

May 23, 1984

Bowman: "Thank you, Madam Chairman... Madam Speaker, Ladies and Gentlemen of the House. This Amendment was worked out and... with Representative Topinka, the Minority Spokesman on the Committee, and I think that we have resolved the... the fundamental differences with the legislation that the House considered yesterday. And I'd just like to... to thank the Representative for her cooperation."

Speaker Breslin: "The Gentleman moves for adoption of Amendment #5 to House Bill 2332, and on that question, the Lady from Cook, Representative Topinka."

Topinka: "I just have to commend Representative Bowman for putting in such outstanding time and effort into making this a really good Bill for the homeless. He's got something to be proud of."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #5 to House Bill 2332 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bowman asks leave for immediate consideration of House Bill 2332. Is there any objection? Hearing no objection, this... Representative Bowman, on House Bill 2332."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This legislation was before us yesterday. The... The issue is a very real and pressing one, namely the issue of homelessness in the State of Illinois. There are literally tens of thousands of people without a roof over their heads. The state now is just taking the first tentative steps in recognizing this problem and dealing with the problem. This legislation, as now amended, would authorize the Department of Public Aid to develop programs

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

123rd Legislative Day

May 23, 1984

in this area. And the problem with the Bill yesterday, as you may recall, is a lot of people seemed to be nervous over the... the cost of this. What we've done is, we have made this legislation authorizing it. It is not an entitlement program and, consequently, any reference to dollars is taken out of the Bill at this point. So I think the... the main concern that everyone felt yesterday has now been successfully eliminated. This is a pressing problem, and this is the only Bill on the Calendar that deals with the problem. And so I urge an affirmative vote."

Speaker Breslin: "Mr. Clerk, would you read this Bill again a third time?"

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

Speaker Breslin: "The Gentleman has moved for passage of House Bill 2332, and on that question, the Gentleman... There is no discussion. The question, therefore, is, 'Shall House Bill 2332 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', none voting 'no' and 2 voting 'present'. This Bill, having received the necessary Constitutional Majority, is hereby declared passed. The next Bill on State and Local Government is House Bill 2334, Representative Madigan. It's on page three in your Calendar. Representative Cullerton. This Bill is on the Order of Second Reading."

Clerk Leone: "House Bill 2334, a Bill for an Act to amend an Act in relationship to municipal mental health and developmental disability programs and services. Second Reading of the Bill. Amendment #1 was adopted in

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

123rd Legislative Day

May 23, 1984

Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Madigan, amends House Bill 2334
as amended."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I would ask leave to withdraw Amendment #2."

Speaker Breslin: "Does the Gentleman have leave? Hearing no
objection, Amendment #2 is withdrawn. Are there any
further Amendments?"

Clerk Leone: "Floor Amendment #3, Madigan - Cullerton, amends
House Bill 2334 as amended."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of
the House. This Amendment would require community mental
health clinics or agencies in Chicago applying for grants
in aid from the Department of Mental Health and
Developmental Disabilities to obtain review and comment on
such applications by a local community mental health board
that is representative of the area to be served and which
includes professionals in the field of mental health,
consumers of the services and representatives of the
general public. Amendment #2 had been improperly drafted.
It was the... I believe Representative Deuchler questioned
me about... about Amendment #2, and we discovered that it
was not limited to cities with a population of 500,000 or
more. And that's what Amendment #3 does. So I know of no
opposition to the Amendment and ask that it be adopted."

Speaker Breslin: "The Gentleman moves for the adoption of
Amendment #3 to House Bill 2334, and on that question, is
there any discussion? Hearing no discussion, the question
is... Representative Vinson on Amendment #3."

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

123rd Legislative Day

May 23, 1984

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

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "Representative, I'm trying to digest this Amendment relatively quickly, and I wonder if you might advise me about what some of the provisions are in it. Now, at one point in this Bill, the Bill applied to the entire State of Illinois and affected a variety of mental health and developmental disability services - the way in which they would be provided at the local level throughout the state. Now, can you tell me, how is this Amendment affecting all of that?"

Cullerton: "No. I think that the... the Bill as originally introduced only applied to the City of Chicago and... requiring them to establish a Department of Mental Health. And then the subsequent Amendments struck that and, in effect, had a different purpose altogether. And so now we... Amendment #2 had been drafted so as to apply to the entire state, and Representative Deuchler raised some questions about that. And it was our intention when we drafted the Amendment to have it only apply to the City, and it was improperly drafted. So now we have Amendment #3, and what it says is... my understanding is that this practice exists downstate right now. Community mental health boards do review requests for grants in aid from the Department of Mental Health, and so what this Bill says and what this Amendment, which becomes the Bill, says is that there must be a local community mental health board set up which would review these requests for grants in aid. And by the way Representative, this is not the Bill that you wanted to question me about. That's coming up in a few... a few..."

Vinson: "Okay. Well, we'll get to that one, then. What is the

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

123rd Legislative Day

May 23, 1984

position of the Mayor of the City of Chicago on this Bill?"

Cullerton: "Well, he's... he's been in office for such a short time that I don't think he's had a chance to review this particular piece of legislation."

Vinson: "Don't you think that, given the relative state of uncertainty in the city, that maybe we shouldn't be moving on Bills as volatile as this? I mean I, you know, always like to defer to the Mayor of Chicago on things that effect the structure of the City of Chicago, and I'm not sure who I should be deferring to at this point. So I'm not sure..."

Cullerton: "Well, I understand what you're saying. We should not be acting pell-mell, but I do think that we should adopt this Amendment since we are only on Second Reading, and then before we call it on Third Reading we can check and see what the position is."

Vinson: "Well, to the Bill, Mr. (sic - Madam) Speaker... to the Amendment. Until Representative Bonan and Representative Braun come over and consult with me, I would urge a 'no' vote against the Amendment."

Speaker Breslin: "Representative Cullerton to close."

Cullerton: "Yes, this is on Second Reading, and the Amendment becomes the Bill. The Amendment, as I indicated before, simply says that we should have a local community mental health board to review applications for grants in aid from the Department of Mental Health. This is a practice which I understand exists downstate, and we want to have the same... ensure the continuation of this... of a citywide community mental health board in Chicago so that we can get input from the community. I really think that it's not controversial and supported by the Speaker. It's his Bill, and I would appreciate your support of the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of

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

123rd Legislative Day

May 23, 1984

Amendment #3 to House Bill 2334, and on that question, all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Amendment, there are 59 voting 'aye', 43 voting 'no' and 1 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, pursuant to Rule 36(d), I would request that that Bill be returned to the Order of Second Reading First Legislative Day insofar as Amendment #3 completely changed the title of the Bill."

Speaker Breslin: "That will be fine, Representative Vinson. The next Bill is House Bill 2376. It appears on Third Reading on page nine, Representative Daniels. Clerk, read the Bill. House Bill 2376 on page nine on your Calendar."

Clerk Leone: "House Bill 2376, a Bill for an Act to amend an Act relating to fees of county clerks. Third Reading of the Bill."

Speaker Breslin: "Representative Daniels."

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, House Bill 2376 would increase marriage license fees in order to generate an additional sum of money for the Domestic Violence Shelter and Service Fund which was created by the General Assembly in 1981. Speaker Madigan and I have sponsored this legislation in response to calls from throughout the state to enhance the state plan which needs an estimated 4.9 million dollars for domestic violence services throughout Illinois. This plan is endorsed by several organizations throughout the State of Illinois, and we ask for your support."

Speaker Breslin: "The Gentleman moves for passage of House Bill

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

123rd Legislative Day

May 23, 1984

2376, and on that question, is there any discussion? Hearing no discussion, the question is, 'Shall House Bill 2376 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 74 voting 'aye', 30 voting 'no' and 2 voting 'present'. This Bill, having received the necessary Constitutional Majority, is hereby declared passed. The next Bill on State and Local Government appears House Bill 2518. It is on the Order of Third Reading on page 10 in your Calendar. Representative Cullerton. Representative Daniels, for what reason do you rise?"

Daniels: "I feel I owe a... somewhat of an apology to Representative Tate since I just increased his marriage fee if it passes the Senate. So maybe we could all keep in mind... Mr. Tate is getting married on Saturday, so if he hurries up and gets married before the Bill is filed he won't have to pay the additional fee. I... I know all the ladies in the area will go nuts over the fact that he's going to be out of circulation."

Speaker Breslin: "On House Bill 2518, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2518, a Bill for an Act to amend an Act to Use Tax Act and Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes. I have a great speech prepared for this Bill, but I have to ask you to take it out of the record."

Speaker Breslin: "Out of the record. House Bill 2545 is the next Bill on this Call. It's on Third Reading on page 10 of your Calendar. Clerk, read the Bill."

Clerk Leone: "House Bill 2545, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Representative Laurino."

Laurino: "Yes, Madam Speaker, I'd like leave to take this Bill out of the record for a short time with the understanding that we'll go back to it very shortly."

Speaker Breslin: "The Gentleman requests leave to take the Bill out of the record with the understanding we will come back to it. Hearing no objection, this Bill is out of the record temporarily. House Bill 2559 appearing on the Order of Consideration Postponed page 21 of your Calendar. Clerk, read the Bill, House Bill 2559."

Clerk Leone: "House Bill 2559, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Winchester."

Winchester: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 2559 permits the county boards of counties with less than 65,000 inhabitants to increase by an affirmative vote of at least three-fifths of the members of the county board by ordinance the county highway tax to a maximum rate of 20 cents, subject to the truth in taxation provisions. In eight years, counties less than 65,000 population have had their county tax... highway taxes increased by 17% due to increased assessment evaluation. In eight years, motor fuel tax increased 7%, and in eight years wages have increased 106%. Fuel, asphalt, stone and equipment have all increased during this period as a result of inflation, and revenue has not keep pace. All of the counties with the low assessed valuations are struggling to keep the roads maintained, and each year they seem to be losing ground to inflation. There is very little money for reconstruction or new construction, and several counties have difficulty matching federal and state funds when they... when they are available. The fact that the Bill permits a county to adopt an ordinance on a

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

123rd Legislative Day

May 23, 1984

three-fifths extraordinary or constitutional vote subject to truth in taxation provisions. Raising the tax rate 10 cents does not mean that all counties would make that rate increase at one time. The purpose of this legislation is to give the counties the opportunity to help themselves solve their own problems without going to other state agencies, and I would ask for a favorable vote."

Speaker Breslin: "The Gentleman moves for passage of House Bill 2559, and on that question, is there any discussion? Hearing no discussion, the question is, 'Shall House Bill 2559 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? This is final passage. Have all voted who wish? Representative Cullerton."

Cullerton: "Yes, Madam Speaker, in explaining my vote, I think we should give the Gentleman enough votes to pass this Bill. The way I read it, it's a tax increase Bill, and we can use it against him in his reelection. So I think we should give him the 60 votes necessary to pass the Bill."

Speaker Breslin: "The Clerk will take the record. On this Bill, there are 35 voting 'aye', 50 voting 'no' and 8 voting 'present'. Representative Winchester."

Winchester: "Well, thank you, Madam Speaker. I would like to give John Cullerton the opportunity to... to help me pass this Bill, so that he can use it against me in my election, only I think it might backfire. So I would like to have a Poll of the Absentees."

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Alexander. Berrios. Braun. Brookins. Bullock. Capparelli. Farley. Giglio. Harris. Huff. Jaffe. Keane. Krska. Markette. McCracken. Panayotovich. Pierce. Rice. Ronan. Taylor. Terzich. White. Wojcik. Wolf. And Mr. Speaker."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Representative Wolf. Representative Wolf asks to be voted 'aye'. Representative Hoffman asks to be voted 'aye'. Representative Barger asks to be voted 'aye'. Is there anyone else that seeks recognition to either change their vote or to be recorded as voting on this Bill. Since there is no one else seeking recognition, this Bill has 38 'aye', 48 'no' and 8 voting 'present'. This Bill, having failed to receive the necessary Constitutional Majority, is hereby declared lost. The next Bill on the Order of State and Local Government appears House Bill 2568. It is on Third Reading on page 11 on your Calendar. Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 2568, a Bill for an Act in relationship to tax levies for aquariums and museums in parks. Third Reading of the Bill."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. House Bill 2568 proposes a three cent increase for the eight museums on park district land in the City of Chicago in their tax levy rate. It would increase the rate from 12... 12 cents to 15 cents. The actual effect of the Bill, given the way the museums levy their... their taxes, would be to enable the museums to take advantage of the present 12 cent cap in the statutes. I'm happy to answer any questions, and I hope that... that you will support House Bill 2568 for the eight museums and the aquarium on park district land in the City of Chicago."

Speaker Breslin: "The Lady moves for passage of House Bill 2568, and on that question, is there any discussion? Seeing no discussion, the question is , 'Shall House Bill 2568 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Mr. Clerk, take the record. On this Bill, there are 89 voting 'aye', 24 voting 'no' and 1 voting

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

123rd Legislative Day

May 23, 1984

'present'. This Bill, having received the necessary Constitutional Majority, is hereby declared passed. The next Bill on the Order of State and Local Government appears House Bill 2520. It is on Third Reading on page 11 of your Calendar. Representative Capparelli. Out of the record. House Bill 2706, Representative Bowman. It is on page 13 of your Calendar. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2706, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman. Representative Bowman."

Bowman: "Yes, Madam Speaker, I believe the title was incorrectly read."

Speaker Breslin: "It's House Bill 2706."

Bowman: "Yeah, I believe the Calendar is not..."

Speaker Breslin: "Very good."

Bowman: "... the Calendar's in error."

Speaker Breslin: "Would you read the Bill again, please, Mr. Clerk? Thank you."

Clerk Leone: "House Bill 2607 (sic - 2706), a Bill for an Act in relationship to mortgage insurance. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Yes, only this time the Clerk called it 2607. I think it's 2706."

Clerk Leone: "House Bill 2706, a Bill for an Act in relationship to mortgage insurance. Third Reading of the Bill."

Bowman: "Thank you, Madam (sic - Mr.) Clerk, Madam Speaker and Mr. Clerk. Okay, now that we've got this right, I'd like to move this Bill back to Second Reading for purposes of an Amendment."

Speaker Breslin: "The Gentleman asks to move this Bill back to the Order of Second Reading for the purposes of an

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

123rd Legislative Day

May 23, 1984

Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill."

Clerk Leone: "Amendment #2, Bowman, amends House Bill 2706 as amended."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 is basically the same as Amendment #1, which is currently on the Bill, except the main difference being that, in addition to technical changes, that there are some standards that are spelled out here for properties and areas which would qualify for the mortgage insurance. I move adoption of Amendment #2."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to House Bill 2706, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I rise in support of the Gentleman's Amendment. It's a particularly well crafted Amendment for a good program, and I would urge its adoption."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #2 to House Bill 2706 be adopted? All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bowman now asks leave for immediate consideration of House Bill 2706. Hearing no objection, please read House Bill 2706."

Clerk Leone: "House Bill 2706, a Bill for an Act in relationship to mortgage insurance. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you very much, Madam Speaker. House Bill 2706 establishes a Mortgage Insurance Fund for the State of

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

123rd Legislative Day

May 23, 1984

Illinois. The purpose of this is to fill a gap that presently exists in our array of programs for dealing with and boosting the housing market. I think all of us are concerned now about the problem of affordable housing. It seems that housing is becoming less affordable all the time, and that this has caused me and others to take a careful look at the problem and try to determine where the gaps are and what the Legislature can do to fill these gaps. At the present time we do have the Illinois Housing Development Authority, which issues moral obligation bonds for the purpose of participating in building projects. However, there is the whole array of private financing and especially in the area of multi-family and multi-family rehab, but also in the... in rural areas for small projects where the risks may be very high, and local lending institutions may be very reluctant to take on these risks. But with mortgage insurance like I'm proposing here, we... we can encourage those local lending institutions to assume the necessary risks with the full knowledge that... that their investment will be protected. And the best part of this, Ladies and Gentlemen, is that it is a self-sustaining program. There's a program such as this in operation in other states. Maryland was the first one to put such a program into effect, and I... have looked into it, and it is a money maker in Maryland. So I think that this is something that we can do to help our housing market and to help our state, and I move for passage of House Bill 2706."

Speaker Breslin: "The Gentleman moves for passage of House Bill 2706, and on that question, the Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Hawkinson: "Representative, our analysis indicated in the

STATE OF ILLINOIS
33RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

original Bill these mortgages were going to be guaranteed by General Revenue Funds. Has that been taken out of the Bill?"

Bowman: "Yes, Mr. Hawkinson, the original Bill was simply a vehicle, and Amendment #2 struck everything after the enacting clause and rewrote the Bill from top to bottom. Yes, that is... that is out of the Bill."

Hawkinson: "What, if anything, guarantees them now?"

Bowman: "This is a mortgage insurance program, Representative, and so there are insurance premiums which will be charged, and a self-sustaining fund will be set up. And so the... it will be the fund itself which will support the program, and if there is a default, the insurance fund will cover it."

Hawkinson: "Is there nothing left to be worked out with this Bill? I was under the impression that there was... that this was basically still a vehicle and that there was not agreement on what funds would be used as a guarantee? But you're saying everything's worked out?"

Bowman: "No, well, Representative, I don't want to mislead anybody. There are probably are some... some details to be worked out."

Hawkinson: "Could you tell us what those are?"

