

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

52nd Legislative Day

May 25, 1983

Speaker Madigan: "The House will come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend W. P. Witkop, President of the Faith Evangelical Lutheran Church of Springfield. Reverend Witkop is a guest of Representative Josephine Oblinger. Will the guests in the gallery please rise to join us in the invocation?"

Reverend Witkop: "Almighty God, our Heavenly Father, You have given us this good land as our heritage. May we always remember Your generosity and be grateful and seek to do Your will in all things. Bless our nation with honest industry, truthful education and an honorable way of life. Save us from violence, discord and confusion, from pride and arrogance, from every evil course of action. Grant, O Lord, that Your Holy Spirit may move in every heart, that the barriers which divide us may crumble, suspicions disappear, hatred cease and that with our divisions healed, we may live in justice and peace. Almighty God, our Heavenly Father, bless those who hold office in the government of this state, especially those today, who form our laws and make up this Body, that they may do their work in the spirit of wisdom, compassion and justice. Help us and help all to use our authority to serve faithfully and to promote the welfare of all of our people. This we ask in the Name of Your Son, Our Lord, Jesus Christ. Amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Mr. Greiman, are

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there any excused absences?"

Greiman: "Yes, Mr. Speaker, Mr. Christensen is to be excused because of an illness in the family. I'd appreciate the record so reflecting. His key has been removed."

Speaker Madigan: "Is there a request for Representative Richmond?"

Greiman: "No, not this morning. He'll be here."

Speaker Madigan: "Let the record show that there is no request for Representative Richmond. Mr. Greiman, in the case of Mr. Christensen, has his key been removed and placed in his desk?"

Greiman: "Yes."

Speaker Madigan: "Thank you. Let the record show that Representative Christensen is excused. Mr. Reilly, are there any excused Republicans? Not that you know of? Mr. Clerk, take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 304, Giorgi - McEike, a Bill for an Act to implement programs designed to remedy the causes and problems associated with poverty in Illinois. First Reading of the Bill. Senate Bill 323, Yourell, a Bill for an Act to revise the law in relation to local public library districts. First Reading of the Bill. Senate Bill 349, a Bill for an Act making appropriation to the Department of Agriculture. First Reading of the Bill. Senate Bill 350, McMaster, a Bill for an Act to create the Conservation Tillage Risk Share Program. First Reading of the Bill. Senate Bill 373, Barnes, a Bill for an Act to provide for the ordinary and contingent expense of the Department of Agriculture. First Reading of the Bill. Senate Bill 374, Barnes - Daniels, a Bill for an Act making an appropriation to the ordinary and contingent expense of

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the Commissioner of Banks and Trust Companies. First Reading of the Bill. Senate Bill 375, Barnes - Daniels, a Bill for an Act making an appropriation to the Department of Central Management Services. First Reading of the Bill. Senate Bill 376, Barnes - Daniels, a Bill for an Act making an appropriation to the ordinary and contingent expense of the Civil Service... State Civil Service Commission. First Reading of the Bill. Senate Bill 377, Barnes - Daniels, a Bill for an Act making an appropriation to the ordinary and contingent expense of the Illinois Commerce Commission. First Reading of the Bill. Senate Bill 378, Barnes - Daniels, a Bill for an Act making appropriation to the Court of Claims. First Reading of the Bill. Senate Bill 379, Barnes - Daniels, a Bill for an Act making an appropriation to the ordinary and contingent expense for the Illinois Criminal Justice Information Authority. First Reading of the Bill. Senate Bill 380, Reilly - Daniels, a Bill for an Act making an appropriation to the ordinary and contingent expense for the Illinois Environmental Facilities Financing Authority. First Reading of the Bill. Senate Bill 381, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Environmental Protection Agency. First Reading of the Bill. Senate Bill 383, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Office of State Fire Marshal. First Reading of the Bill. Senate Bill 384, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Insurance. First Reading of the Bill. Senate Bill 385, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense for the Local Government Law Enforcement Officers Training Board. First Reading of the

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Bill. Senate Bill 386, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Nuclear Safety. First Reading of the Bill. Senate Bill 387, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Pollution Control Board. First Reading of the Bill. Senate Bill 388, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Revenue. First Reading of the Bill. Senate Bill 391, Barnes - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Industrial Commission. First Reading of the Bill. Senate Bill 392, Reilly - Daniels, a Bill for an Act to make an appropriation for the ordinary and contingent expense of the Department of Aging. First Reading of the Bill. Senate Bill 394, Reilly - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Law Enforcement. First Reading of the Bill. Senate Bill 395, Reilly - Daniels, a Bill for an Act to make an appropriation for the ordinary and contingent expense of the Military and Naval Department. First Reading of the Bill. Senate Bill 397, Daniels.. Daniels... Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Governor's Purchase Care Review Board. First Reading of the Bill. Senate Bill 398, Reilly - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Rehabilitation Services. First Reading of the Bill. Senate Bill 399, Reilly - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Veterans' Affairs and Veterans' Memorials. First Reading of the Bill. Senate Bill 401,



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Reilly - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the State University Civil Service System. First Reading of the Bill. Senate Bill 407, Reilly - Daniels, a Bill for an Act making an appropriation for the ordinary and contingent expense of the Department of Mental Health and Developmental Disabilities. First Reading of the Bill. Senate Bill 451, Stuffle, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 453, Stuffle, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 469, Stuffle, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 474, Stuffle, a Bill for an Act to create the State University Civil Service System. First Reading of the Bill. Senate Bill 532, Keane, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 359, Cowlshaw, a Bill for an Act to amend the School Code. ... 359. First Reading of the Bill."

Speaker Madigan: "May I have the attention of the Membership please? Ladies and Gentlemen, if I could have your attention for just a few short seconds, and if you would all direct your attention to page 27 of the Calendar. On page 27 of the Calendar, we have the Order of Senate Bills First Reading which continues to page 31 of the Calendar. Any Bill which does not contain the name of a House Member as a Sponsor has not yet been picked up for sponsorship in the House. And so, I would encourage all of you to review those Bills with a view toward possible sponsorship. If you're interested in sponsorship, please notify the Clerk so that we can move these Bills to the Committee on Assignment and then have them assigned to the appropriate Committee. Thank you very much. Mr. Vinson. Is Mr.

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Vinson on the floor. I propose to begin on page five of the Calendar. House Bills Third Reading, Short Debate Calendar. The Calendar indicates that the next Bill would be House Bill 1887. I'm informed by the Parliamentarian that House Bill 1887 is on a Special Order of Business; therefore, it shall not be called now. House Bill 1917, Mr. Kulas. Is Mr. Kulas in the chamber? Take this Bill from the record. House Bill 1921, Mr. McAuliffe. Is Mr. McAuliffe in the chamber? House Bill 1922, Mr. Reilly. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1922, a Bill for an Act to amend an Act relating to children and use services in placements. Third Reading of the Bill."

Speaker Madigan: "Mr. Reilly. Let me remind the Membership we are on the Order of the Short Debate Calendar. The rules provide on Short Debate that there shall be one proponent, one opponent and reasonable questions. Mr. Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1922 is, for the most part, a clean up of some action that we took last year when we took various kinds of offenses, minor offenses, dealing with minors - no pun intended - took them out of basically the jurisdiction of the courts, or at least the initial jurisdiction of the courts and put them into youth community services. It's basically a clean up of that. It also makes some technical changes in the Act dealing with the Department itself largely to reflect the fact that the Department no longer operates institutions by itself. And finally it, by Amendment, deals with the problem that has arisen over the last year where the problem of dealing with truants has... some alleged, at least, was created by the action we took last year. The two youth community services have just not been nearly as affective, and there have not been as many

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programs, as a matter of fact, at the community level to deal with truants. The Amendment put the truants back under the potential initial jurisdiction of the courts. I'd be glad to answer questions. Otherwise, I'd ask for a favorable Roll Call."

Speaker Madigan: "Mr. Reilly has spoken as a proponent of the Bill. Does anyone stand in opposition to the Bill? For what purpose does Mr. Cullerton seek recognition?"

Cullerton: "Yes, Mr. Speaker, I wonder if the Gentleman could answer a question."

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

Cullerton: "Amendment #2 was an Amendment offered by Representative Ropp. It is I understand identical to a Bill that was put on Interim Study and defeated in the Judiciary Committee. Representative Ropp indicates that that is not true. I wondered if this could be cleared up by perhaps Representative Ropp explaining what Amendment #2 does."

Reilly: "Well, Representative Ropp can speak to the legislative history of it. I did explain what Amendment #2 does. It basically puts truants back under the initial, or at least potentially under the initial jurisdiction of the courts. As to the history of that - how we got here - I'm not sure, but I think that most of us have read in the papers, if we have not experienced, there have been a considerable number of stories indicating that the process with truants over the last year simply hasn't worked. And that's, I believe, why the proposal is here."

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

Matijevich: "Well, if nobody else, I'd like to speak in opposition to the Bill, Mr. Speaker."