Bowman: "Okay, I think probably the issue that you're referring to is where the start up cost or the start up money comes from. I mean once the Bill... once the program is up and running, it is self-sustaining. But many people have asked me, 'Well, where's the initial seed money come from?' Indeed, that issue is not addressed in the Bill specifically. What we do here is to create a fund into which monies can be put. Now the monies can come from various sources. The... The obvious one, which probably your analysis was alluding to, would be just the general

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

123rd Legislative Day

May 23, 1984

revenue appropriation. I think under the conditions... financial conditions our state faces right now that that's unlikely. I mean, we just don't have a lot of extra money laying around to put into it. There are a couple of other possibilities. There are federal monies that the state gets that, you know, with the current policies the Reagan administration have fewer strings on them than they used to - monies that, perhaps, don't even have to be appropriated that could be deposited into this fund, or another possibility would be every time we have a general obligation bond issue that we take, maybe, a million dollars out and deposit it in this fund. So after a few bond sales - we have three a year normally, you know - after... in a couple of years we could accumulate enough money to begin the thing in operation. But until you have the fund, there's no place to put the money. So..."

Hawkinson: "What do you estimate the required start up funds to be?"

Bowman: "Okay. The Bill, by the way, is specific on that point. It says that no mortgage insurance may be extended until the fund has reached a critical mass of 5,000,000 dollars. That was the best judgment of the people I consulted who... who have experience in urban and housing finance that that would be the minimum that... for safety."

Hawkinson: "Thank you."

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

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

Speaker Breslin: "The Gentleman will yield to a question."

Mautino: "What's... A quick look at this. It seems to me you might have a piece of legislation that would be more effective than the FMHA is under the current guidelines and restrictions they've got to homeowners. Is that the intent

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

123rd Legislative Day

May 23, 1984

of this legislation to address those individuals who would normally would be applying for the FMHA loans?"

Bowman: "Well, you... you are correct that... that this is more liberal, or expansive or whatever so people would be picked up here that may not have access to that... that market; however, there are others as well. So I wouldn't necessarily say that's the primary focus, but, yes, there would be people in that population who would have access to this."

Mautino: "Well, the Federal Government has got a brick on those FMHA loans and applications, and they're about a year behind. And they haven't been loaning money to individuals. If this program would take care of that situation, you've got a good program, and I'd stand in support."

Bowman: "Well, I am... In fact in my opening remarks, I said there are a lot of gaps in the housing market. One of the... These gaps are just exacerbated by the fact that those funds are bricked or frozen, and... and so that's another reason why we need this legislation."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the Gentleman's proposal. It is not, at this point, a completed proposal because there is not a funding source for this insurance program - an initial funding source. I believe, as the Gentleman has stated, that there is a gap in the market... I've been doing some research on this in the past week, that there is substantial gap in the market for multi-family mortgage insurance. That is because the market has a much more difficult job of assessing an apartment project where you do not know who the people that are going to move in are

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

123rd Legislative Day

May 23, 1984

going to be. You do not have a credit check, in essence, that you can run. You have to evaluate an entire project. I don't think there's a gap in the single family area, but I do know that there is a gap in the multi-family area. If we were able to plug that gap, you could see a substantial increase in the amount of apartment building rehabilitation and construction in some areas of Chicago that need construction, and that would be a desirable thing for the city. It would be a desirable thing for the state. It would be a desirable thing for developers and the entire construction industry. Now, the Gentleman, I think, has... has admitted that he doesn't have a funding source. He is looking for one. We may find a way to find a funding source and to then make it possible to take final action on this kind of Bill. But I believe that we ought to keep the Bill alive at this point in a... while we continue to search for an adequate and safe funding source because there is a gap in the market and because if we're able to fill that gap, the effects would be highly desirable. For those reasons, I would urge an 'aye' vote on House Bill 2706."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf. The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Would the Sponsor yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Tuerk: "We've talked a little bit about the funding source. What ideas are permeating regarding funding source? I... I have no idea where these funds are coming from."

Bowman: "Representative Tuerk, with all due respect, I responded to Representative Hawkinson when he asked an identical question. I don't mind repeating it, but, maybe, do we need to take the time of the House to do it again?"

Tuerk: "I wish you would."

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

123rd Legislative Day

May 23, 1984

Bowman: "Okay. Okay."

Tuerk: "Because I didn't hear your answer."

Bowman: "Okay. I just wanted everyone to know that... that I am putting all my cards on the table here. There are there three. The most obvious one, I think, is probably the least likely - that would be the general revenue appropriation. We just don't have that kind of money right now. Another possibility would be a possible federal source. There are some monies coming into the state that... that don't have as many strings on them now as they used to and that... that we might be able to... to channel in this direction. And the third possibility is to set aside a small amount, say 1% or maybe even less, of each general obligation bond sale into this fund, because we're talking about a long-term project here, so using bond revenues would not be an unreasonable or imprudent thing to do. And after maybe four or five bond sales, we would have enough money set aside that we could begin the program."

Tuerk: "Well, okay, you have three... three possible ideas, but nothing is of any concrete nature at this point."

Bowman: "Representative Tuerk, that is correct. We are hard at work on... on trying to identify the source; however, let me point out that we need to have a fund established into which to deposit something when we can identify it. Money is not... does not float in limbo for very long. It tends to find a home. Money tends to find a home faster than Zeke Giorgi's homing pigeons, and... and what I'm doing here is to keep... to try and find... to develop a place, a nitch if you will, in our fund structure so when those monies are identified we have a place to put them and deposit them."

Tuerk: "Thank you."

Speaker Breslin: "There being no further discussion, the

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

123rd Legislative Day

May 23, 1984

Gentleman from Cook, Representative Bowman, to close."

Bowman: "Thank you. I believe that we have had a full and good discussion on this. I simply ask an affirmative vote."

Speaker Breslin: "The question is, 'Shall House Bill 2706 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'aye', 11 voting 'no' and 6 voting 'present'. This Bill, having received the necessary Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, let us pause now for an announcement. We have Senate Bills that have come over to us from the Senate. It is the intention of the House to have a Rules Committee meeting tomorrow at the hour of 1:00 p.m. in Room 114 to consider those Bills. Please review the Bills and pick up those that you would like to sponsor. File an exemption on the Bills by 11:00 a.m. It is our intention to waive the posting rules so that Rules can meet and discuss those Bills. They will then be assigned to a Committee, and we also intend to waive the posting rules so that those Bills can be heard next week in Committee. Does everybody understand that? A Rules Committee meeting tomorrow at 1:00 p.m. in 114. Please look at the Bills. Pick them up. File exemptions by 11:00 a.m. Thank you very much. Representative Steczko, for what reason do you rise?"

Steczko: "Thank you, Madam Speaker. Is there a list of the Senate Bills that have just passed over recently?"

Speaker Breslin: "Those that are presently ready are in your Calendar. If there are more, you can pick them up from the Clerks down at the well. On the Order of State and Local Government appears House Bill 2710. It's on the Order of Third Reading on page 13. Representative Capparelli. Clerk, read the Bill."

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

123rd Legislative Day

May 23, 1984

Clerk Leone: "House Bill 2710, a Bill for an Act concerning an Act to legalize and validate appropriation Bills and tax levy ordinances. Third Reading of the Bill."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Madam Speaker, House Bill 2710 validates the appropriation and tax levy ordinance of Cook County and the Cook County Forest Preserve District to validate the appropriation tax levy ordinance for 1982. The purpose to preempt the use of a non... procedure objection as a basis of a suit and tax levies and extension. It's not any... that any questionable act, and I move for a favorable Roll Call."

Speaker Breslin: "The Gentleman moves for the adoption... the passage of House Bill 2710, and on that question, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the annual effort by Cook County to have us okay after the fact what they have already done illegally. I have the highest regard for the Sponsor of this Bill, and I notice that the sponsorship of this Bill rotates year by year, and this is Ralph's turn. But regardless of who the Sponsor is, it is still the annual effort of Cook County to have us knock out taxpayer protests. What this Bill does is add yet another year to the validation statute by which this Legislature says it's perfectly okay that Cook County approved an illegally drafted appropriation and tax levy ordinance. The purpose for that is so that taxpayers, who have filed protests on their taxes, cannot have those protests adjudicated in their favor because we rule those protests moot by passing this Bill before the protests are ruled on. What Cook County does not do is follow rigidly the line iteming procedures in the appropriation and tax levy ordinances. Those procedures are required of counties

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

123rd Legislative Day

May 23, 1984

and are followed by all other counties. No other county in Illinois manages to avail itself of the opportunity that Cook County comes down and asks us for year after year to have the taxpayers' protests knocked out by validation. This is a wrong statute that we ought to be knocking off the books altogether, rather than adding to year by year, and I urge its defeat. Thank you."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I rise in support of House Bill 2710. This is a procedure that the Legislature has followed since 1966, when former Governor Ogilvie was president of the Cook County Board. The purpose of this Bill is not to do anything subversive. It does not exempt the county or the Cook County Forest Preserve from any requirements that require timely action. It doesn't exempt them from any requirements from proper public notice, or for publication or for anything else. So far as protests of taxes are concerned, this Bill does nothing for legitimate tax protests. It only, basically, makes moot those protests that are filed simply because this one item was not followed. I think that the Legislature has... has adopted this proposal every year. I think that it's... it's something that we should support."

Speaker Breslin: "The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. One of the previous speakers mentioned previous Sponsors of this legislation. I sponsored this piece of legislation the past five years, and it's a good piece of legislation. It passed overwhelmingly by both Houses, and I would urge its support."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Capparelli, to close."

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

123rd Legislative Day

May 23, 1984

Capparelli: "Thank you, Madam Speaker. This does save Cook County money, and I would ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill 2710 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 60 voting 'aye', 46 voting 'no' and 9 voting 'present'. Representative Pullen."

Pullen: "I request a verification of the Roll Call, please."

Speaker Breslin: "The Lady requests a verification of the Roll Call, and Representative Capparelli requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Harris. Taylor and Younge."

Speaker Breslin: "Proceed with a verification of the Affirmative Roll Call, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Barnes. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DiPrima. Domico. Doyle."

Speaker Breslin: "Representative Oblinger votes 'aye'. Proceed with the Poll of the Affirmative."

Clerk Leone: "John Dunn. Farley."

Speaker Breslin: "Representative Kirkland. Representative Kirkland votes 'aye'. Proceed, Mr. Clerk."

Clerk Leone: "Flinn. Giglio. Giorgi. Greiman. Hannig. Huff. Jaffe. Keane. Kirkland. Krska. Kulas. Laurino. LeFlore. Levin. Markette. Marzuki. Matijevich. McAuliffe. McGann. McPike. Nash. Oblinger. O'Connell. Panayotovitch. Pierce. Preston. Rea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Terzich. Topinka. Turner. Van Duyne. Vitek. White. Wolf. McNamara. And Mr. Speaker."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Representative Van Duyn asks leave to be verified, Representative Pullen. Is that acceptable? Yes, it is. You have leave to be verified. Do you have any questions of the Affirmative Roll Call, Representative Pullen?"

Pullen: "Mr. Cullerton."

Speaker Breslin: "Representative Cullerton is present."

Pullen: "Mr. DiPrima."

Speaker Breslin: "Representative Kirkland, for what reason do you rise? Representative Kirkland would like to change his vote from 'aye' to 'no'. Proceed, Representative Pullen."

Pullen: "Mr. DiPrima."

Speaker Breslin: "Representative DiPrima. The Gentleman is in the back of the chamber."

Pullen: "Representative Farley."

Speaker Breslin: "Representative Farley. Representative Farley. The Gentleman is not in the chamber. Remove him."

Pullen: "Representative Flinn."

Speaker Breslin: "Representative Flinn. Representative Flinn. Is the Gentleman in the chamber? Remove him."

Pullen: "Representative Giglio."

Speaker Breslin: "Representative Giglio. Representative Giglio. The Gentleman is not in the chamber. Remove him."

Pullen: "Representative Huff."

Speaker Breslin: "Representative Huff. Representative Huff. The Gentleman is not in the chamber. Remove him."

Pullen: "Representative Krska."

Speaker Breslin: "Representative Krska. Representative Krska. The Gentleman is not in the chamber. Remove him."

Pullen: "Representative Levin."

Speaker Breslin: "Representative Levin is in his chair."

Pullen: "Representative LeFlore."

Speaker Breslin: "Representative LeFlore is in the back of the

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

chamber."

Pullen: "Representative Ronan."

Speaker Breslin: "Representative Ronan is in the chamber."

Pullen: "Representative Slape."

Speaker Breslin: "Representative Slape is in his chair."

Pullen: "Representative Terzich."

Speaker Breslin: "Representative Terzich. Representative Terzich. The Gentleman is not in the chamber. Remove him."

Pullen: "Representative Rhem."

Speaker Breslin: "Representative Rhem. Representative Rhem is in the back of the chamber."

Pullen: "Representative Shaw."

Speaker Breslin: "Representative Shaw is at his desk."

Pullen: "Representative Vitek."

Speaker Breslin: "Representative Vitek. Representative Vitek. The Gentleman is in the First Aid Station, Representative Pullen. Do you wish to remove him from the Roll Call?"

Pullen: "He can stay on the Roll Call."

Speaker Breslin: "The Gentleman may stay on the Roll Call. Do you have any further questions?"

Pullen: "Representative... Oh, I see him. Representative McPike."

Speaker Breslin: "Representative McPike. Representative McPike. The Gentleman is not in the chamber. Remove him. Representative Farley has returned to the chamber. Add him to the Roll Call."

Pullen: "No further questions."

Speaker Breslin: "Representative Breslin asks to be voted 'aye'. On this Bill, there are 56 voting 'aye', 45 voting 'no' and 8 voting 'present'. Representative O'Connell."

O'Connell: "Madam Speaker, how am I recorded?"

Speaker Breslin: "You are recorded as voting 'aye'."

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

123rd Legislative Day

May 23, 1984

O'Connell: "Thank you."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Desiring to help the Sponsor, please record me as
'aye'."

Speaker Breslin: "Representative Leverenz goes from 'present' to
'aye'. Representative Giglio has returned to the Roll
Call. Add Representative Giglio to the Roll Call.
Representative Vinson, for what reason do you rise?"

Vinson: "I don't see him."

Speaker Breslin: "Representative Giglio, would you come to the
front of the well? Representative McPike has returned to
the chamber. Add him to the Roll Call. Representative
Younge, for what reason do you rise? You are recorded as
not voting."

Younge: "Vote me 'aye'."

Speaker Breslin: "Representative Younge votes 'aye'. On this
Bill, there are 60 voting 'aye', 45 voting 'no' and 8... 7
voting 'present'. This Bill, having received the necessary
Constitutional Majority, is hereby declared passed. House
Bill... With leave, we will go back now to Representative
Laurino's Bill, House Bill 2545. Clerk, read the Bill."

Clerk Leone: "House Bill 2545, a Bill for an Act to amend the
Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Laurino."

Laurino: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. Representative Giglio. House Bill 2545 is quite
simple in its concept. It deals with the subject matter of
mandatory auto insurance. Mandatory auto insurance is not
a brand new idea. I've had it on the agenda of this floor
for seven terms, twelve years, or fourteen years. This
will be the fourteenth year. It's passed continually and
has gotten bottled up over in the Senate for reasons
unbeknownst to me, because it's quite inconceivable to

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

123rd Legislative Day

May 23, 1984

believe that something as sensible as this is not a law and has not been on the books. And why should Illinois be the 36th or 37th state, usually, in passing some legislation of necessity? The Bill - most of you know the subject matter - deals with the fact that before you can operate your vehicle on the highways and byways of Illinois, you must show proof of insurance before purchasing your plates. With the annual cost of running an automobile up in the thousands, and it's a well-known fact that most of those figures come from such areas as Hertz and Avis who keep a running balance of... and knowing that they have to indicate a profit at the end of the year for their company. They estimate that it costs approximately 5400 dollars to operate a medium-sized car. What we're asking for is a fairness issue that people carry insurance to protect the other guy and so doing by asking them to purchase liability insurance. The cost factor on that would be one percent, less than one percent of operating that vehicle in Illinois. I don't think that that's too harsh or too much to ask from the people of... More than six million people operate these vehicles on our highways. I think that the Bill has been debated long enough over the period of years that I've been here in the Legislature, and I would merely ask for your favorable support."

Speaker Breslin: "The Gentleman moves for passage of House Bill 2545. And on that question, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Friedrich: "A number of questions have been raised regarding this matter as to it being workable. Part of it is actual identification. The law... The Bill provides, as I recall, Representative Laurino, that if you're stopped by a

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

123rd Legislative Day

May 23, 1984

policeman, you have to furnish a card showing proof of insurance. Right?"

Laurino: "Well, the way you're asking the question, you've got a double edged sword there."

Friedrich: "No... What do you have to have..."

Laurino: "Representative, let me finish my answer."

Friedrich: "Alright."

Laurino: "You're requiring the motorist to carry an I.D. card furnished from the insurance company in the vehicle to show the vehicle's identity, the serial number of his car so that it can be proof of insurance, but you're not allowing the police to solely stop this motorist for the purpose of asking for that identification."

Friedrich: "Well, but the... but there is a requirement that you have a card to show that you have your insurance paid up. Right?"

Speaker Breslin: "Excuse me. Excuse me, Representative Friedrich. Ladies and Gentlemen, it is difficult for the Members to ask questions in debate. Proceed, Representative Friedrich."

Friedrich: "Well, just reasking the question, you are required to have a card showing that you have paid up insurance."

Laurino: "Correct."

Friedrich: "And let's assume for the moment that... And let's see, who's going issue that card under this Bill?"

Laurino: "The insurance companies are going to issue the cards. In fact, they do... I think you have insurance, or I presume you have insurance, Representative Friedrich, with all the money you're worth, and I would assume that you would carry a card with you in case you do get into an accident to show that you can transmit the information from the person that you're in an accident with ..."

Friedrich: "No, as a matter of fact, I don't. But the

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

123rd Legislative Day

May 23, 1984

question..."

Laurino: "Well, that's a mistake."

Friedrich: "Now, there is a lot of insurance purchased other than on an annual basis. In fact, there are a lot of people who pay their insurance by the month. This... This Bill, as I read it, says that you'll have... 'the insurance company shall issue a new card as proof of insurance each time it receives a full payment of the premium... with the name of the insured'. Now, does this mean that if you pay by the month, you have to have a new card every month?"

Laurino: "Yes."

Friedrich: "So, that would require an insurance company to be sure they had it. What about the guy who pays his premium on the last day before it expires? And that's the case in a lot of places. How would he get the card? Because there's direct bill now. A lot of insurance is sold direct bill. Do you understand what... Do you know what direct bill is?"

Laurino: "The... I couldn't quite hear your entire question."

Friedrich: "Do you know what direct bill is as far as relating to in selling automobile insurance? As opposed to going to your agent, the company bills you for the premium."

Laurino: "Okay. Sure."

Friedrich: "Okay. So, if it's direct bill and they bill you once a month, then you would have to have the premium in their office or you wouldn't have a card. Is that right?"

Laurino: "Well, I'm certain that if that be the case, you could show a series of probably monthly cards that you have in your possession and probably, if you are cited for, let's say, this minimal type of nit-picking that you're going through to try to get 'no' votes - fine, but the fact..."

Friedrich: "Wait a minute."

Laurino: "The fact that... You're going to have a minimal amount

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

123rd Legislative Day

May 23, 1984

of coverage for monthly premium holders is..."

Friedrich: "This isn't probably or anything else. If you don't have it, you lose your license. Your driver's license, you car... There's no probably about this."

Laurino: "No, you have to go to court; and, at that time, if you've got that proof of insurance from the company, they'll dismiss the case."

Friedrich: "Okay. Let's take a guy who trades cars, and this happens with quite regularity around here, both new cars and used cars. Does this mean that if you go to the dealer and buy a car, you can't even drive it until you get this insurance card from your insurance agent? Suppose you buy a car over the weekend. The agent isn't even open. Now, I have coverage under my policy, because it covers me for thirty days. But I won't have a car... I won't have that card, because I can't get to the insurance agent until... I buy it on Friday night. I can't drive until next week, because I can't get a card because it has to show the card. What do I do then?"

Laurino: "I would assume you'd do the same thing I would do. I'd call my agent and say..."

Friedrich: "When?"

Laurino: "...I'm changing vehicles, and would you please send me my new I.D. card?"

Friedrich: "We're talking about a weekend. A lot of cars are bought on Friday and Saturday. The agent isn't even open. How do you get a card till Monday? You're grounded? Is that what you're saying?"

Laurino: "You know, it's certain that... Well, first of all, we're going to have closings on Sundays. So that won't take effect for that period."

Friedrich: "We're not closed on Saturday, though."

Laurino: "When you get a citation, Representative, it's usually

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

123rd Legislative Day

May 23, 1984

about a month differentiation between the time you receive the ticket and the time you go to court, and I am sure that you can get a card that shows that you have proof of insurance..."

Friedrich: "But I do have to go to court. I will have to go to court. Right?"

Laurino: "Yes."

Friedrich: "Under your Bill, I have to go to court if I buy a car on Saturday and get caught on Sunday or Monday morning. Right?"

Laurino: "Just don't drive it then, if that's the case."

Friedrich: "Well, alright. So, you've answered my question, and then I'm, for all practical purposes, grounded for two days."

Laurino: "Can't buy a car on Sunday, Representative."

Friedrich: "But I can buy it on Saturday or Friday night though. You're evading the question."

Laurino: "I think you're getting nit-picky, but go ahead."

Friedrich: "Okay. And this thing... Now, supposedly this is supposed to protect people from uninsured motorists. Now, this Bill also mandates that I have uninsured motorist coverage. Now, why should I have to have uninsured motorist coverage if everybody's going to be insured? You're so sure that everybody's going to be insured. Why do they have to have that, too?"

Laurino: "Well, Representative, I'm not sure that everybody is going to be insured. I think that this will eliminate a good percentage of the people that do not carry insurance, but I don't think it's going to be completely effective, 100 percent. And I don't think any law is a hundred percent effective; otherwise, we wouldn't have John Wayne Gacys and Richard Specks running around, because we have laws on the books against murder. And we still have people

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

123rd Legislative Day

May 23, 1984

committing murder. We just had a guy kill seven people in Alaska from Hoffman Estates. ... laws on the books. None of them have a hundred percent compliance."

Friedrich: "I asked the Secretary of State this question... these two next questions, but he's not here. You're acting in his behalf, I presume. How many people..."

Laurino: "I'm acting on my own behalf, Representative."

Friedrich: "Okay. Thank you. How many people in Illinois are driving even without a driver's license? You know, they wouldn't be affected by this. The ones that ... that hit Representative Van Dwyne's garage, he didn't have a nickel's worth of insurance. Unfortunately, he didn't have a driver's license either. How many of those are there around?"

Laurino: "Well, if they get caught, they go to jail, and that's presumably what should happen to them anyway."

Friedrich: "They really don't go to jail. That's the next thing, because I find the same people over and over doing it in my district."

Laurino: "I didn't know you were adjudicating these type of cases, but..."

Friedrich: "I am... I can... I know the people. That's what I'm saying. Now, the other thing is, how many people are there driving around who have been caught already with no insurance? And it takes three and four weeks to catch... get their license revoked, because it goes first to Transportation. Sometimes it takes three and four months. Excuse me. Once you're caught now driving without insurance, it takes three or four months to revoke the license now. How many of those are driving around?"

Laurino: "Well, this is probably another way of trying to keep these irresponsible people off our motorways."

Friedrich: "No, they... Under the present law, they keep on

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

123rd Legislative Day

May 23, 1984

driving for three or four months after they've had an accident with no insurance. How many of those are around?"

Laurino: "And it's another tool for the Judiciary to hamstring some of these..."

Friedrich: "Well... But you don't have the answer to that."

Laurino: "... rotten, irresponsible drivers, Representative."

Friedrich: "You don't have the answer to that, then."

Laurino: "I do. I just gave it to you."

Friedrich: "Neither... Neither did the Secretary of State. That's the unfortunate thing. He is promoting something here, when he really isn't doing what he could to revoke the license of the guy that's driving now without insurance. That's the guy I'm after. But, unfortunately, the Secretary of State apparently wants to do this when he's not using all the stuff that's available to him now. Well, on the Bill, Madam Speaker."

Speaker Breslin: "You only have a couple of minutes left, Representative Friedrich."

Friedrich: "Alright. I can say what I need to say. This Bill is as phony as a three dollar bill. It's holding up something to the public to make them think they're going to have protection. The truth of it is they won't have protection any more than they've got now. And you're going to impose a lot of regulations. You're going to oppose a lot of regulation on the good, honest driver that's out here trying to do the right thing. You're going to raise the insurance costs for the responsible person, and you're all going to do it because you think it's good politics. I can tell you, it's not good government, whether it's good politics or not."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Gentleman yield for a quick question?"

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "The Gentleman will yield for a question."

Leverenz: "Could you... Are you knowledgeable of how they handle the issuance of license plates on leased automobiles?"

Laurino: "I don't understand what this has to do with it. Would you get to you question? Or at least advise me..."

Leverenz: "Well... I'm trying to surprise you. I under... I understand you have to file your insurance policy before the Secretary of State will issue your license plates for a leased automobile. I heard that today, and I wondered if that was true. And if that is true, I would think if the Secretary of State supports mandatory insurance, that he could do all of the cars that way, or perhaps that's by statute. I just wondered if you knew the answer to that of why some personal automobiles are handled... would be handled under your Bill, yet, they already have mandatory insurance under leased automobiles, and I wondered if you knew why."

Laurino: "Are you relating to leasing companies that rent their cars or lease them for two or three years to a private..."

Leverenz: "That would be a leased automobile."

Laurino: "Well, usually they carry insurance on those vehicles or they won't lease these to you unless you show that you are going to insure it. Because it's their property really, and it's not yours."

Leverenz: "But I just wondered if it was under statute or by rules and regulations in the Secretary of State's Office."

Laurino: "I think it's from the company's own viewpoint. It has nothing to do with the statute."

Leverenz: "Insurance policy has to be filed before the plates are issued, and I guess that's the way your Bill works, but it sounds good. I just wondered how they worked it. I'll find out."

Speaker Breslin: "The Gentleman from Macon, Representative Tate."

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

123rd Legislative Day

May 23, 1984

Tate: "Mr. Speaker or Madam Speaker, I would hope that we would have the attention of the floor, because this is a very important piece of legislation. I'd like to point out a few, what I think are very serious problems and a very poorly drafted Amendment, which Amendment 13 has become the Bill. First of all, on page eight, down on line... line 28, the vehicle covered by the policy or bond... the policy or bond number whose persons excluded from coverage under the terms of the policy. What I think the Sponsor is saying in this provision in the Bill is that virtually everyone that you don't want to have on your card, on your little insurance card that's going to make you a legal insured driver in the State of Illinois, needs to be included or excluded on that card. So, I guess what we need to do is, we all need to adopt or put the whole State of Illinois phone directory on that card so we'll make sure that they're excluded. I'd also like to point out in page two where no verification procedure established under this Section may include individual inspections of vehicle on a highway solely for the purpose of verifying the existence of the policy. Well, if you refer to page 10 on line nine back on page... it says, 'upon the request of a law enforcement officer'. Well, I guess maybe what I'm saying to this issue is... is maybe we're going to provide road blocks throughout the State of Illinois to make sure that we can certify that Illinois citizens are legally driving with insured... with insured cards. So, I really don't know how to argue this Bill, because it's so poorly drafted. I could argue it because it causes an undue hardship on the poor people. It... Because we know that the poor people and many people are going to be put into a high risk pool. They're going to pay astronomical rates of insurance. Or I could argue it that maybe this is the

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

123rd Legislative Day

May 23, 1984

first step, like many other steps many other states have taken where this is a step in the door where we have... first it's certified, then it's self certification, then it's certification. Then it becomes statewide rating where every citizen in the State of Illinois has to pay the same insurance rates. Or then I could argue maybe that we're just creating one of those unnecessary bureaucracies, because we have plenty of money in the State of Illinois apparently for education. We have plenty of money in the State of Illinois for public aid, because the Sponsor of this Bill has told us that he's going to reduce the uninsured motorists in this state by a certain percentage. But we really don't know what percentage we're going to reduce it by, because nobody really knows how many are out there. Nobody really knows whether this Bill has ever worked. None of the other states who've ever had mandatory insurance has really totally satisfied that problem. That's one thing we do know; that all states that have mandatory insurance hasn't solved that problem. Of course, you know, we could all fall back and say, 'Well, the people want this Bill, because we've done district surveys that says the people are for mandatory insurance'. Well, I would think if you do a district survey that asks your districts... asks your constituents if they're in favor of higher insurance rates, that it would come back overwhelmingly 'no'. And that's one thing we know that mandatory insurance will do. We know that it will result in increasing premiums, because we know that it's going to generate more claims. I really, you know, before you make the decision on whether Illinois needs a compulsory auto insurance law, consider this - Illinois already has a law that is aimed directly at the uninsured motorists who are the real problem, the ones who cause accidents and haven't

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

had the insurance to cover the injuries, the damage they cause. That law is a safety responsibility law, sometimes called the financial responsibility law or simply the FR law. Unlike the FR law, compulsory insurance laws use a scatter shot approach and are directed at all motorists, insured and uninsured alike, in an effort to find those motorists driving without insurance. The existing F law... FR law is the only law in the books that tried to force uninsured drivers involved in accidents to pay for the damages that are caused. That's the real problem, the people that cause damage and the people that can't demonstrate the finance... financial responsibility right now. They should be taken off the streets today, but we're not doing that. And that's the question that you have to ask. It's true that our FR law hasn't worked well, and it shouldn't be because we're not willing to strengthen it. And that's irony, because now we're talking about passing another law, spending additional tax dollars on a bureaucracy, not education, not helping the poor, not mental health, but we're going to spend money to create a bureaucracy that doesn't work. Does that make sense? Thank you. Speaker, in case this Bill should receive the requisite number of votes, I would request a verification."

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

McAuliffe: "Madam Speaker... Madam Speaker and Members of the Assembly, I'll try to be very brief. This is a bipartisan Bill. It was supported by the Democratic candidate for Secretary of State. It's now supported by the Republican Secretary of State. They have support on both sides of the aisle. It's a Bill... If you go back and talk to your people in your district, the people are for it. I've done surveys for the last eight years, and it always comes back

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

123rd Legislative Day

May 23, 1984

85 to 90 percent of the people in your districts are in favor of this Bill, because it will take... it will help. It's not going to cure all the ills. It's not going to take all the uninsured drivers off the road, but hopefully it will get some of these people that are irresponsible to buy insurance so that when you have an accident with them, you'll be able to collect from their insurance companies. And I would ask for a favorable vote on this."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Madam Speaker. I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the previous question is put. Representative Laurino, to close."

Laurino: "Madam Speaker and Ladies and Gentlemen of the House, earlier there was some stuff gotten to you at your offices; and, if you hadn't received them at your offices, somewhere on the House floor that this Bill has been supported by the majority of the major newspapers and television and radio stations. And it's probably because of the fact that they have been contacted by a lot of your constituencies. Now, all I can do is urge you to vote on something as important as this, an 'aye' vote, and also to tell you that we forgive Representative Tate for his confusion, because we know he's getting married Saturday. And with that, I hope that he has insurance when he goes on his honeymoon. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2545 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Pedersen, to explain his vote. The Gentleman does not wish to explain his vote."

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

123rd Legislative Day

May 23, 1984

Representative Ropp, to explain his vote."

Ropp: "Thank you, Madam Speaker. In my district about four years ago, a survey was taken and some 86 percent of the people supported this idea. We pass legislation time and time again that take drunk drivers off the highway because of their activity. This is another attempt to provide what the people of the State of Illinois want. And I think we, as Representatives, should represent our districts and vote in support of this. It may not be perfect, but at least it's something that our people want and it's something that should be tried in Illinois. There are statistics that say, 'Well, when this passes in other states, the insurance rates go up'. That may be true; but, in the same period of time, I did notice that in Illinois my insurance rates did not go down."

Speaker Breslin: "The Lady from Cook, Representative Alexander, to explain her vote."

Alexander: "Thank you, Madam Speaker. I did some checking prior to this Bill being called, and I pay close to a thousand dollars a year for insurance. I've been driving 30 years, no accidents, single driver, no underage driver. Now, I've checked, and there are people on this floor who have two and three cars in their garage. And they're paying something like seven and eight hundred dollars for all three cars. I'm in a red line district with regard to insurance, and I'm also considering those persons in my district who are unemployed, some whom have worked 25 and 30 years and have been good citizens carrying insurance but who definitely cannot afford insurance of any nature, any kind now because they're no longer employed. They, too, are being charged up to a thousand dollar a year per car. So, where are they going to get the money to go out here and buy compulsory insurance? And I'm casting a 'no' vote

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

123rd Legislative Day

May 23, 1984

for that reason."

Speaker Breslin: "The Gentleman from Cook, Representative Pedersen, to explain his vote"

Pedersen: "I think that one of the statements that's been made about the surveys and the polls indicate probably more that the question was phrased in such a way that they got those kind of answers. I think that if you asked the question and then said, 'Would you be for this law if the premiums were higher, if the spending in the state went up and the taxes went up, if there was a lot of red tape and inconvenience associated with it, plus it won't work', I think those figures would be a lot different. I think there is another aspect to it, too, that you might have to consider. I mean, last week we were... the other day we were kind of concerned about police quotas and tickets. I think this... they wouldn't have to worry about quotas in the future if you have this law, because you'd have... the police would have every opportunity in the world to meet any goal that they... that they want them to reach. Actually, it's just another... this is just another way for government to interfere in the private sector when we should be really reducing that and getting them off the back... off our backs. So, for that reason, I vote 'no'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 60 voting 'aye', 43 voting 'no', and 5 voting 'present'. Representative Tate has asked for a verification of the Roll Call. Representative Bullock has asked to be voted 'aye'. Representative Laurino asks for a Poll of the Absentees. Please poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Braun. Harris. Huff. Krska. LeFlore. Stuffle. Taylor. White and Winchester."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Representative McPike asks leave to be verified, Representative Tate. That is acceptable. Proceed with the poll of the affirmative."