Speaker Madigan: "Mr. Matijevich shall speak in opposition to the

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Bill. Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, that last part of Representative Reilly's explanation of this Bill is why I speak in opposition to the Bill. I have before me a letter from the Illinois Probation and Court Services Association which takes a formal position against House Bill 1922, because it would, in part, place the condition of truancy back into the jurisdiction of the courts. As you probably know, the current law which took truancy out of the courts has only been in effect since January, and we placed truancy into the Department of Children and Family Services. The purpose of this law is to deal with truancy in a more reasonable and upfront fashion so that children do not have truancy psychological implications by criminalizing their behavior. The Association has some problems with the fiscal implications of House Bill 1922. In other words, who pays for what. I believe that by that Amendment House Bill 1922 should be opposed by this House. As I said, we don't know who is responsible for the cost implement placements and commitments under the Bill as amended. So, I would urge the Members to oppose this Bill in its present form."

Speaker Madigan: "We have had one proponent to this Bill and one opponent. The rules now provide only for questions. For what purpose does Mr. Bonan seek recognition?"

Ronan: "Mr. Speaker, I'd like to be joined by the requisite number of Members to have this Bill removed from Short Debate because of the seriousness of the issue."

Speaker Madigan: "There would appear to be enough Members to remove the Bill from the Order of the Short Debate Calendar. The Bill is now on the Order of Regular Debate. Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. Now, to respond to the Bill, I

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want all the Members, even though it's early in the morning and we may not have the kind of attendance that we need, I want Members to understand what we're doing here. This Bill is no longer the Bill that originally passed out of Committee, but it's now a completely different concept that we're trying to establish. My record on trying to get hard-core, bad kids off the streets and away from society is very clear. I've done that for the last five years on my activities on the Gang Crime Commission, because I have the basic belief that a hard-core gang leader or hard-core bad kid does a bad job and should be out of society. However, this kind of legislation goes right in the face of that. What they're trying to do is make criminals out of kids who just have minor problems, and I think that's the mistake we face today on the legislation. If the Amendment is removed, I'm more than willing to look at the legislation; but, in its present form... Oh. Well, the Sponsor of the Bill, I think, understands my concern, and I think he's going to prepare to remove the Amendment so that this... it does go back to be a good Bill. So, if the Sponsor removes the Amendment, I can lift my objections. So, I'd like to have leave, at this point, to take the Bill back to Second Reading to get rid of this dog Amendment. Mr. Speaker... Speaker, I'd like you to represent... or recognize Representative Reilly to take the Bill back to Second."

Speaker Madigan: "Mr. Reilly."

Reilly: "Thank you, Mr. Speaker. There is a great deal of discussion about this. There has to be some meeting of the minds at some point; because, on the one hand, the community youth services are saying that can't take care of the problem. On the other hand, the probation people are saying they can't. But, to move the Bill along in the

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process, I would now ask leave to have the Bill taken back to the Order of Second Reading at which point I would offer a Motion to table Amendment #2."

Speaker Madigan: "Is there leave? This Bill shall be placed on the Order of Second Reading. Mr. Clerk, are there any Amendments filed to this Bill?"

Clerk Leone: "No further Amendments?"

Speaker Madigan: "What is the history of the early Amendments?"

Clerk Leone: "Amendments #1 and 2 were adopted previously."

Speaker Madigan: "Mr. Clerk, were they adopted in Committee or on the floor?"

Reilly: "No, but I'm moving to table it. I'm not moving to reconsider."

Clerk Leone: "Amendment #1 was adopted in Committee. Amendment #2 was adopted on the floor."

Speaker Madigan: "Mr. Reilly, I believe that you are moving to table Amendment #2."

Reilly: "That's correct, Mr. Speaker."

Speaker Madigan: "That was a Floor Amendment. It is adopted to the Bill. The Gentleman moves to table Amendment #2. On that question, is there any discussion? There being no discussion, those in favor of the Motion say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion carries. Amendment #2 is tabled. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Reilly."

Reilly: "Yeah, I would ask leave to suspend the appropriate rule so that this can be considered on Third at this time."

Speaker Madigan: "Leave is granted. Mr. Reilly on the Bill."

Reilly: "Now the Bill, with the controversial part out, is really basically some clean-up Amendments on last year's action. I would ask for a favorable Roll Call."

Speaker Madigan: "Those in favor of the passage of the Bill will

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vote 'aye', those opposed will vote 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 109 'ayes', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Matijevec in the Chair."

Speaker Matijevec: "House Bill 1924. The Clerk will read the Bill."

Clerk Leone: "House Bill 1924, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Matijevec: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Illinois Banking Act. It changes the minimum capital requirements to start a bank from 50,000 dollars to a more realistic one million dollars which is currently the administrative requirement set by the Commissioner of Bank and Trust in the State of Illinois. And I would move for favorable passage of this Bill."

Speaker Matijevec: "Representative Harris has moved for the passage of House Bill 1924. Does anyone speak in opposition? Seeing none, the question is, 'Shall House Bill 1924 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', no 'nays', and House Bill 1924, having received the Constitutional Majority, is hereby declared passed. House Bill 1925, Koehler. Clerk will read the Bill."

Clerk Leone: "House Bill 1925, a Bill for an Act in relationship to the conveyances of real property. First Reading... Third Reading of the Bill."

Speaker Matijevec: "Representative Koehler on House Bill 1925."

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Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1925 authorizes the Department of Conservation to make boundary corrections in Adams and Marshall County. It corrects an error in an existing deed and an error in a land conveyance Bill passed in 1981. There is no exchange of money, but the Department of Conservation has filed a land conveyance memorandum."

Speaker Matijevich: "Representative Koehler has moved for the passage of House Bill 1925. No one in opposition, the question is, 'Shall House Bill 1925 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 105 'ayes', no 'nays', and House Bill 1925, having received the Constitutional Majority, is hereby declared passed. House Bill 1933, Woodyard. Clerk will read the Bill."

Clerk Leone: "House Bill 1933, a Bill for an Act to amend an Act in relationship to state purchase of paper products. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Vermillion, Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker. To correct the record, I really am from Edgar, although some of the people did want to put me in Terre Haute. I would ask leave, Speaker, to return this Bill to the Order of Second Reading for the purpose of an Amendment."

Speaker Matijevich: "The Gentleman asks leave to place House Bill 1933 back to the Order of Second Reading. Does he have leave? Leave is granted, and House Bill 1933 is on Second. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #1, Vinson, amends House Bill 1933 on page one and so forth."

Speaker Matijevich: "Who's Amendment? Representative Vinson on



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Amendment #1."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would become the Bill. It would create the Illinois Incentive Pay for State Employees... Mr. Speaker, I think prior to offering this Amendment I should move to table Amendment #1."

Speaker Matijevich: "The Gentleman moves to table Amendment #1. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and Amendment #1 is tabled. Representative Vinson, on Amendment 2 is it?"

Vinson: "Yes."

Clerk Leone: "Floor Amendment 2, Vinson, amends House Bill 1933 on page one and so forth."

Vinson: "Mr. Speaker, Amendment #2 now becomes the Bill. It would create the Illinois Incentive Pay for State Employees Act. It would provide that individuals in a unit for State Government could financially benefit from performing that service more efficiently. They would equally... They would be permitted to equally share 25% of the savings if they were to make a recommendation to a statewide Committee created for that purpose for the purpose of evaluating savings programs who determine that, in fact, that program offered a savings. It would require that the unit operate at a savings for the next fiscal year and would... has language in it that would specifically prohibit strategies to provide for only the appearance of savings. It creates a Committee for the review of these recommendations; and, in substance, what it does is to involve state employees throughout the system in the search for ways in which to control the costs of government. It does specifically exempt the legislature, the Governor's Office, Lieutenant Governor's Office and the Office of the Auditor General from its operation, and I would move for the adoption of

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Amendment #2."

Speaker Matijevich: "Senator Vinson moves for the adoption of Amendment #2. Gentleman from Decatur, Representative Dunn. The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, would the Spcnsor yield to a question?"

Speaker Matijevich: "He indicates he will."

Stuffle: "Representative Vinson, what kind of effect would this program of incentive pay have upon an existing or future collective bargaining arrangement, as to hours and wages?"

Vinson: "It would have no impact."

Stuffle: "Why?"

Vinson: "Well, except for the question that some people say that this ought to be a bargainable item, it would have no impact. It is... It does operate as a separate statute, which obviously is not a bargainable issue when we enact it in the statute. And what it would do would be to provide greater compensation for employees who made recommendations which resulted in savings."

Stuffle: "Who makes the determination that there has indeed been a savings made?"

Vinson: "There is a Committee for the review of these savings created by the... by the Amendment."

Stuffle: "And then that's subject to our review in appropriation only?"

Vinson: "Yes. The... The subsequent operation is always subject to our appropriation."

Stuffle: "But is that a separate appropriation? Would it be separate from the other line items of personal service in the agencies, or would it be lumped in with their money in that succeeding fiscal year and they would then make the disbursements at their ... at their discretion?"

Vinson: "It would be taken from lapsed money. The money for the

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reward would be taken from lapsed money."