Clerk Leone: "Poll of the affirmative. Bowman. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Countryman. Cullerton. Curran. Currie. Daniels. Davis. Didrickson. DiPrima. Domico. Doyle. John Dunn. Farley. Giglio. Giorgi. Greiman. Hallock. Hannig. Hawkinson. Hoffman. Jaffe. Keane. Kirkland. Koehler. Kulas. Laurino. Levin. Marzuki. Matijevich. Mautino. McAuliffe."

Speaker Breslin: "Representative Tate, for what reason do you rise?"

Tate: "It's very difficult to proceed with this verification if the Members don't be seated or... if the Clerk would slow down a little bit, it would be helpful."

Speaker Breslin: "Representative Brummer, for what reason do you rise?"

Brummer: "Yes. Could I be recorded 'no', please?"

Speaker Breslin: "Representative Brummer asks to be recorded as voting 'no'. Ladies and Gentlemen, would you clear the aisles? Would all unauthorized persons remove themselves from the House floor and would Members be in their seats so that this verification can move quickly? Would Members be in their seats and raise their hand when their names are called? Representative Domico asks leave to be verified, Representative Tate. Representative Preston asks for the same courtesy. Representative O'Connell asks for the same courtesy. Ladies and Gentlemen, would you please be seated so that we can proceed quickly? No one has proceeded to their seat. Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the Poll of the Affirmative. McGann. McPike. Mulcahey. Nash. Oblinger. O'Connell.

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

123rd Legislative Day

May 23, 1984

Panayotovich."

Speaker Breslin: "Representative Giglio asks to be verified, Representative Tate. That is acceptable."

Clerk Leone: "Pangle. Pierce. Preston. Rea. Rhem. Ronan. Ropp. Ryder. Satterthwaite. Steczko. Topinka. Van Dwyne. Vinson. Wait. Wolf. Woodyard. McNamara and Mr. Speaker."

Speaker Breslin: "Representative Tate, do you have any questions of the Affirmative Roll?"

Tate: "Representative Mautino, first."

Speaker Breslin: "Representative Mautino. Representative Mautino. The Gentleman is not in the chamber. Oh, the Gentleman is in the chamber. Excuse me. To the far right."

Tate: "Representative Bowman."

Speaker Breslin: "Representative Bowman is in his chair."

Tate: "Representative Ronan."

Speaker Breslin: "Representative Ronan is in the side aisle."

Tate: "Representative Domico."

Speaker Breslin: "Representative Domico asked leave to be verified, and it was granted."

Tate: "Oh, did he? I'm sorry. I'm sorry. Representative Currie."

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

Tate: "Representative Dunn."

Speaker Breslin: "Representative John Dunn is to the side."

Tate: "Representative Mulcahey."

Speaker Breslin: "Representative Mulcahey is in his chair."

Tate: "Representative Rea."

Speaker Breslin: "Representative Rea is in his chair."

Tate: "Representative Rhem."

Speaker Breslin: "Representative Rhem is in his chair."

Tate: "Representative Panayotovich."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Representative Panayotovitch is at the back of the chamber."

Tate: "Representative Doyle."

Speaker Breslin: "Representative Doyle is by his seat."

Tate: "Representative Wolf."

Speaker Breslin: "Representative Wolf is in his seat."

Tate: "I'm done."

Speaker Breslin: "The Gentleman has no further questions. What is the count, Mr. Clerk? Representative Stuffle, for what reason do you rise?"

Stuffle: "Record me 'no'."

Speaker Breslin: "Record Representative Stuffle 'no'. Representative Winchester, for what reason do you rise?"

Winchester: "Yes, please record me as voting 'aye', Madam Speaker."

Speaker Breslin: "Representative Winchester wishes to be recorded as voting 'aye'. Representative Wojcik, for what reason do you rise?"

Wojcik: "I'd like to change my vote from 'no' to 'yes'."

Speaker Breslin: "Representative Wojcik goes from 'no' to 'aye'. Representative Hensel, for what reason do you rise?"

Hensel: "I would like to change my vote from 'no' to 'aye'."

Speaker Breslin: "Representative Hensel votes from 'no' to 'aye'. Mr. Clerk, what is the Roll Call? On this Bill there are 64 voting 'aye', 43 voting 'no' and 4 voting 'present'. This Bill... Representative Karpziel votes 'aye'. There are 65 voting 'aye', 43 voting 'no' and 4... 42 voting 'no'. Representative Rhem. Representative Rhem, for what reason do you rise?"

Rhem: "Change me from 'yes' to 'no'."

Speaker Breslin: "Representative Rhem changes his vote from 'aye' to 'no'. Representative Brummer."

Brummer: "Yes, since we have so many changes, why don't we just

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

123rd Legislative Day

May 23, 1984

dump this Roll Call and start all over?"

Speaker Breslin: "We're very close to the finish, Representative Brunner. Mr. Clerk. On this Bill there are 64 voting 'aye', 43 voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill on this Order of Call appears House Bill 2753. Representative Terzich? Representative Terzich? Out of the record. The next Bill is House Bill 2812, Representative Hoffman. Clerk, read the Bill."

Clerk Leone: "House Bill 2812, a Bill for an Act relating to counties and amends certain Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Hoffman. Ladies and Gentlemen, can we have your attention, please? Representative Hoffman."

Hoffman: "Thank you, Madam Speaker. I'd like to return the Bill to Second Reading for the purpose of tabling an Amendment and adopting two other ones and then back to Third."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave."

Clerk Leone: "Amendment #4, Hoffman, amends House Bill 2812 as amended."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I've neglected to put in an immediate effective date in the Bill when we filed it, and Amendment #4 provides for an immediate effective date. I move for the adoption of Amendment #4."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 2812. And on that question, is

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

123rd Legislative Day

May 23, 1984

there any discussion? Hearing no discussion, the question is, 'Shall Amendment #4 to House Bill 2812 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Hoffman, amends House Bill 2812 on page three and so forth."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much. Amendment #5 replaces Amendment #1 and; therefore, I would move to table Amendment #1 to House Bill 2812."

Speaker Breslin: "The Gentleman moves to table Amendment #1 to House Bill 2812. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall Amendment #1 to House Bill 2812 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Representative Hoffman on Amendment #5."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. We thought we had clarified things in Amendment #1 as far as the major utilities that we're concerned. However, the language which we've included in Amendment #5 clarifies the fact that we cover all telephone, all electric and all gas lines in regards to this issue, and therefore... and railroads and; therefore, I move for the adoption of Amendment #5."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 2812. On that question, is there any discussion? There being no discussion, the question is, 'Shall House... 'Shall Amendment #5 to House Bill 2812 be adopted?' There is discussion on this Amendment. The Gentleman from Cook, Representative Cullerton."

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

123rd Legislative Day

May 23, 1984

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Cullerton: "Representative, I apologize. I was not on the floor when you made explanation. Would you mind if you just briefly explain it now, one more time?"

Hoffman: "Certainly. We have tabled Amendment #1, which we thought had resolved the issue concerning telephone services which are regulated by the Tax Act, the gas companies which are regulated by the Revenue Act or the Public Utility Act which covers electrical companies and rights-of-way with railroads. We thought we'd covered that in Amendment #1, but there was some concern in the industry that they would be included in. So, this excludes this area in which counties - and that's what the Bill is addressed at - regulating, particularly, transmission towers that are going up all over the countryside, particularly in suburban areas without any regulations. What this does is, it gives the counties the same kind of zoning rights with those exclusions that municipalities now have."

Cullerton: "Well, as I understand the original Bill, that would allow counties to regulate the type and location of certain poles and towers installed by utilities. With this Amendment, you are limiting that... that county's authority to what? To just..."

Hoffman: "To all of the... We are excluding those industries that are regulated by the Acts that are indicated here, telephone companies, electric, nat..., you know, gas lines and..."

Cullerton: "You mean they are regulated by the Commerce Commission?"

Hoffman: "Pardon me?"

Cullerton: "Then, those are regulated by the Commerce Commission?"

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

123rd Legislative Day

May 23, 1984

You said, those utilities that are regulated."

Hoffman: "No, we're not... We're not talking rates. We're talking about zoning. We're talking about giving the county, with these exceptions which the same authority that the municipalities now have."

Cullerton: "Okay. Well then, what towers are left that would be subject to the county regulation?"

Hoffman: "What powers, did you ask?"

Cullerton: "Right. What towers and poles would be left that would be subject to the county regulation?"

Hoffman: "What towers would be left would be those which would be placed by anyone other than those that are excluded."

Cullerton: "And, could you give me an example?"

Hoffman: "Sure. Let's say a corporation was going to set up its own transmission system from one point to another to bypass, let's say, the telephone systems, they would have to go to the county, if it's in a unincorporated area, to get a permit to do this."

Cullerton: "Okay. Now, if you can look at the Bill on page two and three, the last line on page two and the last line on page three, you'll see that the words wires, cables, conduits, volts, laterals or any other similar distributing equipment of the public utility is included in the current law. Could you describe, if you can, the effect of the Bill on that Section?"

Hoffman: "Now, the powers and... the poles and the towers which we took out are still in, alright? They're not excluded. They are in."

Cullerton: "Could you... Do you think that this Bill could in any way affect cable television?"

Hoffman: "My... My inclination would be to say yes. It would include that, because they're not regulated by this Act, any of the Acts indicated here. I think that's a fair

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

123rd Legislative Day

May 23, 1984

statement."

Cullerton: "Well, your answer is yes, that cable television could be affected by this... by this Bill."

Hoffman: "Yes. Yes. If they are going to put up a tower in an unincorporated area, this would give... they would have to go to the county to get that which they don't have to, now. The problem is that in some of our incorporated areas, particularly in DuPage County and true in Lake too, and Representative Pedersen can speak to this, you have towers just going up on vacant property that is in unincorporated areas. If it was in the municipality, they would have to get permission to do it."

Cullerton: "You keep on using the example of towers. What if it's just cables, laying cables?"

Hoffman: "I don't believe this would affect laying cable."

Cullerton: "Well, that's why I address... I directed your attention to that first line of page three, where it talked about wires, cables... Oh, I see. You struck the word 'poles and towers'."

Hoffman: "It's back in. Yeah, the Bill is aimed at poles and towers."

Cullerton: "The Amendment puts them back in."

Hoffman: "Correct."

Cullerton: "So that we're... Okay. So the things that they can regulate would be poles, towers, wires, cables, conduits, volts, laterals."

Hoffman: "Correct."

Cullerton: "And so, as I understand it, that would only be in unincorporated areas and the county could do this regulation?"

Hoffman: "Yes. That's the only place they have any authority."

Cullerton: "Okay. Fine. Thank you."

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

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

123rd Legislative Day

May 23, 1984

Levin: "Would the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Levin: "Okay. Representative, we had extensive debate yesterday, on Representative Pierce's Bill, relating to the telecommunications industry, and there was a similar Bill, I understand, that passed out of the Senate. I have a similar question to Representative Cullerton with respect to the telecommunications industry. He asked you about cable, and that is, given the criteria of your Amendment, could we not end up with a situation where one telephone company's poles and equipments are exempt from regulation under this, whereas, another telephone company, like MCI or Sprint, may not be? So, you have a situation where... a situation where there is competition and some are covered, and some are not, so that you end up with a discriminatory situation. Your criteria is the Public Utilities Act, and it's paying the utility tax."

Hoffman: "Is that in the form of the question or is that a statement?"

Levin: "Yes."

Hoffman: "The purpose... The purpose for this, of course, is to give counties authorities in areas of zoning where they don't have that authority now in unincorporated areas. And any company covered currently by the Act mentioned in the Amendment are exempt from that authority."

Levin: "Okay. Alright. So, let's take it a step further. Representative."

Hoffman: "Yes, Sir."

Levin: "Okay. You know, the only... clearly Illinois Bell is currently regulated by the Illinois Commerce Commission, the messages, tax and so on, so, this would take them out, but when you're not in a situation where some of their competition, Sprint and others that are not currently

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

123rd Legislative Day

May 23, 1984

regulated, would not be taken out. So you would set up a discriminatory situation where there is a competitive environment."

Hoffman: "Well, the purpose for the Amendment, of course, is to cover that, you know, which already exists and it addresses that particular issue. It's primarily to give the county and the people in the county and unincorporated areas, protections that they don't now have, and if they had lived in a municipality, they would have the protection. If there, you know, if there is discrimination there, I'm not aware of it."

Levin: "No, I'm saying... No. It would be protection against Sprint, MCI and so on, but it wouldn't be protection against their competition, Illinois Bell. Is that... Am I reading the Amendment correctly?"

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from DuPage, Representative Hoffman, to close."

Hoffman: "Well, I'd appreciate an affirmative vote on the Amendment. I appreciate the concerns, but I'm sure that those issues can be met."

Speaker Breslin: "The Gentleman has moved for the adoption of House Bill... of Amendment #5 to House Bill 2512 (sic - 2812). All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Hoffman now asks leave that this Bill be heard immediately on the Order of Third Reading. Hearing no objection, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2812, a Bill for an Act relating to

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

123rd Legislative Day

May 23, 1984

counties and amending certain Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, we had a discussion on Amendment #5, which is really the gist of the Bill. We did not, however, make any comment about an Amendment that we adopted on Amendment #2, which authorized counties to regulate and license the bathhouses as well as massage parlors. Certain bathhouses in Will County are being used for purposes other than taking a bath and; therefore, Representative Hastert and others in Will County wanted to include this, and that is the gist of the Bill with... Oh, I'm sorry. And there is one other Amendment that we adopted to the Bill which deals with the transmission and the rights in terms of water transmission in DuPage County, and I'd move for the passage of House Bill 2812 as amended."

Speaker Breslin: "The Gentleman moves for passage of House Bill 2812. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall House Bill 2812... Excuse me, the Gentleman from Lake, Representative Pedersen, on the question."

Pedersen: "Thank you, Madam Speaker. To the Bill. In my particular district, we've had situations where utility companies have come into residential areas to build towers. They are exempt from zoning. People have paid good money and built new homes and find that they're going to have a hundred and twenty foot tower in the back of their property, which they cannot go to a hearing on or protest on, because it's automatic that it does not need to be heard at a public hearing or a zoning meeting. I think this is a good Bill, and I urge your affirmative vote.

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Thank you."

Speaker Breslin: "Is there any further discussion? The question is, 'Shall House Bill 2812 pass?' All those in favor say 'aye'...vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 100 voting 'aye', 6 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill on the Order of State and Local Government appears House Bill 2832, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2832, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman and Ladies and Gentlemen of the House. House Bill 2832 is kind of a cleanup after some of the assessment legislation last year. Basically, what happened is, when the Governor amendatorily vetoed some Bills, the Department of Revenue decided to put an Amendment or to amend Senate Bill 97, which was sponsored by Representative Brummer in the House, and said that any time... well, that publications had... that counties had to publicize assessments every year, whether there was a change in assessments or not. Basically, that was not the intent of the House. That was not the intent of the legislation or legislative intent. And, we had gone, Representative Brummer and myself and gone together with supervisors of assessments, county clerks, county boards, came up with this piece of legislation which cleans up some of the problems that...which transpired out of that amended piece of legislation. I repeat, again, it was not the legislative intent of this Body to enact that type of legislation."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2832. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Representative, in 1983, we passed legislation dealing with the notification procedures. Is that correct?"

Hastert: "That's correct."

Cullerton: "And then, what this Bill does is to cut back on those. And I think my question will be, do the notice provisions that you've allowed that to be... to remain, do they provide the taxpayers with information about their individual assessments?"

Hastert: "Representative, any notification process or publication process that was the law prior to 1983 is still in the law. In addition, any time a taxpayer's assessment is changed because of the rollover in multipliers or whatever, change in the County Board... Board of Review process, there is notice given. And that... All those provisions stay in the law. The only change is, is the publication, the annual publication, whether assessments change or not and that was an addition put on by the Department of Revenue and that we're trying to clean up in this piece of legislation."

Cullerton: "Who is the Sponsor of the legislation in '83?"

Hastert: "Well, there were some numbers of Sponsors. I was a Sponsor of some of that legislation. Representative Brummer was the House Sponsor of the Bill. Representative... Senator Schaffer was the Sponsor of one of the Bills."

Cullerton: "Who is the... Who is the Sponsor that put on this specific publication..."

Hastert: "Well, it was... it was, as far as we can tell, it was put on Senate Bill 97, which was a Luft - Brummer Bill, and as far as we can tell, it was put on by the Department of

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Revenue, because they thought that that's what the Legislature wanted to do."

Cullerton: "And... Will this... How much money would be saved if we pass this Bill?"

Hastert: "Well, I can give you county by county, if you would like."

Cullerton: "No. I mean in general, the total amount, the average amount."

Hastert: "Well, in a county, let me say, in a county of 700,000 people, there will be a savings of approximately \$300,000."

Cullerton: "So, the only people that would be opposed to this Bill would be the Illinois Press Association?"

Hastert: "I don't think they're opposed to the Bill, Sir."

Cullerton: "Well, don't they represent the newspapers that make the money on the publications?"

Hastert: "I... I'm sure..."

Cullerton: "Or do they represent the reporters that work for it? Maybe they only represent the reporters that work for it."

Hastert: "Representative Cullerton, would you like for me to answer your question?"

Cullerton: "Yes. I'm kind of formulating, formulating the question in my own mind. Would the newspaper owners be opposed to this Bill?"

Hastert: "In my research of the Bills, I have no information. There is no testimony by newspaper owners against this piece of legislation. As a matter of fact, there is no money lost, because this has never actually come about, yet."

Cullerton: "Okay. Thank you."

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

Pierce: "Will the Gentleman yield to a question?"

Speaker Breslin: "The Gentleman will yield for a question."

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

123rd Legislative Day

May 23, 1984

Pierce: "Is this the Bill that says that if my assessment seems alright to me, and then a local multiplier is put on it, and I receive no notice of that, then the next... then the following year, my assessment is the same as that local multiplier which was placed on, I receive no notice of a change of assessment?"

Hastert: "Representative, this is not the Bill that says that and I don't really recollect the Bill that says that, but those that were passed last year said that there was a local multiplier that was put on and then it rolled over the next year, the next assessment year, there shall be notice given. Those provisions are still in the Bill. This merely clarifies when an annual notice is given."

Pierce: "So, in other words, you... you are not knocking out that notice."

Hastert: "That's correct."

Pierce: "Are you knocking out the notice where a state multiplier is put on and then the following year, the assessment is the same as the state multiplier?"

Hastert: "Are you talking about a county multiplier?"

Pierce: "No. How about the state equalizer?"

Hastert: "Well, the county multiplier is issued by the state."

Pierce: "Yeah. Right."

Hastert: "That...that would just be there also. We're not make... We're not knocking out any written notice at all. It's a publication thing that was put in by... it wasn't even... that information didn't even go through the Revenue Committee. That was put on the Senate Bill 97."

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

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

Speaker Breslin: "The Gentleman will yield for a question."

J. Dunn: "If this Bill becomes law, what notices will be canceled or annulled or omitted that we now have...?"

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

123rd Legislative Day

May 23, 1984

Hastert: "If this, Representative, if this Bill becomes law, the only notice that will be nullified is an annual notice whether or not there was a change in assessment. What will remain in the law is any change in assessment."

J. Dunn: "At the present... At the present time, is there an annual publication of assessments that is required?"

Hastert: "Well, according to the..."

J. Dunn: "It was only for different changes is what I... Yeah. Would that be omitted?"

Hastert: "According to the legislation that was put on, an Amendment that was put on, an amendatory Veto that was put on 97 last year. There was a provision that every year there will be an annual publication. Then, this takes that out."

Speaker Breslin: "There being no further discussion, the Gentleman from Hardin, Representative Winchester. Excuse me. Okay, there is no further discussion, so the Gentleman from Kendall, Representative Hastert, to close."

Hastert: "Madam Chairman, Ladies and Gentlemen of the House, this Bill is really a technical Bill. It's a clean up Bill. I think it makes some good legislation that was passed last year, even better. It clarifies the legislative intent of both this House and the Senate, and I ask for your positive support. I'm joined in this Bill by Representative Brummer."

Speaker Breslin: "The question is, 'Shall House Bill 2832 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the necessary Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are now going to change the Order of Business.

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

123rd Legislative Day

May 23, 1984

Representative Cullerton for a Motion."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to continue the Special Order of Business, Subject Matter - State and Local Government Administration until tomorrow, Thursday, May 24th, at the hour of 1:00. I would also move that we continue the Special Order of Business, Subject Matter - Elections until tomorrow, Thursday, May 24th, till the hour of 1:30."

Speaker Breslin: "The Gentleman moves that the Order of State and Local Business be... State and Local Government be continued to the hour of 1:00 tomorrow, May 24th, and the Special Order of Business Elections be continued to the hour of 1:30 tomorrow, May 24th. Are there any objections? Representative Matijevich."

Matijevich: "No. I was just going to ask, did we continue the Labor and Commerce, because when I was up there, somebody said we hadn't? Had we, yet, continued that one, do you know?"

Speaker Breslin: "I understand that..."

Matijevich: "Okay. Do you have..."

Speaker Breslin: "That has been extended until 10:30 tomorrow, May 24th."

Matijevich: "Okay. Thank you."

Speaker Breslin: "Hearing no objections, the Motions carry. If there is any confusion, this past House Bill that was on this previous Order of Business - State and Local Government, House Bill 2832, that was declared passed with 113 votes. Those Bills appearing on Second and Third Reading that need Amendment will be called now. The first Bill on that Order of Call is House 2213, Representative Levin. It appears on page eight on your Calendar. Representative Levin asks that that be held for a couple of minutes. With leave, that will be held. House Bill 2279,

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

123rd Legislative Day

May 23, 1984

Representative Greiman. This Bill appears on page three on your Calendar. House Bill 2279, Representative Greiman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2279, a Bill for an Act concerning the agency for enterprise development and job creation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative Greiman. Excuse me. Are there any Amendments from the floor?"

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

Speaker Greiman: "Representative Greiman."

Greiman: "Yes, thank you, Madam Speaker. Amendment 1 be... since it becomes the Bill, the Bill originally was aimed at providing a vehicle which would allow government to go into a distressed and depressed area and become a partner, become a lender, become an entrepreneur if it had to in order to keep the jobs in the area. It was suggested at the Committee hearing that rather than develop a whole new bureaucracy, that we give those functions, instead, to the Illinois Development Finance Authority. And, in accordance with the understanding that I had at the Committee, I amended the Bill to provide those powers to that Authority, and that's what Amendment 1 is about. I urge its adoption."

Speaker Breslin: "Representative Vinson on the Amendment."

Vinson: "Yes, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "Representative Vinson."

Vinson: "Mr. Greiman, I've just had a chance. I don't have an analyzed copy of the Amendment. As I peruse the Amendment, it appears that what we're doing is creating the great society in every depressed neighborhood in Illinois. Is that about what it is?"

Greiman: "Would that we could create a great society which was

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

123rd Legislative Day

May 23, 1984

the slogan of a Demo... great Democratic President, but... No. We're not doing that. We're allowing those areas which are no longer great, those areas where the smokestacks have stopped smoking, where the workers have stopped working, to keep industry where they are and to keep the jobs in Illinois and to keep the jobs in depressed neighborhoods, and that's what this Amendment is about."

Vinson: "In the way in which this Amendment does this is by having government spend a lot of money on those neighborhoods?"

Greiman: "No. It allows government to lead. It allows government to purchase. It allows government to sell. It gives government the right to do that. It doesn't mandate anything. It doesn't mandate anything."

Vinson: "To the Amendment, Madam Speaker. I would rise in opposition. I do appreciate the candor and the incisiveness of the Sponsor, when he admits that this is just about the most fullblown example of LBJ philosophy you could imagine. I don't believe we need to embrace that at this time, because it has been so thoroughly discredited by history and by the proven track record of its failure. So, I would urge 'no' votes on the Amendment."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Greiman, to close."

Greiman: "Yes. Representative Vinson is a great speechmaker on the floor of this House. He is one of the most polished... if I may make this... I'm not speaking ill of him in debate, he is a great speechmaker. The problem is, that he has these twelve speeches, and he uses them rather they apply to the Bill or not. This... It's a wonderful speech, and I admire him. That's Representative Cullerton's line, actually. He is a wonderful... Now, if he was speaking of this Bill, he would have said, 'Yes, but

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

123rd Legislative Day

May 23, 1984

it gives you the opportunity to keep jobs in your community. Yes, it gives the opportunity not to lose economic opportunity. Yes, it allows the State of Illinois, if it wants to, under a very tight control, to help local businesses. Yes, it'll cause that to be done.' I think that's a plus. I urge adoption of Amendment #1."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to House Bill 2279. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 46 voting 'no', and 2 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill on this Order of Call is House Bill 2384, Representative Matijevich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2384, a Bill for an Act to amend Sections of the Private Detective and Private Security Act."

Speaker Breslin: "Proceed, Representative Matijevich."

Matijevich: "Yes, Madam Speaker, could I have leave to return the Bill to the Order of Second Reading for the purpose of tabling an Amendment and adopting two?"

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second. Hearing no objection, the Bill is on Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #2 was adopted previously."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, could I have leave to table Amendment #2? We are incorporating two new Amendments, and we've worked this out with both sides of the aisle, actually, and those interested in the Bill."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "The Gentleman moves to table. Which Amendment?"

Matijevich: "#2."

Speaker Breslin: "The Gentleman moves to table Amendment #2 to House Bill 2384. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and #2... Amendment #2 to House Bill 2384 is tabled. Representative Matijevich. Representative Winchester, for what reason do you rise?"

Winchester: "Parliamentary inquiry, Madam Speaker. On House Bill 2279, I believe you've moved that from Second Reading to Third Reading. I note that there was a fiscal note requested, and I don't believe it's been filed. So, can you, in fact, move that from Second to Third without that being filed?"

Speaker Breslin: "We are in the middle of another Bill, Representative Winchester. We will come back to you after this Order of Business. Representative, are... Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Matijevich - Tate, amends House Bill 2384 by deleting the title and so forth."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Yes, Madam Speaker, Amendment #4 was an Amendment requested by the Department. Actually, it's that part of House Bill 3100, which is totally noncontroversial. And, Representative Tate put that Bill in Interim and offered this Amendment on House Bill 2384. It amends the Nursing Home Administrating Act, permitting the Department to extend a temporary certificate of registration for up to one year. Amends the Social Work and Structural Engineering Act to require examinations be of a character

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

123rd Legislative Day

May 23, 1984

to give a fair test of qualifications. I move to adopt the Amendment #4."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 2384. And on that question, the Gentleman from Macon, Representative Tate."

Tate: "Yes, Mr. Speaker (sic - Madam Speaker), Ladies and Gentlemen of the House, I would just like to echo some of the comments Representative Matijevich made. This Bill, the majority of the aspects of this Bill, the Department of Registration and Education do support. There is no problem with either the Nursing Homes' Association or the Structural Engineering engineers on this Bill, and I move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #4 to House Bill 2384 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Matijevich - Stuffle."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Amendment #5 goes to the heart of why I introduced the Bill. When we passed the Detective Licensing Act, there was confusion, in fact, that has been resolved through a lawsuit. There has been a confusion over whether policemen can work part-time or casual type of work. This Amendment, which I will clarify when we get to Third Reading and put the legislative intent into the floor of the House, but this makes it very clear that law enforcement officers can work in part-time or casual type of employment without having to be licensed, because they have met all of the requirements, actually, in their training. It's been worked out totally. There is, now, no

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

123rd Legislative Day

May 23, 1984

objection to the Bill or the Amendment, and I move to adopt Amendment #5."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2384. And on that question, the Gentleman from Macon, Representative Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, I, again, echo Representative Matijevich's comments. However, I'd like to bring to the attention of the Members, that many of the Members had been contacted by Amway distributors or different retailer interested... interest on the burglar alarm problem. And this Amendment does not specifically address that problem, but this, again, I would like to rise in support of this Amendment and clarify that issue. Thank you."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2384. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Levin, we will move back to your Bill now. That's House Bill 2213, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2213."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "To object."

Speaker Breslin: "What is the basis of your objection?"

Vinson: "He's got to have leave to do it, and I object."

Speaker Breslin: "Excuse me. The Gentleman has asked leave to go back from the Order of Third Reading to Second Reading for the purposes of an Amendment. Does the Gentleman have leave?"

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Vinson: "Objection."

Speaker Breslin: "The Gentleman... Representative Vinson objects. Representative Levin, therefore, moves that this Bill be moved from the Order of Third Reading to Second for the purposes of an Amendment. All those in favor vote 'aye', all those opposed vote 'no'. Representative Vinson."

Vinson: "I would like to debate the issue."

Speaker Breslin: "Proceed."

Vinson: "I would strongly urge Members to take a look at the Amendment which the Sponsor has filed for this Bill. This is probably going to be the worst Amendment and the most unnecessary Amendment that we will have to come to grips with in this Session. There is plenty of reason for everybody in this chamber to reject it. We ought not be dealing with this matter at this time. It's unnecessary, and I would urge a 'no' vote on the Gentleman's Motion."

Speaker Breslin: "This Motion requires 60 votes for passage. Representative Bowman on the question."

Bowman: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I was a little puzzled by the Gentleman's remarks, because the Amendment is the Bill that we've already passed in this chamber in the last Session. And so, people have already considered this. The majority of the House has decided favorably on the issue. I don't understand the Gentleman's rejection. I think it's frivolous."

Speaker Breslin: "This Bill requires 60 votes for passage. The Gentleman from Cook, Representative Levin. This Motion requires 60 votes for... 60 votes for passage."

Levin: "Yeah, I think that the House should have the opportunity to consider this Amendment. As Representative Bowman indicated, the Amendment embodies legislation which passed this House last year and; unfortunately, it was tubed in

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

123rd Legislative Day

May 23, 1984

the Senate. So, it's not new legislation. It's something that was thoroughly debated and refined and did pass out of this Body. And, it's one... another opportunity for the Senate to be able to consider this matter."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson, on the Motion."

Johnson: "Last year, we debated this issue in Committee. We amended it, and we worked out language that, to the majority of people, was acceptable. It didn't get through the process. I don't know why, if Representative Bowman and Levin really believe in the concept, they couldn't have come in like everybody else with their idea and call it House Bill 2214 or whatever the successor of this Bill would have been. Now, at the last minute when we've all got a lot of other things to do, we're in Third Reading in an overcrowded Calendar, we got to consider an absolutely totally new concept to this Session of the Legislature. Whether you're for or against the concept, I think that it's an insult to the process to come up with this in this way when everybody else went and did it the regular way."

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

Cullerton: "Well, I really disagree with Representative Johnson. I think that the insult to the process is not allowing the Gentleman to bring the Bill back to Second Reading, which we have done continuously this Session. I agree with him that... the... perhaps should have put a Bill in or considered the Bill that was put in last year, but it's not fair to deny a person the right to have an Amendment offered to a Bill. The Sponsor of the Bill is in favor of bringing it back. And I think that this would really set a bad precedent for all of the Members who just simply wanted the opportunity to amend the Bill. If you're not in favor

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

123rd Legislative Day

May 23, 1984

of the Amendment, vote against the Amendment. And as far as stalling and wasting our time, if we had given leave to go back to Second Reading, we would be debating the Amendment right now and not wasting this time on this Motion. So, I... support of the Amendment."

Speaker Breslin: "The Lady from Kane, Representative Deuchler."

Deuchler: "Madam Speaker, I, too, have a problem with taking this back. It just seems to me that we've not had adequate time to consider the Amendment, and that certainly raises a lot of questions. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 56 voting 'aye', 43 voting 'no' and 4 voting 'present', and the Motion fails. Therefore, the Bill remains on the Order of Third Reading. Representative Winchester, you had recently raised a question about House Bill 2279. Has that matter been resolved?"

Winchester: "Yes, it has, Madam Speaker."

Speaker Breslin: "Thank you. The next Bill on this... Representative Winchester, do you withdraw the fiscal note?"

Winchester: "No, Madam Speaker. It's my understanding that Representative Greiman will not move the Bill from Third until a fiscal note has been filed. And, Leadership accepts that and so do I, since you've already moved it to Third."

Speaker Breslin: "Very good. Very good. We'll leave this Bill on Third Reading, then. House Bill 2671, Representative Greiman. Representative Greiman, House Bill 2671, has an Amendment, we believe. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2671, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Greiman, amends House Bill 2671 on page one and line one and five and so forth."

Speaker Breslin: "Representative Greiman."

Greiman: "Floor Amendment #1 is at the request of the pension system, and they have asked... some of them are housekeeping items, others relate to military service, and they... which would be subsequently amended in 3, but that's... that's about what it does. It's at the request of the pension system. I'd ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to House Bill 2671. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #1 to House Bill 2671 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Greiman, amends House Bill 2671 as amended in the title and so forth."

Speaker Breslin: "Representative Greiman withdraws Amendment #2. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Greiman, amends House Bill 2671 as amended with reference to the space line."

Speaker Breslin: "Representative Greiman."

Greiman: "Yes, Amendment 3 corrects a little line that was left out of Amendment #1 and limits the military service as was originally intended."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3 to House Bill 2671. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #3 to House Bill 2671 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the

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

123rd Legislative Day

May 23, 1984

Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill is House Bill 2674, Representative Greiman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2674, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Greiman."

Greiman: "Yes, this was at the request of the... of the county pension system. And... Excuse me. One second. Excuse me. One second. And it increases the employee annuity when the revisionary annuitant dies and changes the computation of the annual annuity increase, where there is a revisionary annuity."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to House Bill 2674. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #1 to House Bill 2674 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2875, Representative White. Out of the record. House Bill 3106, Representative Hoffman. Clerk, read the Bill. Representative Hoffman."

Clerk O'Brien: "House Bill 3106, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "The Gentleman, Representative Hoffman, asks leave to return this Bill from the Order of Third Reading to Second Reading for the purposes of an Amendment. Does

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

123rd Legislative Day

May 23, 1984

the Gentleman have leave? Hearing no objection, the Gentleman has leave. Mr. Clerk. Representative Hoffman."

Hoffman: "Thank you, Madam Speaker. I would like, at this time, to table Amendment #1 to House Bill 3106. The Department of Public Aid and the hospitals have come to an agreement on this particular issue, and there is no need for this Amendment anymore and; therefore, I ask that it be tabled."