Stuffle: "So, when does that... How does that work? The monies lapsed at the end of the year, as would be the case from General Revenue in a line item, then how is that money disbursed? Is that... We have to reappropriate it. That's my question. Or, would the discretion be there for the Director of Central Management Services to thereafter, with the lapsed money... You're saying it's lapsed. Assuming lapsed, that means it's gone back into the General Revenue Fund in the general sense. Is that what you're suggesting that it's reappropriated after that?"

Vinson: "Yes, staff tells me that it would have... that that saved money would have to be reappropriated for the purpose."

Stuffle: "Thank you."

Speaker Matijeich: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, I hope you're taking a good look at this Amendment. I have several questions I would like to ask the Sponsor."

Speaker Matijeich: "Proceed."

Oblinger: "Why do we exempt the Director of Central Management, the Director of the Bureau of the Budget, or the Governor's Office, or the Lieutenant Governor's Office and the Office of Auditor General from this? Aren't they suppose to try and save money, too?"

Speaker Matijeich: "Representative Vinson."

Vinson: "That is one of their basic functions, and we exempt them from this. Particularly the Governor's Office should be exempted from it, because it's such an integral function and responsibility of theirs."

Oblinger: "What happens if a division within a department operates entirely on federal money?"

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Vinson: "They would still be covered."

Oblinger: "Out of what money?"

Vinson: "I believe that in most cases the federal money could not be spent for that purpose, and we would have to spend our money for that purpose."

Oblinger: "So, you'd have to take it out of General Revenue Fund for even a division that's entirely - and I'm thinking of Title III Nutrition and Aging which is entirely funded by federal money."

Vinson: "I believe in most cases that's true. I believe in some cases you would be able to obtain a waiver from the Federal Government to do that, but I don't think you could spend that money without obtaining the waiver."

Oblinger: "Alright. In some departments, the division consists of one person. So, that one person's going to save 12,000 dollars. I can see that the purpose is not to help the State Government, but to make money for that person. Is that the right kind of incentive for this kind of Bill that you have?"

Vinson: "Well, I believe where you normally find that you would find that the... that that division did not have a self-contained budget. I know several places in State Government where that's true, and that is not a self-contained budget in that situation. And that individual would not come under the program because of that."

Oblinger: "My other question, two questions, go to the union bargaining unit. It covers Clerk I, II and III. So, a clerk in one division is going to get a merit... amount of money... or award money because their division did that. That makes it uneven with the other people in the same bargaining unit. Can that be done?"

Vinson: "Yes."

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Oblinger: "As what? A bonus?"

Vinson: "Yes."

Oblinger: "And finally, I don't... Looking on the way that they might show reductions, is in loss... less temporary help and elimination of budgeted positions. I can see people doing this in order to gain the money, but do you think this is the proper way to go for reducing the cost of government? Getting budgeted positions out where the people are needed to provide the services? I'm..."

Vinson: "I absolutely do not believe that the way you save money in government is by guaranteeing everybody a job. I think that if ... if you can perform a governmental function without the jobs, you ought to do it. I don't think that anybody has a right to governmental employment."

Oblinger: "To the Bill, Mr. Chairman."

Speaker Matijevich: "Proceed."

Oblinger: "Mr. Speaker, Members of the House, I don't think this is the way we want to go in order to reduce the cost of government. I've looked at this Amendment very carefully for the last three days. To me, it is putting a burden upon a department to cut funds in order to prove that they're efficient and effective no matter what steps they have to take. And in some instances, it's going to cut services. It's going to make it impossible for them to work just because they want to show they are an efficient and effective agency. I do not think this is the way to go, and I think this Amendment should be killed."

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

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment for the reasons stated by the previous speaker. What this Amendment amounts to is bounty hunting. You can make

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yourself look good by making the next person who works under you or works in the same division that you work in look bad. So, instead of promoting harmony and cooperation among members of a unit, if you can come up with a way to eliminate perhaps someone you don't like - perhaps the job that person does - if you can come up with some reason to eliminate that job, you get paid for it. If a supervisor has been against you on something or hasn't promoted you, you could come up with a good suggestion or agree with other people that that person should be eliminated. So.. And at the same time you get paid for this... this ingenious job. I think this also goes against the entire legislative function of appropriating funds for various priorities that we, as the Legislator... Legislature, deem are necessary. This is a terrible Amendment. This is not the way to save money for the state, but the way to promote disservice and disharmony among state employees. And I'm certainly going to vote 'no', and I hope others will join me."

Speaker Matijevich: "Representative Vinson to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I solicit your 'aye' vote on this Amendment, because it has the opportunity of saving money for State Government. It will involve the little people in the quest to save money, and I would ask for an 'aye' vote on the Amendment."

Speaker Matijevich: "Representative Vinson has moved for the adoption of Amendment... 1933. Those in favor say 'aye', those opposed say 'no'. The 'nos' have it and the Amendment fails. Alright. Let's have a Roll Call. 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 74 'ayes' and 26 loud 'nos', and the Amendment is adopted. Third

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

Vinson: "Mr. Speaker, I would ask to suspend the appropriate rule so that House Bill 1933 can be heard on Third Reading."

Speaker Matijevich: "Representative Vinson has asked leave for the immediate consideration of House Bill 1933. Does he have leave? Leave, and the Clerk will read the Bill."

Clerk Leone: "House Bill 1933, a Bill for an Act to amend an Act in relationship to state purchase of paper products. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from DeWitt, Representative Vinson now? Are you going to handle the Bill? It's your Bill now. Proceed."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1933 has just been debated at some length. It is a systematic institutionalized way to realize savings in State Government, to involve many people in the quest for State Gov... for State Government savings and to attempt to avoid higher taxes in the future. I would move for the passage of House Bill 1933."

Speaker Matijevich: "Let the record show that Representative Berrios has now returned and has his key, for the record. Representative Vinson has moved for the passage of House Bill 1933. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Berrios, I'm told you have to fill out a slip here for the Comptroller's Office. The key isn't enough. Have all voted who wish? Clerk will take the record. On this question there are 98 'ayes', 2 'nays', 5 voting 'present'. Representative Cullerton 'aye'. 99 'ayes', 2 'nays', 5 voting 'present', and House Bill 1933, having received the Constitutional Majority, is hereby declared passed. House Bill 1934, Neff. Clerk will read the Bill."

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Clerk Leone: "House Bill 1934, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is more or less a housekeeping Bill supported by the Motor Vehicle Laws Commission and also the Department of Transportation which does away with the funding for the National Vehicle Safety Compact, which was started a number of years ago. And due to the recession, most of the states have withdrawn from this. And so, as of January the 1, 1983 it was dissolved, and this clears up that... would repeal the appropriation Section for this particular Illinois Vehicle Code which supported and was a member of the National Safety Council for many years."

Speaker Matijevich: "Representative Neff has moved for the passage of House Bill 1934. There being no opposition, the question is, 'Shall House Bill 1934 pass?'. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 110 'ayes', no 'nays', and House Bill 1934, having received the Constitutional Majority, is hereby declared passed. House Bill 1943, Dwight Friedrich. Clerk will read the Bill."

Clerk Leone: "House Bill 1943, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

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

Friedrich: "Mr. Speaker, this is a Bill requested by the Department of Corrections. It merely provides that the Governor may authorize the Director of Correction to participate in the U. S. foreign country treaties for the transfer and exchange of convicted offenders to the country of their citizenship. This has been... Incidentally, the



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Federal Government will pay all the costs involved in this, and it is optional in each individual case whether or not they're repatriated. Other states are doing this, and this is the way to get rid of some of the foreigners who have been convicted in this country and bring back some of those from... of our people from other countries."

Speaker Matijevich: "Representative Friedrich has moved for the passage of House Bill 1943. And no one speaking in opposition, the question is, 'Shall House Bill 1943 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 109 'ayes', no 'nays'. House Bill 1943, having received the Constitutional Majority, is hereby declared passed. House Bill 1955, Representative Pullen. Read the Bill."

Clerk Leone: "House Bill 1955, a Bill for an Act to amend the Illinois Air Carriers Act. Third Reading of the Bill."

Speaker Matijevich: "Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1955 repeals the Illinois Air Carriers Act, which was established in 1973. It created the Illinois Aeronautics Board and a Legislative Advisory Committee. The Aeronautics Board has not met since October 1981, and the Legislative Advisory Committee has not met since 1979. This is probably because the Federal Airline Deregulation Act of 1978 preempted all the functions of these two agencies. So, the Illinois Air Carriers - Act really is no longer necessary, and I urge its repeal through this Bill."

Speaker Matijevich: "Representative Pullen has moved for the passage of House Bill 1955. Any opposition? There being none, the question is, 'Shall House Bill 1955 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish?"

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The Clerk will take the record. On this question there are 109 'ayes', no 'nays', and House Bill 1955, having received the Constitutional Majority, is hereby declared passed. House Bill 1960, Wojcik. Clerk will read the Bill."

Clerk Leone: "House Bill 1960, a Bill for an Act to amend the Boiler and Pressure Vessel Safety Act. Third Reading of the Bill."