Speaker Breslin: "The Gentleman moves to table Amendment #1 to House Bill 3106. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #1 to House Bill 3106 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. With leave of the Assembly, I would like to go back to House Bill 2875, Representative Currie. That was House Bill 2875. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2875, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Currie asks leave to return this Bill from the Order of Third Reading to Second Reading for the purposes of an Amendment. And on that question, Representative Pullen."

Pullen: "Madam Speaker, I've checked my digest, and I don't find that the Lady is the Sponsor. Is she a Sponsor of this Bill?"

Speaker Breslin: "Repeat your question, please."

Pullen: "Is the Lady a Sponsor of this Bill? I do not find her name in the digest."

Speaker Breslin: "Representative Currie indicates she is the Sponsor of this Bill. Are there any further questions?"

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

123rd Legislative Day

May 23, 1984

Her name appears on the Calendar. Hearing no objection, the Lady has leave to return this Bill to the Order of Second Reading. Is that correct, Representative? That is correct. Proceed, Mr. Clerk, on the Order of Second Reading."

Clerk O'Brien: "Amendment #2, White - Currie, amends House Bill 2975 as amended with reference to the page and line numbers and so forth."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Amendment 2 to House Bill 2975 merely includes language that clarifies that parenting education does not include sex education. I urge adoption of the Amendment, and I'm happy to answer any questions."

Speaker Breslin: "The Lady moves to adopt Amendment #2 to House Bill 2975. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 to House Bill 2975 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House... That is on the Order of Consideration Postponed, and it will remain there. House Bill 3108, Representative Vinson. Clerk, read the Bill. House Bill 3108."

Clerk O'Brien: "House Bill 3108, a Bill for an Act to amend Sections of the Illinois Development Finance Authority Act. Second Reading of the Bill."

Speaker Breslin: "Representative... Are there any Motions filed?"

Clerk O'Brien: "No Committee Amendments. Floor Amendment #1, Ronan - Vinson, amends House Bill 3108 by deleting..."

Speaker Breslin: "Representative Vinson."

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

123rd Legislative Day

May 23, 1984

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Last legislative Session, the General Assembly created, I believe, Representative Madigan was the... one of the lead Sponsors in authority consolidating some of the state bonding agency functions in adding new functions for the purpose of revitalizing the business climate in the state. Inadvertently, in the legislation, a conflict of interest provision was included which makes it virtually impossible to get people to serve on the board, because what happens is that if you have any conflict of interest in an application pending, you have to resign the board or the application can't be considered. What Amendment #1 to House Bill 3108 does is to change that structure so that the prohibition is that you cannot vote on or act on any application in which you have a conflict of interest. It requires the member to disqualify himself from consideration of something in which he has a conflict, but it does not require him to actually resign from the board. It is the feeling of the Sponsor. It is the feeling of the agency. It is the feeling of the interested public that the need to get capable individuals who understand bonding, who understand the legal work involved, the need to get those people who are capable in this area and to have people voting on these issues who are knowledgeable, rather than mere drones, it's sufficiently great that we ought to change that conflict of interest provision and just require the individual to disqualify himself on the individual application. For that reason, I would move for the adoption of Amendment #1 to House Bill 3108."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3108. And on that question, the Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker (sic - Madam Speaker), I wonder if

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

123rd Legislative Day

May 23, 1984

Representative Vinson would give us an example of this profound change and this matter of ethics from the Legislator from Lincoln."

Speaker Breslin: "Representative Vinson, can you respond?"

Vinson: "I can certainly respond if I can understand the question. I wonder if the Gentleman would explain that..."

Speaker Breslin: "The Gentleman has asked for an example of where this applies."

Giorgi: "You know, you went in a very circuitous route on changing..."

Vinson: "Okay. Let me give you... Let me give you a... You want a... You want a typical example of where the conflict provision would create a problem? Okay. Let's assume that the Governor appointed a member of a large law firm to be a member of the board of this agency. In that event, any conflict, any client which any other partner in that law firm had, could create a conflict for that particular attorney. He might not have any direct relationship with the client, but if any member of the law firm had a client who subsequently made application to the board for bonding, then that member of the board would be in the position where he would have to resign entirely from the board. Now, what this particular change would mean is that, instead of having to resign from the board, he would still have to disqualify himself from participating in any board action in that kind of conflict situation, but he would not have to resign from the board. And the purpose for that, Representative, is to try to create a situation where you can have capable, confident, qualified individuals serve on this board and not disqualify themselves because their partners in either a law firm or an investment banking firm, or an accounting firm, or for that matter, they might have to disqualify. They might have to resign currently,

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

123rd Legislative Day

May 23, 1984

even if they were the stockholder in some other company... some other company, in a public company that came in and made applications. And this would just require them to disqualify themselves in that instant application."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 to House Bill 3108 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3141, Representative Kirkland. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3141, a Bill for an Act to provide for the defeasance of state and local debt. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Kirkland, amends House Bill 3141 on page one."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Withdraw Amendment #1."

Speaker Breslin: "The Gentleman withdraws Amendment #1. Are there any further Amendments?"

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

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you. This is an Act to create... to authorize gross and net defeasance of state and local debt. The Amendment deletes the part about state debt, and otherwise puts some restricting language on the local debt process."

Speaker Breslin: "The Gentleman moves to adopt Amendment #2 to House Bill 3141. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, could you describe, Representative, what the restricting language is?"

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

123rd Legislative Day

May 23, 1984

Kirkland: "Yes. The intent of the Bill is to allow a local government to defease a debt with another... with a, for instance, high interest rate with a debt with a lower interest rate. And the restricting language simply says that a local government can't do the opposite."

Cullerton: "And the reason why they might want to do the opposite would be to increase their bonding authority. Is that correct?"

Kirkland: "That's what you...we and you and some of your lawyers figured out. That's correct."

Cullerton: "So that this language would be to prohibit that possiblity from existing."

Kirkland: "Correct."

Cullerton: "Thank you."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3141. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "The Gentleman asks leave that this Bill remain on the Order of Short Debate. Is there any objection? Hearing no objection, this Bill stays on the Order of Short Debate. The next Bill on this Order of Call is House Bill 3178, Representative Koehler. Clerk, read the Bill."

Clerk O'Brien: "House Bill... House Bill 3178, a Bill for an Act to amend certain Acts in relation to environmental protection. Third Reading of the Bill."

Speaker Breslin: "Representat... Are there any Motions filed or Floor Amendments? This Bill is on the Order of Third Reading. The Lady from Marshall, Representative Koehler, asks leave that the Bill be moved back to the Order of Second for the purposes of an Amendment. Are there any

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

123rd Legislative Day

May 23, 1984

objections? Hearing no objections, the Bill is on the Order of Second Reading. Mr. Clerk."

Clerk O'Brien: "Floor Amendment #2, Koehler, amends House Bill 3178 as amended by deleting everything and so forth."

Speaker Breslin: "Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #2 does two things. First of all, it removes the water quality siting criteria for siting a landfill and ties the hydrological study to that being done by the Illinois State Geological Survey and the Illinois State Water Survey. The second thing it does is remove the siting fee language that was contained within the Bill. I would move for your... the adoption of Amendment #2."

Speaker Breslin: "The Lady moves for the adoption of Amendment #2 to House Bill 3178. And on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "As I understood your explanation, this becomes the Bill. Is that correct?"

Koehler: "That is correct."

Cullerton: "Is there a similar Bill in the Senate that's similar to this Bill?"

Koehler: "With the adoption of this Amendment, there will not be a similar Bill in the Senate."

Cullerton: "With the adoption of this Amendment, there will not be a similar Bill in the Senate."

Koehler: "Well, it is my understanding, Representative Cullerton, that, at one time, there might have been a similar Bill in the Senate that was being carried by Senator Holmberg. However, with the adoption of this Amendment, my... this Bill would no longer be similar to the one that Senator Holmberg is... is currently sponsoring, at least to my... to my knowledge."

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

123rd Legislative Day

May 23, 1984

Cullerton: "What would this Bill be similar to?"

Koehler: "Well, it would be similar to an agreement that has been worked out with the... with hopefully the Democrat side and the people who have been involved with industry and the others who have been working on this legislation. There would be no similar... similar Bill."

Cullerton: "Would you once again just briefly describe the changes from the original Bill as introduced?"

Koehler: "Yes. The original Bill as introduced added an additional criteria to the siting for... for sanitary landfills, and this removes that particular siting criteria and ties the hydro... the water quality study to those studies that are being done by the Illinois State Geological Survey and the Illinois State Water Survey. And second, the original Bill, as was amended in Committee, had a 150,000 dollar siting fee, and this removes entirely the siting fees for a local landfill."

Cullerton: "Is... Therefore, is there anything left in the Bill?"

Koehler: "Very little."

Cullerton: "Thank you."

Koehler: "I might add that it now matches the other pieces of legislation that have been introduced."

Cullerton: "Right. It sounds like a good concept, and I support the Amendment."

Koehler: "Well, I understand your side of the aisle has done a lot of work, and now they all pretty much look alike, thanks to you all."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 3178. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Third Reading. House Bill 3218, Representative Greiman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3218, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Greiman, amends House Bill 3218 as amended."

Speaker Breslin: "Representative Greiman."

Greiman: "Yes, thank you, Madam Speaker. Amendment #2 modifies in some ways Amendment #1. It makes it more clear. It... The Bill deals with certification of teachers and testing of teachers to make sure that they have good basic skills before they... before we give them the very sacred name of teacher. And the Amendment #2 provides for teacher input into the certification process and designing of tests by the council. It provides for the areas in which the tests should be drawn and the grading of those tests. It includes on that Teacher Certification Board, classroom teachers as well. And it then provides that the... that the certification tests shall not apply to teachers who are now holding valid certificates. That's Amendment #2. I would ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to House Bill 3218. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 to House Bill 3218 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Third Reading. The next Bill on this Order of Call is House Bill 3231, Representative Cullerton. Clerk, read the Bill. House Bill 3231."

Clerk O'Brien: "House Bill 3231, a Bill for an Act to amend the Civil Procedure... Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, I would ask to withdraw Amendment #1, please."

Speaker Breslin: "The Gentleman withdraws Amendment #1. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Cullerton, amends House Bill 3231."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. This is an Amendment that I promised in Committee that we would put on the Bill on the House floor. The Bill has to do with the issue of quick-take. And the way the Bill was drafted originally was very broad. The purpose of the Amendment is to limit the application of quick-take to commercially blighted or business district property in need of redevelopment, and that's what the Amendment does. Ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3231. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 to House Bill 3231 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3040, Representative

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

123rd Legislative Day

May 23, 1984

Barnes. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3040, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "The Lady asks leave to move this Bill back from the Order of Third Reading to Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objections, the Lady has leave. This Bill is on Second Reading."

Clerk O'Brien: "Amendment #2, Barnes, amends House Bill 3040 on page one, line nine and so forth."

Speaker Breslin: "Representative Barnes."

Barnes: "Madam Speaker, Ladies and Gentlemen of the House, this merely provides that the Amendment corresponds to the Senate version of this task force Bill, and it just makes a minor technical change. And it changes the words 'appropriate ranges' and inserts 'agency approved categories'."

Speaker Breslin: "The Lady moves for the adoption of Amendment #2 to House Bill 3040. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 to House Bill 3040 pass?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3042, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3042, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted previously. Floor Amendment #2, Barnes, amends House Bill 3042 on page one, line eleven and so forth."

Speaker Breslin: "Representative Barnes."

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

123rd Legislative Day

May 23, 1984

Barnes: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #2 simply allows companies to continue to use manifests if they so choose."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 3042. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #2 to House Bill 3042 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3043, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3043, a Bill for an Act to amend Sections of an Act to require labeling of equipment at facilities for the use, transportation, storage, manufacture of hazardous materials. Second Reading of the Bill. Amendments #1 and 2 were adopted previously. Floor Amendment #3, Mautino, amends House Bill 3043 as amended in the first paragraph of Section 4 and so forth."

Speaker Breslin: "Representative Mautino, on Amendment #3. Representative Barnes, would you like to present this Amendment? Representative Barnes."

Barnes: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #3 adds the Illinois Emergency Service Management Association to the Bill."

Speaker Breslin: "The Lady moves for the adoption of Amendment #3 to House Bill 3043. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #3 to House Bill 3043 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

123rd Legislative Day

May 23, 1984

Clerk O'Brien: "Floor Amendment #4, Barnes, amends House Bill 3043..."

Speaker Breslin: "Representative Barnes."

Barnes: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #4 provides that training shall include firemen, police officers and other hazardous material emergency response personnel described in the federal regulations."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #4 to House Bill 3043. And on that question, is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #4 to House Bill 3043 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3045, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3045, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "The Lady asks leave to return this Bill from the Order of Third Reading to Second for the purposes of an Amendment. Does the Lady have leave? Hearing no objections, the Lady has leave. Second Reading. Are there any Motions filed on this Amendment?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Representative Barnes, do you wish to make a Motion?"

Barnes: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I wish to table Amendment #2."

Speaker Breslin: "The Lady moves to table Amendment #2 to House Bill 3045. And on that question, is there any discussion? The Lady has moved to table Amendment #2 to House Bill 3045. Representative Cullerton, on Amendment #2."

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

123rd Legislative Day

May 23, 1984

Cullerton: "Yes."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Did Amendment #1 become adopted on this Bill?"

Speaker Breslin: "Representative Barnes, was Amendment #1 adopted on this Bill?"

Cullerton: "Okay. And as I under..."

Speaker Breslin: "What was the answer to that question?"

Cullerton: "Amendment #1, I understand, was adopted in Committee."

Speaker Breslin: "Very good."

Cullerton: "And I understand that there was a technical problem with the Amendment and that Amendment #2 was prepared to correct the problem. So, either you table 1 or you adopt 2 but not just table 2. So, you want to table #1."

Barnes: "Madam Speaker, I did it at the suggestion of the Democratic staff member that's standing in front of Representative Cullerton."

Cullerton: "And, once again, I think we just caught something here. We almost made a mistake. We almost made a horrible mistake. We want to table #1."

Barnes: "Thank you, Representative Cullerton."

Cullerton: "And 2."

Barnes: "You're so kind."

Speaker Breslin: "Does the Lady now move to table Amendment #1 and 2?"

Barnes: "Yes, Madam Speaker."

Speaker Breslin: "The Lady moves to table Amendment #1 and 2 to House Bill 3045. And on that question, are there... is there any discussion? Seeing no discussion, the question is, 'Shall Amendment #1 and 2 be tabled to House Bill 3045. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendments #1 and 2 are tabled. Are there any further

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

123rd Legislative Day

May 23, 1984

Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2837, Representative Stuffle. House Bill 2837."

Stuffle: "Madam Speaker, I'd ask leave to return the Bill from Third Reading for the purposes of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill from the Order of Third to Second. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Mr. Clerk."

Clerk O'Brien: "Amendment #1, Madigan - Ronan - Stuffle, amends House Bill 2837 on page one and so forth."

Speaker Breslin: "Representative Stuffle."

Stuffle: "Speaker, Members of the House, Amendment #1 by the Speaker, Representative Madigan, Representative Ronan and myself provides for incorporation into the existing Illinois Development Finance Authority of a local government infrastructure assistance program and incorporates many of the provisions of an earlier Bill by Representative Giorgi. This particular Bill has been run by the Governor's Office, DCCA and the Development Finance Authority. It provides a method of selling revenue bonds to produce the necessary proceeds to back up local issues for infrastructure improvements. I believe that it is an important Bill that uses revenue bond authority. It has adequate insurance provisions, and I believe that it is necessary to the development of our economy in the state, particularly as we look at the need in local communities to be able to market bonds to bring in business, to do water purification, sewer work and road work. And I'd ask for your affirmative vote and behalf of the Speaker, myself and Representative Ronan."

Speaker Breslin: "The Gentleman moves for the adoption of

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

123rd Legislative Day

May 23, 1984

Amendment #1 to House Bill 2837. And on that question, is there any discussion? Seeing no... The Gentleman from Cook, Representative Piel."

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

Speaker Breslin: "The Gentleman will yield for a question."

Piel: "Representative Stuffle, there was just one question that I had, and it says that the Authority may use such funds available pursuant to this Section without limitation. Now what do they mean? Alright, they're for loans to local governments."

Stuffle: "Are you talking about the last part of the Bill?"

Piel: "The very last. The very last."

Stuffle: "Oh. The last part of the Bill. We have in place already in this state, through a federal block grant, the Community Development and Small Cities Block Grant Fund. The purposes of that are discretionary. What we do here is take from existing funds four million dollars the first year and ten percent of the funds that come in thereafter, or about three and a half million thereafter to provide loans to local governments, specifically with regard to infrastructure. That's in addition to the program set up to mark... package and market local bond issues. That's existing money. It's already discretionary. We're merely spelling out that this is one of the purposes that we believe the Fund ought to be used for, and we're plugging it in for that specific infrastructure purpose."

Piel: "Maybe I'm a little bit vague on this, but when you put in there 'without limitation', don't you usually have limitations when you're making loans at local governments, you know on what they can use them for, etcetera, etcetera?"