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

Wojcik: "Yes, Mr. Speaker and Members of the House, this is basically a housekeeping Bill, and it has been presented to me through leadership. Representative Cullerton and I have worked on an Amendment. So, I believe that it should be fine right now. It provides that a notice of suspension shall be posted near a suspended boiler inspection certificate. It removes provision that the penalty for the operation of a boiler without a certificate shall not exceed a hundred dollars. Currently, the Boiler Safety Act, an inspection of boilers, are conducted by the office of the State Fire Marshal. I ask for an 'aye' vote."

Speaker Matijevich: "Representative Wojcik has moved for the passage of House Bill 1960. Being no opposition, the question is, 'Shall House Bill 1960 pass?'. 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 110 'ayes', no 'nays', and House Bill 1960, having received the Constitutional Majority, is hereby declared passed. House Bill 1963, Oblinger. Read the Bill."

Clerk Leone: "House Bill 1963, a Bill for an Act to amend the Illinois Domestic Violence Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Sangamon, Representative Oblinger."

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Oblinger: "Thank you, Mr. Speaker and Members of the House. This Bill now has two Amendments to the Domestic Violence Act. One of them provides the hold harmless clause for people who report elderly or child or spouse abuse. And the other one encourages the circuit clerk to provide help to those people who are seeking orders of protection, and I would appreciate your 'aye' vote."

Speaker Matijevich: "The Lady has moved for the passage of House Bill 1963. There being no opposition, the question is, 'Shall House Bill 1963 pass?'. Those in favor signify by voting 'aye'... 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 108 'ayes', no 'nays'. House Bill 1963, having received the Constitutional Majority, is hereby declared passed. House Bill 1972, Hastert. Clerk will read the Bill."

Clerk Leone: "House Bill 1972, a Bill for an Act in relationship to the Department of Transportation. Third Reading of the Bill."

Speaker Matijevich: "Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1972 is the annual conveyance Bill for the Illinois Department of Transportation. All those parcels in there and the Amendments to the Bill have the proper appraisals. It will bring in excess of 63,000 dollars into the Transportation Fund and ask for your positive Roll Call."

Speaker Matijevich: "Representative Hastert has moved for the passage of House Bill 1972. There being no opposition, the question is, 'Shall House Bill 1972 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 'ayes', no 'nays', and House Bill 1972, having received the

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Constitutional Majority, is hereby declared passed. Next Bill out of the record. It's on a Special Order. House Bill 1982, hold. House Bill 2004 is on a Special Order. Out of the record. House Bill 2008, Satterthwaite. Read the Bill."

Clerk Leone: "House Bill 2008, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

Satterthwaite: "Mr. Speaker and Members of the House, this Bill would simply require that a claim... a copy of a claim for burial expenses would also go to the Attorney General's Office for a person who had been receiving public aid. It's a tool to help to collect money due to the state. The Bill had been on the Consent Calendar but was amended to pick up another portion of the Code that had been omitted in the original Bill. I know of no opposition to the Bill."

Speaker Matijevich: "Representative Satterthwaite has moved for the passage of House Bill 2008. There being no opposition, the question is, 'Shall House Bill 2008 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 107 'ayes', no 'nays', and House Bill 2008, having received the Constitutional Majority, is hereby declared passed. House Bill 2015, Giorgi. Clerk will read the Bill."

Clerk Leone: "House Bill 2015, a Bill for an Act to amend an Act in relationship to the rate of interest. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, this Bill, 2015, brings into conformity the

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interest rate payable on sanitary and river conservancy district bonds and notes, with the interest rate currently applicable to municipal obligations, not exceeding the greater of nine percent or of the 20-60 bond... This is an agreed Bill, and I urge an affirmative vote."

Speaker Matijevich: "Representative Giorgi has moved for the passage of House Bill 2015. There being no opposition, the question is, 'Shall House Bill 2015 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take... take the record. On this question there are 105 'ayes' - Mulcahey 'aye'. 106 'ayes', no 'nays', and House Bill 2015, having received the Constitutional Majority, is hereby declared passed. House Bill 2046, Hoffman. Is Hoffman back here anywhere? Gene Hoffman. Out of the record. 2062. Request of the Sponsor, out of the record. House Bill 2065, Nelson. Read the Bill, Clerk."

Clerk Leone: "House Bill 2065, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Lady from DuPage, Representative Nelson. Proceed."

Nelson: "Mr. Speaker, could you just take this out of the record temporarily? There's a question on the other side of the aisle about whether or not these two Bills went on the Consent Calendar."

Speaker Matijevich: "One... We think you better proceed, because we're not sure where that's at right now. So, you better take your shot. It looks like a good day."

Nelson: "Okay. Thank you very much, Mr. Speaker, Members of the House. This Bill has bipartisan sponsorship. It passed out of Committee with no opposition. Yesterday, we passed

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another Bill to encourage ride sharing and van pooling in the State of Illinois. House Bill 2065 was developed by the Department of Energy and Natural Resources to do just that, to encourage more use of ride sharing and to save energy in the State of Illinois. Specifically, House Bill 2065 eliminates the requirement that commuter vans be owned or operated by an employer or an employee organization and clarifies the definition of ride sharing arrangements. It excludes commuter vans from the requirement applicable to second division vehicles that the owner's name and address be affixed on its side. And I would appreciate your affirmative vote."

Speaker Matijevich: "The Lady from DuPage has moved for the passage of House Bill 2065. There being no opposition, the question is, 'Shall House Bill 2065 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 110 'ayes', no 'nays', 1 'present', and House Bill 2065, having received the Constitutional Majority, is hereby declared passed. House Bill 2073, Nelson. Clerk will read the Bill."

Clerk Leone: "House Bill 2073, a Bill for an Act to amend Sections of the General Not-For-Profit Corporation Act. Third Reading of the Bill."

Speaker Matijevich: "Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. This Bill is a companion to the Bill that we just passed. It amends a separate Section of the statutes to enable not-for-profit corporations to be formed for the purpose of ride sharing. It is very brief. It has bipartisan sponsorship, and I would appreciate your affirmative vote."

Speaker Matijevich: "Representative Nelson has moved for the passage of House Bill 2073. There being no opposition, the

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question is, 'Shall House Bill 2073 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 108 'ayes', no 'nays', 1 voting 'present', and House Bill 2073, having received the Constitutional Majority, is hereby declared passed. Representative Ropp on House Bill 2078. The Clerk will read the Bill."

Clerk Leone: "House Bill 2078, a Bill for an Act to amend the law regarding the transportation and disposal of dead animals and related matters. Third Reading of the Bill."

Speaker Matijevich: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 2078 deals with renderers, those people who are involved in pick up and disposal of dead animals and byproducts. This deals with actually increasing or allowing a permit to be issued to some 940 vehicles incruing an increased amount of revenue of something like 9,400 dollars to the State of Illinois. I urge your favorable support."

Speaker Matijevich: "Representative Ropp has moved for the passage of House Bill 2078. In opposition... Representative Harris, do you stand in opposition? Representative Bar... Representative Harris."

Harris: "Thank you, Mr. Speak... Thank you, Mr. Speaker. I do not stand in opposition to this Bill. I do have a question for the Spnscr."

Speaker Matijevich: "Proceed."

Harris: "Representative Ropp, did these animals die knowingly?"

Ropp: "No."

Harris: "Thank you."

Speaker Matijevich: "They're just as dead, though. The question is, 'Shall House Bill 2078 pass?'. Those in favor signify

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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 109 'ayes', no 'nays'. House Bill 2078, having received the Constitutional Majority, is hereby declared passed. House Bills Third Reading, page twelve, next Bill, House Bill 1026, Hastert. The Clerk will read the Bill."

Clerk Leone: "House Bill 1026, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Hastert on House Bill 1026."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1026 basically sets a minimum requirement annuity payable under the Teachers' Retirement System. The design of this Bill is to put a threshold of 200 dollars per month minimum survi... minimum benefit. It also extends that to surviving spouse. Originally, the Bill had a 300 dollar a month threshold set in it. We felt that the fiscal impact of that proposition was almost overwhelming at least in this time of the economic situation of the state. We have amended the Bill. The cost to the state is approximately 400,000 dollars. What this really does, what this Bill does is to treat those people who have taught for at least 15 years and gives them a thresh... a minimum threshold of at least 200 dollars a month, which is barely subsistence level. But there are people, and those people are from the ages of anywhere from 70 to 85 years of age today that earn less than that 200 dollars. So, this Bill benefits a very, very select group of people, and it gives them a very minimum subsidy or threshold in which to survive. And I ask for your positive vote on this issue."

Speaker Matijevich: "Representative Hastert has moved for the passage of House Bill 1026. On that, the Gentleman from



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Cook, Representative Terzich."

Terzich: "Yes, Representative Hastert, you are requesting that the minimum benefit be for those members who have less than 15 years service that didn't even complete 20 years of service under the pension system?"

Hastert: "I beg your pardon. I didn't hear."

Terzich: "I said that, at the present time, most of the benefits are extended to people who have been under the pension system that have at least completed at least 20 years. You are addressing to those who have only completed 15 years, and you want to apply a minimum pension benefit?"

Hastert: "Well, under the... under the pension system, if you reach the age of 65 years of age, you qualify for pension benefits. These people that we're dealing with here are people from 70 to 85 years of age."

Terzich: "I know, but this would be with only at least 15 years of service. They wouldn't have completed 20 years or anything of that nature."

Hastert: "Well, you can qualify with a period of less... I think with ten years, I think, is the qualification if you're over 65 years of age."

Terzich: "But you... I understand that. But you want this applied to people who have less than 15 years service under the pension system. You want to apply a minimum?"

Hastert: "A threshold, right, a minimal. Two-hundred dollars a month."

Terzich: "Well, even though they only served ten years under the system."

Hastert: "Yes, that's in the language of the Bill. Right."

Terzich: "Was this approved by the Pension Laws Commission?"

Hastert: "It was amended down in the Pension Committee, and we have the fiscal note on that. It says that they weren't in..."

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Terzich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the members of the Downstate Teachers' Retirement System have been continuously receiving benefits, as a matter of fact, that we have a few Bills that will substantially increase the minimum benefit as well as the post-retirement benefit. It should be noted that the members have generally received increases in their pension under the one time increase in pensions that were provided in 1980 and 1981. They also received the three percent post-retirement benefit as well. This, even though it's 400,000 dollars, we have another Bill that costs 23 million dollars for the teachers. And this is also to a limited number of people that have served under the pension system ten years, less than 20 years, which is at least a normal retirement. It creates a substantial increase from 30 dollars a month to 200 dollars a month, and it was disapproved by the Pension Laws Commission. I think it should be disapproved by the Members of the General Assembly."

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

Friedrich: "Mr. Speaker, these people are already getting a pension, and some of them are getting a hundred dollars a month or something like that. And this is a group of people who have served as teachers at a time when salaries were very, very low. If there's any deserving group that's been kind of left out in the process, it's this group. And certainly this is actually no more than they would get if they went on public aid, but I don't know why this group should be there. They are a diminishing group. Next year there will be fewer of them. The next year there will be less and so on. And in five years, they'll probably all be gone. But at least, during this time, they ought to at least have a subsistence pension."

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Speaker Matijevich: "Representative Hastert to close."

Hastert: "Well, Mr. Speaker, Ladies and Gentlemen of the House, what this Bill does, and I... it goes along with what Mr. Terzich says. It does give a threshold of 200 dollars for those people who are from 75... or a group of people from 75 to 85 years of age. When you took a three percent increase of a hundred dollars, it didn't add up to much. What we're trying to do is to give some relief to a very small group of senior citizens who did put in their time, who served this State of Illinois and really need some type of relief. One additional fact, that this will be a narrowing population. Every year, this select group, and it doesn't expand, will narrow down even to a smaller, and smaller and smaller group and disappear. I ask for your support and would like to see your 'aye' votes up on the board."

Speaker Matijevich: "Representative Hastert has moved for the passage of House Bill 1026. Those in favor signify by voting 'aye', those opposed by voting 'no'. Hurry up, Zeke. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 99 'ayes', 12 'nays', and House Bill 1026, having received the Constitutional Majority, is hereby declared passed. House Bill 1036, Jim Rea. The Clerk will read the Bill."

Clerk Leone: "House Bill 1036, a Bill for an Act to amend Sections of the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Rea on House Bill 1036."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 1036 amends the State Purchasing Act, and it provides that in-state bidder must be given preference over an out-of-state bidder if the bid of the in-state bidder is no more than five percent greater than that of the

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out-of-state bidder. This is an Illinois preference Bill, and it came to my attention whenever I realized that many of our state institutions are buying a tremendous amount of supplies out of state, and especially these institutions, correctional, mental health and so on along the border of the state. And they're going into the other states and paying as much for merchandise as they could be buying them for here in Illinois. And I feel that the ones that are doing business in Illinois are supporting our institutions, they're paying taxes and that we, in turn, should certainly provide our business there, as long as its on a competitive basis, which this Bill provides for. I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of House Bill 1036. There being no discussion, the question is, 'Shall House Bill 1036 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 85 'ayes', 19 'nays', 1 'present', and House Bill 1036, having received the Constitutional Majority, is hereby declared passed. House Bill 1048 as amended is really Terzich's Bill now. So, we will call the Bill. House Bill 1048, and Terzich will handle it."

Clerk Leone: "House Bill 1048, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich, on House Bill 1048."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1048 previously dealt with the State Police, and Amendment #1 was adopted which addresses the State Employees' Retirement System. And what it... what the

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Bill does is that it provides for a minimum survivor's annuity benefit to members of the State Employees' Retirement System in the amount of 50% of the members' earned pension at the time of death. This would apply to all survivors becoming... benefits becoming payable as a result of death during and after January 1, 1984. This provision is currently part of the survivors' benefit program and other state funded systems, primarily in the Downstate Teachers' System. The Bill provides of an impact of a first-year payout of 725,000 dollars which is a minimal amount based upon a payroll of 1.4 billion dollars. It provides equity in the survivor's benefit, and it would benefit all the employees of the State of Illinois. And I would be more than happy to answer any questions and request your approval of this..."

Speaker Matijevich: "Representative Terzich has moved for the passage of House Bill 1048. The Gentleman from Cook, Representative Cullerton."

Cullerton: "I'll defer to Representative Eastert."

Speaker Matijevich: "He doesn't have his light on, but ... Representative Bastert."

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

Speaker Matijevich: "He indicates he will."

Hastert: "I would just like to ask him, what is the Pension Laws Commission's position on this Bill?"

Terzich: "The Pension Laws Commission..."

Speaker Matijevich: "He is the Pension Laws Commission."

Terzich: "The Pension Laws Commission approved the Bill on its merits. It did not approve the Bill based upon the funding. At the time, it says that since funding... no funding is provided, the Bill would add to the deficiency in contributions that presently exist. However, this is a minimal cost based upon, like I mentioned, the payroll. It

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amounts to .026% of the payroll."

Hastert: "What is the minimum cost to the state on this?  
Dollars."

Terzich: "Seven-hundred and twenty-five thousand dollars would be  
the payout."

Hastert: "Thank you."

Terzich: "You're welcome."

Speaker Matijevich: "The question is, 'Shall House Bill 1048  
pass?'. Those in favor signify by voting 'aye', those  
opposed by voting 'no'. Have all voted? Have all voted?  
Have all voted? Have all voted who wish? Clerk will take  
the record. Someone almost pulled one on us. On this  
question there are 60 'ayes', 53 'nays', 1 voting  
'present', and House Bill 1048, having received the  
Constitutional Majority, is hereby declared passed. House  
Bill 1050, Yourell. Clerk will read the Bill."

Clerk Leone: "House Bill 1050, a Bill for an Act to amend certain  
Acts in relationship to library pension plan financing.  
Third Reading of the Bill."

Speaker Matijevich: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. Amendment #1 to this Bill is really the Bill now,  
and it provides that a tax may be levied by a municipality  
or a township in which a public library is located or by  
the Board of Trustees of a library district for the purpose  
of funding a pension plan for employees of the library or  
library district. The tax can only be levied if the  
employees do not participate in any other pension fund or  
retirement system under that Pension Code. The amount of  
the tax levy may not exceed the cost of the pension plan.  
The Bill further provides that the resolution authorizing  
the tax levy must be placed within two newspapers of  
general circulation within 15 days after adoption. The

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Bill does contain a back-door referendum for voter approval. Be happy to answer any questions."

Speaker Matijevich: "Representative Yourell has moved for the passage of House Bill 1050. The question is, 'Shall House Bill 1050 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 66 'ayes', 43 'nays', 2 voting 'present', and House Bill 1050, having received the Constitutional Majority, is hereby declared passed. 1054 is on a Special Order. Out of the record. 1056 is on a Special Order. Out of the record. 1065, Van Dwyne. Clerk will read the Bill."

Clerk Leone: "House Bill 1065, a Bill for an Act to amend Sections of the Illinois Barber Law. Third Reading."

Speaker Matijevich: "Gentleman from Hill, Representative Van Dwyne."

Van Dwyne: "Yes, thank you, Mr. Speaker and Members of the House. House Bill 1065 is very simple. It just specifically requires the Department of Registration and Education to hold barber examinations in the Department of Correction's institutions. For one reason or another in the last couple of years, they've... they've just decided that they wouldn't do that. And so Dwight Friedrich and I have sponsored this Bill in order to force them to do it. There are a lot of people who have finished their training, and the Department of Education and Registration hasn't given their exam yet. So, that's all it does, and I would appreciate an 'aye' vote. And if Dwight wants to add something to that, it's okay with me."

Speaker Matijevich: "Representative Friedrich."

Friedrich: "The barber schools is probably one of the best rehabilitation programs we have in our prisons. They've

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been operating for years satisfactorily, and I think we have an agreement with the Department, but we want to go ahead and pass the Bill in the meantime."

Speaker Matijevich: "Representative Van Dwyne has moved for the passage of House Bill 1065. The question is, 'Shall House Bill 1065 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 111 'ayes', no 'nays', and House Bill 1065, having received the Constitutional Majority, is hereby declared passed. House Bill 1067, Steczo. Clerk will read the Bill."