Stuffle: "Well... The limitation is the limitation, if you read the rest of the terms in the Bill, because it goes on after

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

123rd Legislative Day

May 23, 1984

that, if you read it in its full, from line two down it says 'for loans upon such terms or conditions as determined by the Authority'. To go back and go through the Bill, the purposes are set out, limitations are set out, and we give effect to what the Authority should consider in making loans and in making... in buying paper. And, basically, the major thing is your ability to prove you needed infrastructure improvement and, secondly, your ability to prove that you may not otherwise be able to sell your paper or be able to make that improvement. This is already a possibility with regard to the use of the Fund. The discretion is there within the Fund in DCCA. We're just trying to spell that out in this Bill, and I think it's limited. And it says 'without limitations', but that limitation... that language, 'without limitations', is still further, I think, still limited by the rest of the Bill as you read the provisions of 750 through 763."

Piel: "Thank you very much."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2837. The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. This Bill... The Gentleman asks leave to keep this Bill on the Order of Short Debate. Does the Gentleman have leave? The Gentleman has leave. House Bill 3083, Representative Vinson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3083, a Bill for an Act to amend Sections of the Illinois Lottery Law. Second Reading of the Bill. Amendment #1 was adopted in Committee... adopted previously."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any further Floor Amendments?"

Clerk O'Brien: "Amendment #2 lost. Floor Amendment #3, Vinson,
amends House Bill 3083 as amended and so forth."

Speaker Breslin: "Representative Vinson."

Vinson: "I would ask leave to withdraw Amendment #3."

Speaker Breslin: "The Gentleman withdraws Amendment #3. Are
there any further Amendments?"

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

Speaker Breslin: "Representative Vinson."

Vinson: "I would ask leave to withdraw Amendment #4."

Speaker Breslin: "The Gentleman withdraws Amendment #4. Are
there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker and Members of the House.
Amendment #5 does four things. It prohibits the Lottery
from objectionable advertisements. It requires a study of
the Lottery to determine who's playing it, their
socioeconomic status, the extent to which participation
causes people to become welfare recipients. Number three,
it prohibits the Lottery from conducting... from using
slot machines to conduct the Lottery. Number four, it
deletes language which was included in Amendment #1
providing that proceeds from the Lottery ticket sales held
by Lottery sales agents and distributors constitute a trust
fund until paid over to the state and strikes language
specifying that sales agents and distributors shall be
personally liable for such proceeds held in trust. And I
would move for the adoption of Amendment #5 to House Bill
3083."

Speaker Breslin: "The Gentleman had moved for the adoption of

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

123rd Legislative Day

May 23, 1984

Amendment #5 to House Bill 3083. And on that question, the Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Bullock: "Sam, whose idea is this Amendment?"

Vinson: "Well, parts of it come from a variety of people. For instance, the fourth thing in the list that I went through is recommended by the Illinois Retail Merchants' Association. The third thing is something that Representative Panayotovich had discussed with me and asked me to do and I understand is endorsed by the Chicago Restaurant Association. The second thing is my idea. And, of course, the first thing is a response to a widespread public request."

Bullock: "Well, there's one thing to be said about genius, Representative Vinson, it originates in the most peculiar places. I would suggest to you that the sociologists and the anthropologists that put this smorgasbord together might best be sent back to the drawing board. I don't know, in 1984, who would suggest - I'm certain the Restaurant Association didn't suggest that we discern the socioeconomics of Lottery ticket purchasers. Representative Alexander probably wants to speak to the Bill. I think she has a bright idea. But, Sam, I am amazed that you would offer this Amendment without cracking a smile. This Amendment, Sam, cuts against everything that we stand for in this Body. Certain portions of it maybe we can live with, but I don't see how anyone in good conscience would dare think that we need to do that type of social experimenting on people in this state. I mean, I don't understand it. Why do we need to know the socioeconomics of people who buy Lottery tickets?"

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

123rd Legislative Day

May 23, 1984

Vinson: "Is that a question?"

Bullock: "Yes, that's a question."

Vinson: "Well, the purpose of that is to determine whether the Lottery is having adverse impact on the economic climate of the State of Illinois."

Bullock: "But you said as it relates to welfare recipients, if the record could so indicate. You used that in your dissertation. You maybe would like to strike that, but you said as it relates to welfare recipients."

Vinson: "What I said was that the study... one of the aspects of the study would focus on whether we are creating new welfare recipients by inviting their participation into the Lottery."

Bullock: "Well, Madam Speaker, the hour is growing nigh, and I won't belabor the point. And I'm certain Sam and I could discuss this later over dinner and still wouldn't agree on it. And he'd probably pick up the check, because I'm a welfare recipient when I dine with Sam Vinson."

Vinson: "Did you ask me another question? I'm sorry."

Bullock: "Well, Madam Speaker, Sam and I are friends, and, philosophically, we are probably like the desert and the ocean. But on this issue, I suggest, Sam, that I'm going to cast a 'no' vote. I suggest most people.."

Speaker Breslin: "The Gentleman..."

Bullock: "... who are of like mind and philosophy might want to cast a 'no' vote. This is not an idea whose time has come."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "I don't... I really don't think, you know, in spite of some good natured banter, that this is really a very funny subject. The fact of the matter is the argument that people have given for years and years and years in this

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

123rd Legislative Day

May 23, 1984

state and otherwise against legalized gambling is that the net affect of it is that it falls most heavily and that... by that I mean the losses from legalized gambling on people who can least afford it. And if the overall social affects of that... I won't say it in a covert way. I'll say it absolutely up front that if we're running a state run Lottery that's affecting people who are on public assistance, putting other people on public assistance and falling most directly on people who can least afford it, it seems to me that that's a system that we maybe ought to re-examine. There have been at least some studies in other states that indicates that's the case. And it seems to me that if the overall affect of what we're doing is, on the one hand, to take money from the people and put it into the General Revenue Fund; and, on the other hand, cause economic dislocations because of the people who... the socioeconomic status of the people who participate in this form of state-run, legalized gambling, that it's something we ought to know about. We had a Bill not too long ago to look into the... require keeping the studies for race and otherwise of people who are challenged on juries. If we can do that, then it seem to me to make a lot of sense to look into the socio economic status of people who are affected by gambling and legalized gambling and state-run gambling and see if, in fact, we might be doing something that's having a reverse affect on the whole system. If those statistics indicate that we're not, that's one thing, but I don't see any problem with authorizing a study and getting those figures and figuring out whether we're really using one hand to take money from the people... or give it to them and, on the other hand, to take twice that away from them."

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

STATE OF ILLINOIS
93RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

May 23, 1984

Levin: "Would the Gentleman yield for questions?"

Speaker Breslin: "The Gentleman will yield for a question."

Levin: "Okay. First of all, what is the position of the Superintendent on your Amendment? Have they taken a position?"

Vinson: "I beg your pardon. I didn't hear your question."

Levin: "Has the Superintendent of the Lottery taken a position on your Amendment?"

Vinson: "The Superintendent, I know, is against certain portions of the Amendment. I have not discussed other portions of the Amendment with him and don't know what his position would be on that. My... My guess would be that he would be against the Amendment."

Levin: "Alright. To the Amendment, Madam Speaker. It seems to me this is a disguised commission. We had a Bill up earlier on capital punishment study commission and many of the Members voted against it, because they're concerned they're getting too many commissions. We're studying too many things. We're spending taxpayers' money needlessly. And I really don't see any difference between the study that's proposed here and the other studies that the commissions do. They all seem to me to be pretty much the same. They all spend money needlessly. And this one is even worse, because it has a potential to cut a good source of revenue from the state. So, you know, I would urge a 'no' vote and ask that there be a Roll Call vote on this kind of silly Amendment."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "In support of the Amendment, I think I'll quote a recent winner who said, boy, was he really glad he won. He was just about to run out of unemployment. He was behind on his car payments and his house payments, and he was only

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

123rd Legislative Day

May 23, 1984

buying twenty dollars worth a week."

Speaker Breslin: "There being no further discussion, the Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Madam Speaker, Ladies and Gentlemen of the House, I think everybody knows what's in here, and I would solicit your 'aye' vote. I think it's important point."

Speaker Breslin: "The Gentleman moves... The Gentleman moves for the adoption of Amendment #5 to House Bill 3083. And on that question, all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 51 voting 'aye', 34 voting 'no' and 1 voting 'present'. Representative Bullock."

Bullock: "Well, as I indicated, Madam Speaker, I will verify the affirmative."

Speaker Breslin: "Representative Bullock requests a verification of the Roll Call. Representative Johnson."

Johnson: "If that verification would result in there being fewer green votes than red, I would ask for a verification of the 'no' votes."

Speaker Breslin: "Very good. Representative Tate, for what reason do you rise?"

Tate: "Yes, I'd ask leave to be verified."

Speaker Breslin: "Representative Bullock, Representative Tate asks... Representative Bullock, Representative Tate asks leave to be verified. Does the Gentleman have leave? Yes, he does. Representative Barnes asks leave to be verified. Representative Wojcik asks leave to be verified. Representative Barger asks leave to be verified. Representative Karpziel asks leave to be verified. Representative Bullock objects to Representative Karpziel and all others from being verified. And all other. Representative Johnson."

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

123rd Legislative Day

May 23, 1984

Johnson: "I understand that..."

Speaker Breslin: "All others in the future, not the past, but in the future."

Johnson: "Okay. Alright. Okay."

Speaker Breslin: "Representative Bullock drew the line on Representative Karpel. I'm sorry, but you do not have leave. Rep... Representative... Mr. Clerk, would you please poll the affirmative votes?"

Clerk O'Brien: "Barger. Barnes. Berrios. Capparelli. Churchill. Countryman. Cowlishaw. Cullerton. Daniels. Davis. Didrickson. Ralph Dunn. Flinn. Dwight Friedrich. Hallock. Hannig. Hastert. Hawkinson. Hensel. Hoffman. Johnson. Karpel. Kirkland. Koehler. Krska. Mays. McMaster. McPike. Neff."

Speaker Breslin: "Representative... Excuse me, Mr. Clerk. Representative Klemm asks to be voted 'aye'. Proceed."

Clerk O'Brien: "Neff. Nelson."

Speaker Breslin: "Representative Deuchler asks to be voted 'aye'. Proceed."

Clerk O'Brien: "Oblinger. O'Connell. Olson. Parcels. B. Pedersen. Piel. Pullen. Rea. Richmond. Ropp. Ryder. Tate. Terzich. Topinka. Tuerk. Vinson. Wait. Winchester. Wojcik. McNamara and Zwick."

Speaker Breslin: "Do you have any questions of the Affirmative Roll Call, Representative Bullock?"

Bullock: "Representative Zwick?"

Speaker Breslin: "Representative Zwick is in the chamber."

Bullock: "Representative Wojcik?"

Speaker Breslin: "Representative Wojcik has had leave to be verified."

Bullock: "Winchester?"

Speaker Breslin: "Representative Winchester? Representative Winchester is not in his seat. Remove him."

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

123rd Legislative Day

May 23, 1984

Bullock: "What are we starting at? 51?"

Speaker Breslin: "We were starting at 53, I believe. 53, and we have taken one off. So, there are now 52."

Bullock: "Topinka?"

Speaker Breslin: "Representative Topinka? She is in her seat. Representative Ewing, for what reason do you rise?"

Ewing: "Madam Speaker, how am I recorded?"

Speaker Breslin: "You are recorded as voting 'no'."

Ewing: "I think I'm wrong. I better be changed to 'yes'."

Speaker Breslin: "The Gentleman asks leave to be changed to 'aye'. Representative Brummer asks to change his vote from 'no' to 'aye'. Proceed. Representative Tate. Is the Gentleman in the chamber? Representative Tate was verified, I understand, although I don't remember that at all. The Gentleman was verified, Representative."

Bullock: "Ropp?"

Speaker Breslin: "Representative Ropp? Is the Gentleman in the chamber? Remove him."

Bullock: "Rea?"

Speaker Breslin: "Representative Rea? Is the Gentleman in the chamber? Remove him."

Bullock: "Pullen?"

Speaker Breslin: "Representative Pullen? Is the Lady in the chamber? She is here."

Bullock: "Parcells?"

Speaker Breslin: "Representative Parcells is in her seat."

Bullock: "O'Connell?"

Speaker Breslin: "What was the name?"

Bullock: "O'Connell."

Speaker Breslin: "Representative O'Connell? Is the Gentleman in the chamber? He is not. Remove him."

Bullock: "Mays?"

Speaker Breslin: "Representative is in the chamber."

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

123rd Legislative Day

May 23, 1984

Bullock: "Krska?"

Speaker Breslin: "Representative Krska is not in the chamber.
Remove him."

Bullock: "Koehler?"

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

Bullock: "Karpziel?"

Speaker Breslin: "Representative Karpziel? The Lady is here at
your request. She is here."

Bullock: "Hoffman?"

Speaker Breslin: "Representative Hoffman is here."

Bullock: "Hawkinson?"

Speaker Breslin: "Representative Hawkinson is in his chair."

Bullock: "Hannig?"

Speaker Breslin: "Representative Hannig? Is the Gentleman in the
chamber? He is not. Remove him."

Bullock: "Flinn?"

Speaker Breslin: "Representative Flinn is not in the chamber.
Remove him."

Bullock: "Krska?"

Speaker Breslin: "Representative Krska is not in the chamber.
Remove him."

Bullock: "Leverenz?"

Speaker Breslin: "Representative Leverenz?"

Bullock: "That's okay. He's voting 'no'. Okay. Didrickson?"

Speaker Breslin: "Representative Didrickson? Is the Lady in the
chamber? She is not. Remove her."

Bullock: "Jack Davis?"

Speaker Breslin: "Representative Davis? The Gentleman is not in
the chamber. Remove him. Representative Friedrich, for
what reason do you rise?"

Friedrich: "It's my understanding he's in Leadership, and I
thought that he would be excused because he's in the
Leadership."

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

123rd Legislative Day

May 23, 1984

Speaker Breslin: "I believe that only applies to the Speaker and the Minority Leader, Representative Friedrich. Remove Representative Davis."

Bullock: "Now, Madam Speaker, since Representative Friedrich raised the point, would you clarify for me again who is permissible in the nonverification so that I don't misunderstand?"

Speaker Breslin: "Only the Speaker and the Minority Leader and perhaps one who is ill who has been Representative Vitek on previous occasions."

Bullock: "Thank you."

Speaker Breslin: "That has been my custom."

Bullock: "Thank you, Madam Speaker. Then I won't ask for Mr. Daniels. I know he's here. Churchill?"

Speaker Breslin: "Representative Churchill is in the chamber."

Bullock: "Capparelli?"

Speaker Breslin: "Representative Capparelli? The gentleman is not in the chamber. Remove him."

Bullock: "Berrios?"

Speaker Breslin: "Representative Berrios is not in the chamber. Remove him."

Bullock: "Barnes?"

Speaker Breslin: "Representative Barnes had leave to be verified."

Bullock: "Barger?"

Speaker Breslin: "Representative Barger had leave to be verified."

Bullock: "Thank you."

Speaker Breslin: "What is the count, Mr. Clerk? On this Bill there are 44 voting 'aye' and 32 voting 'no', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3255, Representative

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

123rd Legislative Day

May 23, 1984

Braun. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3255, a Bill for an Act relating to the allocation of industrial development bonds. Third Reading of the Bill."

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objection, the Lady has leave. Read the Bill. Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #1, Braun, amends House Bill 3255 on page one and so forth."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 clarifies the intent of this legislation, pending resolution of the issue in the Federal Congress, and I move for its adoption."

Speaker Breslin: "The Lady moves for the adoption of Amendment #1 to House Bill 3255. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Do we have this Amendment? I don't have it in my stack. I don't think it's been printed and distributed."

Braun: "Sam has. Sam has it."

Speaker Breslin: "Mr. Clerk, has this Amendment been printed and distributed? Yes, it has been printed and distributed, Representative. Representative Vinson, or Representative Hoffman at Representative Vinson's chair."

Hoffman: "I don't believe that Amendment has been distributed."

Speaker Breslin: "We have been advised that it has been printed and distributed, Representative Hoffman. Is there any objection to the Amendment? Hearing no objection to the Amendment, the question is, 'Shall Amendment #1 to House Bill 3255 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the

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

123rd Legislative Day

May 23, 1984

'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2762, Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2762, a Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2379, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2379, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Second Reading."

Clerk O'Brien: "Amendment #3, Bowman, amends House Bill 2379 as amended on page two."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment takes care of some problems the Department of Law Enforcement had with the legislation. I've cleared this Amendment with the other side of the aisle. I know of no opposition to the Amendment."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3 to House Bill 2379. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall Amendment #3 to House Bill 2379 be adopted?'

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

123rd Legislative Day

May 23, 1984

All those in favor say 'aye', all those opposed say 'nay'.

In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3253, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 3253 is sponsored by Representative White. It's on Second Reading. I have an Amendment that I'd like to put on... on the Bill. So, I'd ask leave to handle the Bill for Representative White."

Speaker Breslin: "The Gentleman asks leave to handle this Bill. Are there any objections? Representative Bullock."

Bullock: "Madam Speaker, I object."

Speaker Breslin: "The Gentleman objects. Mr. Clerk, would you read the Bill?"

Clerk O'Brien: "House Bill 3253, a Bill for an Act to amend Sections of an Act to prohibit solicitation or the sale of purchase of real estate on the basis of race, color, religion, natural origin, ancestry, creed, handicap or sex. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative, this Bill cannot be heard on this Order with an objection unless there is a Motion and that requires 71 votes. What is your pleasure?"

Cullerton: "Well, that objection, in effect, just kills the Bill, because I don't think there's 71 people here. So, I won't make the Motion."