Clerk Leone: "House Bill 1067, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1067 amends the Revenue Act to exempt property leased to a park district for not more than a dollar per year from property tax liability. When the Bill was heard in the House Revenue Committee, we amended the Bill to include only 20 acres per park district to be used for this purpose and also accepted an Amendment to make... to be certain that this property is used for open space land. What House Bill 1067 does is addresses situations where a park district is not able to provide open space and they're rather land locked in particular areas of a community, and it allows them to get that property, that territory, to provide open spaces and recreational services to people in those areas. The low cost lease incentive that we're providing here results actually in a cost savings to the park districts and to the community as well, and I would appreciate the support of the House on House Bill 1067."

Speaker Matijevich: "Representative Steczo has moved for the



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passage of House Bill 1067. On that, the Gentleman from Macon, Representative Dunn."

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

Speaker Matijeich: "He indicates he will."

Dunn: "Who... I don't see in the Bill here. Who can lease this property? Can private owners lease their property to a park district for a dollar a year under this Bill?"

Steczo: "The private owners can, provided that it's open space land, and the... each park district is limited to a 20 acre ceiling per... that per park district."

Dunn: "Thank you, Mr. Sponsor. Mr. Speaker, to the Bill, just..."

Speaker Matijeich: "Proceed."

Dunn: "This looks, in spite of all the well meaning intentions of the Sponsor, this would, of course, afford an opportunity for someone to... to take their property, as I read this Bill, I guess, off the tax rolls by leasing it to the park district for a dollar a year. So, if you want to get into speculative business, if you have a piece of open land near... near a growing developing area, all you have to do to avoid expense while you're speculating is lease it to a park district for a dollar a year. And while the intention may be good, I question the merits of the Bill."

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

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

Speaker Matijeich: "He indicates he will."

Vinson: "Is all land owned by all park districts in the state now exempt from property tax?"

Steczo: "Representative Vinson, I believe it is."

Vinson: "Okay. I just had the impression that someone had a Bill in this year to exempt land actually owned by park districts, and I'm... that's what bothered me about it."

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But I'm not positive I'm right on that."

Steczo: "No, I think you're addressing a different situation where park districts currently own facilities such as restaurants and things, and there were certain taxes that they pay on that. That's a different situation."

Vinson: "Oh, okay. Okay."

Speaker Matijeich: "Representative Steczo to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. What we have tried to do in House Bill 1067 is something I think that's done by other units of local government. And it really is being done to address one particular problem, and that's the situation where you have a land-locked area. And that area... and that park district cannot provide services for people in their area, because there simply is no available land to provide those services. This provides an option for them to do that. We have drawn it as narrowly as we possibly can to try to stem any potential abuses of this particular program. And I think, in the long run, it will be a tax savings for people in those communities, and I would ask the support of the House in House Bill 1067."

Speaker Matijeich: "Representative Steczo has moved for the passage of House Bill 1067. 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 108 'ayes', 4 'nays', 1 voting 'present'. House Bill 1067, having received the Constitutional Majority, is hereby declared passed. 1078, O'Connell. Clerk will read the Bill."

Clerk Leone: "House Bill 1078, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijeich: "Gentleman from Cook, Representative O'Connell."

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O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1078 amends the School Code by mandating that school boards establish parent/teacher advisory committees to help develop written policies on pupil discipline. It applies only to school boards in cities having a population greater than 1,000 and less than 500,000 inhabitants. The Bill came out of the Elementary and Secondary Education Committee unanimously. It simply requires that this advisory committee be established and that written disciplinary codes be provided to parents."

Speaker Matijevich: "Representative O'Connell has moved for the passage of House Bill 1078. On that, the Gentleman from DuPage, Representative Hoffman."

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

Speaker Matijevich: "Indicates he will."

Hoffman: "Is this a mandate?"

O'Connell: "Yes, it is."

Hoffman: "Would the Sponsor care to explain the rationale behind this?"

O'Connell: "Well, it simply establishes a practice which most school districts already have in existence. It was my understanding that the ambiguity of disciplinary practices created the need that we at least establish a mandate here that all school boards have some sort of written disciplinary procedure. It... By doing so, we are not necessarily taking the discipline out of the discretion of the school board. We are simply saying that you establish a parent advisory board and establish some sort of written disciplinary procedure."

Hoffman: "Do you feel it's incumbent upon the General Assembly to interfere with local school district decision making?"

O'Connell: "I don't believe that, and that's why we create the

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parent/teacher advisory committee which establishes the discipline. We are not establishing the disciplinary procedures. We are simply saying that you establish it."

Hoffman: "We are ... We are saying that you must have an advisory board. We are telling the board that you must have an advisory board to establish a policy. And so, we are, in effect, telling them what... what we must do. And you've indicated that some school districts have already done this on... on their own. Thank you. I appreciate your comments. I thought maybe there was some particular situation in your area that... that brought this to your attention. Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to..."

Speaker Matijevich: "Proceed."

Hoffman: "... the fine Sponsor - thank you - and his intent, I would merely point out to the Members of the General Assembly that we are, in fact, placing another requirement on local school boards, the members of which, if you have listened to them when they have talked to you, have said for all practical purposes you're in the process of taking away the need for... for school boards, period. And, of course, this is another example of... of some of the things we're doing this Session, and tomorrow we'll be considering the collective bargaining legislation which, again, will mandate certain things on... on school boards. You know, I think, if we want the different levels of government to function, we need to be careful that we don't overextend the reasonable limits of... of regulation from the state. For that reason, Mr. Speaker, and for no other, I rise in opposition to this legislation."

Speaker Matijevich: "Representative Bopp."

Bopp: "Would the Sponsor yield, please?"

Speaker Matijevich: "He indicates he will."

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Ropp: "Representative, two quick questions. How will this actually improve the quality of education?"

Steczo: "Well, I think it's addressed to a knowledge on the part of the parents as to what is expected out of their children. And in that respect, I think that if there's a clearer line of communication, a clear understanding as to what will take place during the course of the school year, I think that improves the quality of education."

Ropp: "Well, Mr. Speaker, to the Bill, I think, as the speaker before the latter spoke, here's an attempt that if we pass maybe this Bill or maybe one more, that will just about take every piece of authority that a school board will have in order to administer an educational system. I don't think we need to go any further in taking away the opportunity for local control in the school district. And this, in my judgement, is an area that I really think is well taken care of. I don't think you can operate a school today without some guidelines or some direction already in operation. And now to say you shall do this, when it's pretty well understood that it is being done, is a piece of legislation that we certainly do not need to support today."

Speaker Matijevich: "Representative Topinka."

Topinka: "Mr. Speaker and Ladies and Gentlemen of the House, with all due regard to the fine Sponsor of this, whom I love to Cosponsor legislation with, my school boards, as we've talked throughout the district, keep screaming, 'Please don't send any more mandates upon us, because we just can't carry out our normal course of educational business'. Unless there's some specific reason for this, I... I can't see any purpose for having something like this, because most of these already exist on a voluntary basis. Is there a reason for this, Representative O'Connell? Is... what's

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the genesis of the Bill?"

O'Connell: "Representative Topinka, I understand that there was a problem in the Peoria area, and I don't have any specific details, but there have been certain problems. And the Peoria situation was raised to me by a newspaper man, but that was not the specific genesis for the Bill."

Topinka: "Well, I... I, personally, just still see no great particular reason, and again, with all due respect, thank you."

Speaker Matijevich: "Representative O'Connell to close."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to address..."

Speaker Matijevich: "Just one moment. Representative Tuerk, I just saw your light."

Tuerk: "Thank you. Thank you. Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Tuerk: "I didn't hear you say this, but somebody indicated that you said the Bill was a result of a particular problem in the Peoria schools. Would you respond to that?"

O'Connell: "No. The question was raised to me, was there a specific problem. And I indicated to the questioner that my understanding that there are certain specific problem areas in the state, and that there was a problem area raised to me by a newspaper man in the Peoria area. I said I did not know anything further than the question was raised to me by someone in the Peoria area, that it may be addressed with a problem that came up in Peoria."

Tuerk: "Well, to respond to that response. We've had our problems in Peoria, but they aren't of any consequence to the extent that this Bill is necessary. We do, on a voluntary basis, have this in place. They do have boards where people get together and discuss various problems, and I don't see any need for mandating this sort of action as a

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result of any particular problem we've had in Peoria on the school administrative side. I think, probably, what you have reference to is in other areas where the State Board and the school district in Peoria have been at odds, but on this particular issue, there's no need to pass this Bill as a result, so I would urge a "no" vote."

Speaker Matijevich: "Representative O'Connell to close."

O'Connell: "Thank you, Mr. Speaker. There seems to be a commonality of opposition in the remarks that have been made, and that is addressed at mandating that school systems do a certain act or conduct. We are about as far removed as mandating as you can get in legislation that we emanate out of this Body. We are simply mandating that they form a parent-teacher advisory body, which will then prepare the disciplinary codes. We aren't telling them what disciplines should be issued. We're simply saying that you should have some written guidelines. It's common sense, and we do have a certain element of responsibility, as we do have a duty to provide the funding for... the primary source of funding for state schools, which... which I believe we have not met. Put along with that duty of funding, I think we also have a certain right to ask certain things that the school boards do. And this, far from mandating that they come down with a specific set of guidelines, all we're saying is, form a teacher advisory body, and then you come up with the guidelines. I think that's about as far removed as the mandated aspect of our role as you can get. As far as the need for... of parent disciplinary guidelines, I think it's obvious. And while my area, there is no specific problem in my area, there are areas in the state that this is a problem, and I... and I think it's a good Bill, and I'd ask for your favorable Roll Call."

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Speaker Matijevich: "Representative O'Connell has moved for the passage of House Bill 1078. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Mulcahey to explain his vote."

Mulcahey: "Thank you, Mr. Speaker, to explain my vote. This is what they call another mandate, but you know by legislation of this type, it is... it's legislation whereby we're trying to create a situation that will improve the situations in the schools. To get the parents, and the school board, and the superintendent, and the principal together to try to resolve discipline problems is nothing unusual to ask. They won't do it themselves. They won't... they don't have the... the intuition to get out and do it themselves, but they say don't mandate it to us. We won't do it on our own, but don't mandate it. It's like the four day school week, all permissive, but all they do is bellyache up and down the state about they have... they have a permissive piece of legislation. You know, I'm just... John, I'm sorry, I'm going to vote against this. This is a terrible mandate that's going to take away local control, and I'm just going to vote against it, John. I'm sorry. It's a terrible Bill."

Speaker Matijevich: "Representative Nelson, did you want to explain your vote? Your light is on."

Nelson: "Yes."

Speaker Matijevich: "Proceed, Representative Nelson."

Nelson: "Just very briefly, Mr. Speaker, Members of the House, those of us who are red on this Bill do not oppose written disciplinary rules spelled out by local districts, but we are voting red because very clearly this does impose an additional mandate on local boards of education. And they are elected, and those people are bright people who know that it is necessary to have a disciplinary program for



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their schools, and I believe that they are capable of taking care of that on the local level. Thank you."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 49 'ayes', 60 'nays', one voting 'present', and House Bill 1078, having failed to receive the Constitutional Majority, is hereby declared... the Gentleman from Cook, Representative O'Connell."

O'Connell: "Could you place this on consideration post..."

Speaker Matijevich: "Leave to place House Bill 1078 on Postponed Consideration. Leave, and the Bill is on Postponed. House Bill 1079. Representative O'Connell. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1079, a Bill for an Act in relation to the powers and duties of the State Board of Pharmacy. Third Reading of the Bill."

Speaker Matijevich: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1079 is addressed to the Pharmacy Practice Act. The Bill is in response to certain problems that the Board of Pharmacy has had during the past few years. It... it... it is addressed to trying to avoid delays that have been caused while still protecting the rights of the pharmacy licensee. The Bill provides for the retention of attorney hearing officers for problem type cases. While the... the Board of Pharmacy may employ attorneys as hearing officers, it's... it's our understanding that this has not been done. This... this Bill provides that the Board of Pharmacy may employ such attorney hearing officers to be compensated by the Department of Registration and Regulation (sic Education), as are necessary to conduct such hearings. It also increases the number of investigators from seven to nine,

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which allows more flexibility in the hiring of investigators, and it also... and it does this by removing the requirement that the pharmacist investigators have three years of experience in pharmacy practice. The pharmacy coordinator is given the exclusive control over pharmacy related investigations, which will assure the development of quality cases, which will hold up before the Board of Pharmacy and also hold up on court appeal. The Bill has the support of the Illinois Pharmacists Association. It's addressed to maintain the integrity of the Board of Pharmacy and give that Board it's proper role in the investigation of violations of the Pharmacy Code. I would ask..."

Speaker Matijevich: "Representative O'Connell has moved for the passage of House Bill 1079. There being no discussion, the question is, 'Shall House Bill 1079 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, there are 101 'ayes', 10 'nays', 1 voting 'present'. House Bill 1079, having received the Constitutional Majority, is hereby declared passed. 1081, the Clerk will read the Bill."

Clerk O'Brien: "House Bill 1081, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. House Bill 1081 is a Bill that would amend the Judges Retirement System Article of the Pension Code. It would increase the amount of time served as a state's attorney that may be transferred into the Judges Retirement System. Currently, it's four years. This would extend it to eight years. There was an Amendment placed on the Bill which would also include the

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public defender. The... it should be pointed out that the Bill is addressed to the state's attorney of the county and does not include assistant state's attorneys. Presently, we have in... we have noted that the incentives for obtaining qualified state's attorneys has not been there. Pay limitations are a fact of political life, as we all know; and therefore, it's incumbent upon us to find other incentives to attain a quality state's attorneys. It's interesting to note that there's only one state's attorney in the State of Illinois who is in his third term. I think this Bill is a modest one and is a logical step for state's attorney as the chief attorney of a county to make the move to the judicial branch, and this is one element which will help that."

Speaker Matijevich: "Representative O'Connell has moved for the passage of House Bill 1081. The Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, again, this Bill was reviewed by the Pension Laws Commission, which was disapproved. And one of the reasons for it is that the judges system basically is used to be... should be used simply for services performed as a judge. And the... the board felt that there was no reason could be seen for expanding on this provision at the present time. Credit under this retirement system should be limited to judicial services. At the present time, they do have a transferred four years. This simply expands it again for nonjudicial time, and under those provisions, it's a... it's simply a special interest; and therefore, the Commission disapproved the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Bill. I would point

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out that the Bill has been amended, House Amendment #1, and that what Amendment #1 did was to make public defenders' time eligible for the judicial retirement system as well. Pretty soon, we're going to be wa... putting everybody into the Judges Retirement System. And I would also make the point that it has not been unknown for Members of this House to resign or to fail to run again in order to become state's attorneys, because of the attractiveness of the salary. And for those reasons, I would rise in opposition to House Bill 1081."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. We can, right now, as Members of the General Assembly transfer our time served in the General Assembly to the judicial retirement system, and it seems to me an incongruity if we forbid state's attorneys. There are state's attorneys in each of the hundred and two counties, and these people run for office. They... they put their careers very much on the line, having to give up law practices in order to be state's attorneys, and law practices don't sit out waiting for... clients don't sit there waiting for you to return. And if somebody, after serving for eight years as a state's attorney of Cook County, for example, wants to ascend to the bench, there should be no reason in the world why that person shouldn't be able to transfer his time toward his judicial retirement. And the same applies to every other county. I think it's a good Bill."

Speaker Matijevich: "Representative O'Connell to close."

O'Connell: "Thank you, Mr. Speaker. Just in closing, I would again point out that the... a number of state's attorneys, qualified state's attorneys, remaining in that role is

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diminished significantly. There's only one state's attorney in this entire state that's in his third term. I don't think that the General Assembly would be void of its responsibility in trying to find some other incentive to keep our state's attorneys in their roles, as long as they're productive. As far as the comment that was made that, it's not unheard of of a Legislator resigning from this Body to go into the role of a state's attorney, I would question that. At least in this modern age, since Oliver Wendall Holmes ascended to the Supreme Court, I can't think of any Legislator that has resigned from this Body to avoid going into the practice of law or going straight to a judgeship, and it... other than state's attorney of Cook County, who went into that role of state's attorney. I would submit that we need an incentive, and I would submit that this is a limited one. That it is imposing a very small degree of burden on the Judges Pension Fund, and it, furthermore, it would provide the necessary incentive to keep qualified state's attorneys and bring them to a very rational move to the judicial..."

Speaker Matijevich: "Representative O'Connell has moved for the passage of House Bill 1081. 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 67 voting 'aye', 45 voting 'no', 1 voting 'present', and House Bill 1081, having received a Constitutional Majority, is hereby declared passed. House Bill 1086. Pierce. Clerk will read the Bill."

Clerk O'Brien: "House Bill 1086, a Bill for an Act to amend the Illinois Food, Drug, and Cosmetic Act. Third Reading of the..."

Speaker Matijevich: "The Gentleman from Lake, Representative

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Pierce."

Pierce: "I'd like leave, Mr. Speaker, to bring the Bill back to Second. Leave for an Amendment."

Speaker Matijevich: "The Gentleman asks leave to return House Bill 1086 to the Order of Second Reading for the purpose of an Amendment. Does he have leave? He has leave, and the Bill is on Second Reading."

Clerk O'Brien: "Amendment #1, Pierce."

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

Pierce: "Amendment #1 limits the Bill. It takes care of some of the concerns that some Members had in the Human Services Committee by limiting the Bill strictly to sale of unwrapped candy, dried fruit, or shelled nuts. So we take out any worry that it would... it would cover fruits, vegetables, meats, and other things. This makes the Bill more restrictive in its application, and I believe makes it more palatable to the few people that had doubts about it in Committee. I, therefore, urge the adoption of Amendment #1 to House Bill 1086."

Speaker Matijevich: "Representative Pierce moves for the adoption of Amendment #1. The... Representative Van Duynes, you have your light on. Are you seeking recognition?"

Van Duynes: "Mr. Speaker, I was seeking recognition on the last Bill, and I was just standing here, just won... just wondering how long it was going to take you..."

Speaker Matijevich: "I just saw it now."