Speaker Breslin: "Very good. This Bill is out of the record. House Bill 2878, Representative Currie. Out of the record. Are there any Motions? Senate Bill 1585, Representative Brookins. And this is the last Bill, Ladies and Gentlemen, on this Order of Business. The Order of Senate Bills Second Reading appears Senate Bill 1585, Representative

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

123rd Legislative Day

May 23, 1984

Brookins."

Clerk O'Brien: "Senate Bill 1585, a Bill for an Act creating the Albert H. Roberts Memorial Statue Committee. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Brookins, amends Senate Bill 1585..."

Speaker Breslin: "Representative Brookins."

Brookins: "Madam Speaker, this is a technical Amendment that changes a word from 'creation' to 'continuation', and..."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1585. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1585 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Agreed Resolutions."

Clerk O'Brien: "House Resolution 973, DiPrima; 974, DiPrima; 975, DiPrima; 976, DiPrima; 977, DiPrima; 978, Olson; 979, Shaw; and 980, Ryder; 981, Ewing."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, 973, by DiPrima, says that Feldman will receive a citation of merit; DiPrima, 974, tells Dale he's going to get one; 975, by DiPrima, announces McCarthy is going to get one; 976, by DiPrima, heralds Hank Pawelek will get one; and 977, by DiPrima, lauds Florence Zeidman; 978, by Olson, commemorates the 50th anniversary of the Park District of Dixon; 979, by Shaw, recognizes Mr. David Burton; 980, by Ryder, praises Carrollton High School basketball team; 981, by Ewing, notes a milestone. I move

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

123rd Legislative Day

May 23, 1984

for the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Representative Vinson, for what reason do you rise? Are there any further Resolutions? General Resolutions."

Clerk O'Brien: "House Resolution 982, Younge."

Speaker Breslin: "That Bill is assigned to the Committee on Assignment. House Bill 2878, Representative Currie. House Bill 2878. Page 15. Read the Bill, please."

Clerk O'Brien: "House Bill 2878, a Bill for an Act concerning long term care facilities. Third Reading of the Bill."

Currie: "I ask leave to move the Bill back to Second Reading for purposes of an Amendment."

Speaker Breslin: "Does the Lady have leave? Hearing no objections, the Lady has leave."

Clerk O'Brien: "Amendment #1, Madigan - Currie - Bullock."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. Amendment 1 is a narrowing and focusing of the provisions in House Bill 2878 as originally proposed. It has support from various elements in the provider community, Cook County State's Attorney's Office, Illinois Public Action Council, Better Government Association and meets the needs described to us by the Illinois Department of Public Health which is responsible for enforcing the Nursing Home Care Reform Act. I move for the adoption..."

Speaker Breslin: "The Lady moves for the adoption of Amendment #1 to House Bill 2878. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

123rd Legislative Day

May 23, 1984

Clerk O'Brien: "Floor Amendment #2, Vinson, amends House Bill 2878 and so forth."

Speaker Breslin: "Representative Vinson."

Vinson: "Madam Speaker, I would ask leave to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Mr. McPike, are you prepared to make the Adjournment Resolution? The Clerk needs 15 minutes for Perfunctory."

McPike: "Thank you, Madam Speaker. Allowing 15 minutes for a Perfunctory Session for the Clerk, I move that the House stand adjourned until tomorrow at the hour of 9:00 a.m."

Speaker Breslin: "The Gentleman moves that this House stand adjourned until the house of 9:00 a.m. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and this House stands adjourned."

Clerk Leone: "Messages from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1844, 1845, 1848, 1853, 1855, 1857, 1859 and 1861, passed by the Senate May 23rd, 1984. Kenneth Wright, Secretary.' Another Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1862 and Senate Bill 1865, passed by the Senate May 23rd, 1984. Kenneth Wright,

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

123rd Legislative Day

May 23, 1984

Secretary.' Another Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1685, 1691, 1692, 1705, 1707, 1708, 1714 and 1727, passed by the Senate May 23rd, 1984. Kenneth Wright, Secretary.' A further Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills 1728, 1734, 1735, 1740, 1746, 1747, 1752 and 1755, passed by the Senate May 23rd, 1984. Kenneth Wright, Secretary.' A further Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 617, 5617, 67, 1781, 1791, 1793, 1794, 1797, 1798, passed by the Senate, May 23rd, 1984. Kenneth Wright, Secretary.' A further Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 1801, 1802, 1811, 1812, 1824, 1839, 1840 and 1841, passed by the Senate May 23rd, 1984. Kenneth Wright, Secretary.' Introduction and First Reading of Senate Bills. Senate Bill 509, McGann, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. Senate Bill 510, McGann, a Bill for an Act relating to immunity from criminal prosecution

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

123rd Legislative Day

May 23, 1984

and amending certain Acts herein named. First Reading of the Bill. Senate Bill 1223, Virginia Frederick, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. Senate Bill 1363, Countryman, a Bill for an Act to amend Sections of the Environmental Protection Act. First Reading of the Bill. Senate Bill 1375, Tate, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. Senate Bill 1459, McGann, a Bill for an Act to amend Sections of the Inheritance and Transfer Tax Law. First Reading of the Bill. Senate Bill 1491, Flinn, a Bill for an Act to amend Sections of the Unified Disposition and Unclaimed Property Act. First Reading of the Bill. Senate Bill 1589, Alexander, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 1629, Giorgi - Capparelli, a Bill for an Act to amend Sections of the Illinois Horseracing Act. First Reading of the Bill. Senate Bill 1659, Cullerton, a Bill for an Act to amend Sections of the State's Attorney Appellate Service Commission Act. First Reading of the Bill. Senate Bill 1685, Oblinger, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1691, Steczo - Topinka, a Bill for an Act to amend the Illinois Credit Union Act. First Reading of the Bill. Senate Bill 1705, Rea, a Bill for an act to amend the Illinois Coal Technology Development Assistance Act. First Reading of the Bill. Senate Bill 1707, Nash, a Bill for an Act to amend an Act to provide for and regulate the administration of trusts by trust companies. First Reading of the Bill. Senate Bill 1708, Steczo, a Bill for an Act to revise the law in relationship to clerks of the court. First Reading of the Bill. Senate Bill 1714, Steczo - Levin, a Bill for

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

123rd Legislative Day

May 23, 1984

an Act in relationship to the proper licensing of persons operating school buses. First Reading of the Bill. Senate Bill 1734, Younge, a Bill for an Act to amend the Illinois Community Development Finance Corporation Act. First Reading of the Bill. Senate Bill 1735, Nash, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1740, Rhem - Alexander, a Bill for an Act to amend the Child Passenger Protection Act. First Reading of the Bill. Senate Bill 1746, Hoffman, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1747, Hoffman - Klemm, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1752, Brunsvold, a Bill for an Act to amend the Consumer Fraud and Deceptive Practices Act... Businesses Practices Act. First Reading of the Bill. Senate Bill 1755, Homer, a Bill for an Act to amend the Narcotics Profit and Forfeiture Act. First Reading of the Bill. Senate Bill 1767, Deuchler, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 1781, Markette - Alexander, a Bill for an Act to create the Illinois Job Training Coordinating Council. First Reading of the Bill. Senate Bill 1791, Keane - O'Connor... O'Connell, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 1794, Topinka - McAuliffe, a Bill for an Act in relationship to the offense of aggravated fleeing or attempting to elude a police officer. First Reading of the Bill. Senate Bill 1797, Alexander, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 1801, Nash, a Bill for an Act to provide for the use of gas transmission facilities for private energy entities. First Reading of the Bill. Senate Bill 1802, Olson, a Bill for an Act to amend the Election Code. First Reading of the

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

123rd Legislative Day

May 23, 1984

Bill. Senate Bill 1811, Saltsman, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1812, Nash, a Bill for an Act to amend the Northeastern Illinois Planning Act. First Reading of the Bill. Senate Bill 1824, Alexander, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 1839, Keane, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 1841, Keane - McGann, a Bill for an Act to amend an Act in relationship to payroll. First Reading of the Bill. Being no further business, the House will now stand adjourned till 9:00 p.m. (sic - a.m.) May 24th, 1984."

10/03/84
14:09

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

PAGE 1

MAY 23, 1984

HB-0091	SECOND READING	PAGE	5
HB-1004	SECOND READING	PAGE	11
HB-1302	THIRD READING	PAGE	47
HB-1348	THIRD READING	PAGE	50
HB-1474	THIRD READING	PAGE	51
HB-1535	THIRD READING	PAGE	120
HB-1546	THIRD READING	PAGE	32
HB-1591	THIRD READING	PAGE	190
HB-1800	THIRD READING	PAGE	144
HB-1859	THIRD READING	PAGE	58
HB-2141	THIRD READING	PAGE	201
HB-2186	THIRD READING	PAGE	38
HB-2213	MOTION	PAGE	270
HB-2279	SECOND READING	PAGE	265
HB-2323	SECOND READING	PAGE	5
HB-2332	RECALLED	PAGE	208
HB-2332	THIRD READING	PAGE	209
HB-2334	SECOND READING	PAGE	18
HB-2334	SECOND READING	PAGE	211
HB-2334	HELD ON SECOND	PAGE	18
HB-2376	THIRD READING	PAGE	214
HB-2379	RECALLED	PAGE	304
HB-2384	RECALLED	PAGE	267
HB-2423	THIRD READING	PAGE	63
HB-2479	THIRD READING	PAGE	71
HB-2545	THIRD READING	PAGE	233
HB-2559	THIRD READING	PAGE	216
HB-2568	THIRD READING	PAGE	218
HB-2606	RECALLED	PAGE	134
HB-2606	THIRD READING	PAGE	135
HB-2671	SECOND READING	PAGE	274
HB-2674	SECOND READING	PAGE	275
HB-2706	RECALLED	PAGE	219
HB-2706	THIRD READING	PAGE	220
HB-2710	THIRD READING	PAGE	228
HB-2747	SECOND READING	PAGE	5
HB-2762	SECOND READING	PAGE	304
HB-2775	THIRD READING	PAGE	46
HB-2812	RECALLED	PAGE	251
HB-2812	THIRD READING	PAGE	258
HB-2832	THIRD READING	PAGE	259
HB-2836	THIRD READING	PAGE	76
HB-2837	RECALLED	PAGE	290
HB-2875	RECALLED	PAGE	276
HB-2878	RECALLED	PAGE	307
HB-2939	THIRD READING	PAGE	146
HB-2960	THIRD READING	PAGE	82
HB-3001	THIRD READING	PAGE	149
HB-3036	HELD ON SECOND	PAGE	189
HB-3036	RECALLED	PAGE	188
HB-3037	RECALLED	PAGE	182
HB-3038	SECOND READING	PAGE	7
HB-3039	RECALLED	PAGE	187
HB-3040	HELD ON SECOND	PAGE	186
HB-3040	RECALLED	PAGE	185
HB-3040	RECALLED	PAGE	286
HB-3041	RECALLED	PAGE	174
HB-3042	SECOND READING	PAGE	287
HB-3042	HELD ON SECOND	PAGE	186
HB-3042	RECALLED	PAGE	186
HB-3043	SECOND READING	PAGE	287
HB-3043	HELD ON SECOND	PAGE	187
HB-3043	RECALLED	PAGE	186
HB-3045	RECALLED	PAGE	288
HB-3057	THIRD READING	PAGE	91

10/03/84
14:09

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

PAGE 2

MAY 23, 1984

HB-3062	SECOND READING	PAGE	30
HB-3069	THIRD READING	PAGE	155
HB-3073	SECOND READING	PAGE	18
HB-3073	SECOND READING	PAGE	28
HB-3073	HELD ON SECOND	PAGE	18
HB-3073	THIRD READING	PAGE	105
HB-3074	THIRD READING	PAGE	106
HB-3083	SECOND READING	PAGE	7
HB-3083	SECOND READING	PAGE	293
HB-3083	HELD ON SECOND	PAGE	7
HB-3084	SECOND READING	PAGE	7
HB-3084	HELD ON SECOND	PAGE	7
HB-3085	SECOND READING	PAGE	7
HB-3085	HELD ON SECOND	PAGE	7
HB-3100	OTHER	PAGE	45
HB-3106	RECALLED	PAGE	276
HB-3108	SECOND READING	PAGE	18
HB-3108	SECOND READING	PAGE	278
HB-3108	HELD ON SECOND	PAGE	18
HB-3117	THIRD READING	PAGE	108
HB-3141	SECOND READING	PAGE	280
HB-3152	RECALLED	PAGE	138
HB-3152	THIRD READING	PAGE	139
HB-3161	THIRD READING	PAGE	117
HB-3162	SECOND READING	PAGE	18
HB-3174	SECOND READING	PAGE	171
HB-3176	RECALLED	PAGE	176
HB-3177	RECALLED	PAGE	179
HB-3178	RECALLED	PAGE	281
HB-3180	RECALLED	PAGE	181
HB-3193	SECOND READING	PAGE	24
HB-3194	SECOND READING	PAGE	26
HB-3195	SECOND READING	PAGE	27
HB-3218	SECOND READING	PAGE	28
HB-3218	SECOND READING	PAGE	284
HB-3218	HELD ON SECOND	PAGE	28
HB-3221	THIRD READING	PAGE	119
HB-3231	SECOND READING	PAGE	31
HB-3231	SECOND READING	PAGE	285
HB-3231	HELD ON SECOND	PAGE	31
HB-3253	SECOND READING	PAGE	31
HB-3253	HELD ON SECOND	PAGE	32
HB-3255	RECALLED	PAGE	303
SB-0508	FIRST READING	PAGE	3
SB-0509	FIRST READING	PAGE	310
SB-0510	FIRST READING	PAGE	310
SB-1223	FIRST READING	PAGE	310
SB-1363	FIRST READING	PAGE	310
SB-1374	FIRST READING	PAGE	4
SB-1375	FIRST READING	PAGE	310
SB-1384	FIRST READING	PAGE	3
SB-1385	FIRST READING	PAGE	3
SB-1399	FIRST READING	PAGE	3
SB-1401	FIRST READING	PAGE	2
SB-1420	FIRST READING	PAGE	2
SB-1425	FIRST READING	PAGE	2
SB-1429	FIRST READING	PAGE	3
SB-1430	FIRST READING	PAGE	2
SB-1435	FIRST READING	PAGE	2
SB-1448	FIRST READING	PAGE	4
SB-1459	FIRST READING	PAGE	310
SB-1462	FIRST READING	PAGE	4
SB-1481	FIRST READING	PAGE	3
SB-1484	FIRST READING	PAGE	2
SB-1491	FIRST READING	PAGE	310

10/03/84
14:09

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

PAGE 3

MAY 23, 1984

SB-1509 FIRST READING	PAGE	2
SB-1522 FIRST READING	PAGE	2
SB-1538 FIRST READING	PAGE	3
SB-1585 SECOND READING	PAGE	306
SB-1599 FIRST READING	PAGE	310
SB-1596 FIRST READING	PAGE	4
SB-1598 FIRST READING	PAGE	4
SB-1602 FIRST READING	PAGE	2
SB-1607 FIRST READING	PAGE	2
SB-1618 FIRST READING	PAGE	2
SB-1629 FIRST READING	PAGE	310
SB-1631 FIRST READING	PAGE	2
SB-1644 FIRST READING	PAGE	2
SB-1650 FIRST READING	PAGE	310
SB-1664 FIRST READING	PAGE	3
SB-1685 FIRST READING	PAGE	310
SB-1691 FIRST READING	PAGE	310
SB-1705 FIRST READING	PAGE	310
SB-1707 FIRST READING	PAGE	311
SB-1708 FIRST READING	PAGE	311
SB-1714 FIRST READING	PAGE	311
SB-1734 FIRST READING	PAGE	311
SB-1735 FIRST READING	PAGE	311
SB-1740 FIRST READING	PAGE	311
SB-1746 FIRST READING	PAGE	311
SB-1747 FIRST READING	PAGE	311
SB-1752 FIRST READING	PAGE	311
SB-1755 FIRST READING	PAGE	311
SB-1767 FIRST READING	PAGE	311
SB-1781 FIRST READING	PAGE	311
SB-1791 FIRST READING	PAGE	311
SB-1794 FIRST READING	PAGE	311
SB-1797 FIRST READING	PAGE	312
SB-1801 FIRST READING	PAGE	312
SB-1802 FIRST READING	PAGE	312
SB-1811 FIRST READING	PAGE	312
SB-1812 FIRST READING	PAGE	312
SB-1824 FIRST READING	PAGE	312
SB-1839 FIRST READING	PAGE	312
SB-1841 FIRST READING	PAGE	312

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - REVEREND PAUL E. FLESNER	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE MATIJEVICH IN CHAIR	PAGE	14
REPRESENTATIVE GREIMAN IN CHAIR	PAGE	102
REPRESENTATIVE MCPIKE IN CHAIR	PAGE	161
REPRESENTATIVE MATIJEVICH IN CHAIR	PAGE	195
REPRESENTATIVE BRESLIN IN CHAIR	PAGE	194
AGREED RESOLUTIONS	PAGE	306
GENERAL RESOLUTION	PAGE	307
ADJOURNMENT	PAGE	308
PERFUNCTORY SESSION	PAGE	308
MESSAGES FROM SENATE	PAGE	308
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	312