Van Duynes: "I've been here nine years. I ought to be at least be able to open my... I'm not very smart, and I'm not very eloquent speaker, but at least, I should have the same right as everybody else, when I want to talk to be able to say something."

Speaker Matijevich: "I... I call you every time I see you. We

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passed your good barber Bill, didn't we? Let the record show that Representative Krska is now in attendance. His key has been returned to him, and he has signed the appropriate form. Representative Fierce moves for the adoption of Amendment #1. Those in favor say... Representative Klemm."

Klemm: "Will the speaker yield?"

Speaker Matijevich: "Indicates he will."

Klemm: "Representative Fierce, what is the legislative intent concerning foods that are served in restaurants, cafeterias, and that type of operation? Do they have to individually be covered, and everything else that's served? I'd just for the record like to know."

Pierce: "No. The Bill doesn't... the Bill doesn't in any way effect cooked or prepared foods. It... it only... it only protects displayed foods in groceries."

Klemm: "All right, because our analysis does say that. That interpretation could be there, and I just wanted legislative intent. That is not your intent in this Bill."

Pierce: "No. The intent is only sold in grocery stores and not in... not anything that's been washed, shelled, cooked, and so on. And now Amendment #1 limits it even further and makes it clear that I'm only applying to these three items as mentioned in Amendment in #1."

Klemm: "Right. Thank you."

Speaker Matijevich: "Representative Topinka."

Topinka: "Yes, Mr. Chairman, Ladies and Gentlemen of the House and to Representative Pierce, if I might ask, does this in any way touch on to things like spices, or coffee, coffee beans, things of this sort that are sold now by a scooping type method?"

Pierce: "No. Coffee... Amendment #1 makes it clear that coffee beans and spices are... are not within the Bill. We limit

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now strictly to candy, shelled nuts, and dried fruit."

Topinka: "Is my understanding correct that basically a candy manufacturer is seeking this... this legislation?"

Pierce: "The law firm of Sidley and Austin is the one that... that sent... gave me the Bill."

Topinka: "All right. Let me ask you this too. Is it... is... would it be considered true that basically this candy manufacturer could provide the type of dispenser that puts out these kind of little bagged goodies without the passage of this law. Is that correct? Right now they can do that, if they choose."

Pierce: "Anyone... anyone could do it now. The problem is they don't, and children are taking candy, put it in their mouth, put it back in, and so on, and so forth, and then you come along and you get something that's already been chewed over, touched, blow their nose on, and so on, and so forth. It's a public health Bill."

Topinka: "Great way of explaining it. Would this affect like a little ma and pa store that might be selling like horehounds or things like this that's fairly... fairly customary?"

Pierce: "Yeah, it would affect... it would affect every store. That's right."

Topinka: "Okay. Thank you very much."

Speaker Matijevich: "Representative Ropp."

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

Speaker Matijevich: "He indicates he will. Representative Klemm, your light's still on."

Ropp: "Would... would this increase the cost in any way to potential consumers?"

Speaker Matijevich: "Representative Pierce."

Pierce: "I understand not, because the display cases are basically provided to the stores free of charge."



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Ropp: "Okay. Thank you."

Speaker Matijevich: "Representative Fierce has moved for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. The Gentleman from Lake, Representative Fierce."

Pierce: "Mr... Mr. Speaker, because we may not get back to this, may I have leave to have the Bill heard..."

Speaker Matijevich: "The Gentleman asks leave for the immediate consideration of House Bill 1086. Does he have leave? Leave. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1086, a Bill for an Act to amend Sections of the Illinois Food, Drug, and Cosmetic Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Fierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, we had some discussion a minute ago, I think because people thought we were on... on Third, when I went back to Second for a minute, so many of the questions have been answered. The points raised by the Lady from Cook, I think have been pretty well answered by Amendment #1. There were some... there were some doubts in Committee. I know the Chairman, Chairman White, in the Committee wanted the Bill further limited. That's why we introduced Amendment #1. He has now spoken to me and told me with Amendment #1 House Bill 1086 as amended is perfectly acceptable to him. He's in support of the Bill. He's in favor of the Bill. I understand the same is true, I've been informed, of Representative Braun, who had some doubts in Committee, as well. What the Bill seeks to do is protect the public health of all of us, especially young people, where candy

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is exposed in bulk in stores, sold in bulk, the same with shelled nuts and dried fruit, where people can stick their hands in, look at it, put it back, even put it in their mouth, not... not like the taste of it, throw it back in, then you and I come along. There are dispensers that are safe where you hit the dispenser. The candy comes down, and then you purchase it. I don't think people should go through stores anymore tasting candy before they buy it, and if they don't like it, dropping it back in. I understand a great majority of our states have this either by regulation of their departments of public health or by statute, and I urge the passage of House Bill 1086."

Speaker Matijevich: "Representative Pierce has moved for the passage of House Bill 1086. No one, including Van Duyne, is seeking recognition, so the question is, 'Shall House Bill 1086 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 82 'ayes', 27 'nays', 1 voting 'present'. House Bill 1086, having received the Constitutional Majority, is hereby declared passed. House Bill 1092. Braun. Braun. Carol Braun. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1092, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Carol Braun, in the middle of dinner."

Braun: "Can I just have one moment, please, Mr. Speaker?"

Speaker Matijevich: "All right. We'll... we'll... leave of the House. We'll return to that Bill immediately. We'll call House... you want to call another Bill? Is that what you're saying?"

Braun: "Oh, yes, I'm ready to go with it."

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Speaker Matijevich: "She's ready to go. Proceed, Representative Braun."

Braun: "Thank you. Sorry. Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1095 (sic - 1092) makes a small but essential change..."

Speaker Matijevich: "10... 1092."

Braun: "1092, I'm sorry."

Speaker Matijevich: "All right."

Braun: "It's early. 1092 makes a small but essential change in the School Code. What it does is, it reduces the penalty of reduction of state aid for school districts which have not... in... in where children have not been immunized to the ninety percent requirement that is now in the law. It does not... it allows for and continues immunization. The schools will continue to keep the records regarding immunization. It will continue the program, but it puts the onus of seeing to it that your children are immunized on the parents as opposed to the school districts. It is, after all, a parents responsibility to see to this. If a parent does not have his or her child immunized, that child will not be allowed in school, and the parent will be subject to liability for truancy, as opposed to taking the money out of the school district itself. This Bill had a very favorable hearing in Committee, and I... I encourage... and a good vote out of Committee. I encourage your 'aye' vote."

Speaker Matijevich: "Representative Braun has moved for the passage of House Bill 1092. The Gentleman from DuPage, Representative Hoffman."

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

Speaker Matijevich: "She indicates she will."

Hoffman: "The... you're suggesting that the reduction in state

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aid be eliminated or is it postponed to a certain time? In other words, rather... giving them an extension to do it?"

Braun: "No, Sir. The state aid elimination, the state aid will not become a hammer, will not be a penalty in this situation anymore. It shifts the penalty from the school districts themselves to the parents with regard to the immunization. The school district still has to provide and be in compliance in terms of filing the necessary papers and reports with the State Board. That requirement is still in the law. But with regard to just the physical fact of having the child immunized, it now puts the burden on the parent as opposed to the school administrators."

Hoffman: "And what is the penalty for the parent?"

Braun: "The parent, actually believe it or not, the penalty is still in the law. It's kind of an interesting situation. The parent is subject to a finding of truancy, a contributing to truancy, and I believe that's a Class B misdemeanor. But that's already in the law. This Bill does not affect that."

Hoffman: "And the student will be allowed to continue in school?"

Braun: "No, Sir. If the child is not immunized, the child is not allowed in school."

Hoffman: "Will the child be continued to be counted in average daily attendance even though he's not present?"

Braun: "The child will... the child who is not allowed in school for purposes of failing to be immunized is not counted in average daily attendance to my understanding."

Hoffman: "So your understanding is that... that that child will not be counted in average daily attendance."

Braun: "Right. Right."

Hoffman: "All right. Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I appreciate the problem that

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the Sponsor brings to our attention particularly in the school district which... which she represents. When this legislation originally went into effect, I had serious reservations about whether the school district ought to be penalized and being put in a position in a sense of enforcing legislation which... or a program which was really, in my judgment, a public... a public health program. As long as the person is not in school and not threatening, in a sense, the children who have gone through the immunization program, I think this Bill is well drawn and should be supported."

Speaker Matijevich: "Representative Satterthwaite, the Lady from Champaign."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I don't share the confidence of the previous speaker that we will, in fact, have a viable program of immunization unless the school districts have some responsibility for bringing the parents and the students into compliance. We've found before that even though there was the requirement for immunization, in fact, it did not happen until there was some threat of withdrawal of funds, if the district did not help to see that the law was complied with. My concern is that by this change we will again slide back to the point where children are not being immunized. We will then either have more truants on the street, who are not being educated at all, or in fact, we will have them attending class without the immunization. I don't think either of those alternatives are good, and I am not going to support the legislation."

Speaker Matijevich: "The Lady from Cook, Representative... are you through Helen? The Lady from Cook, Representative Braun to close."

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

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House. As Representative Hoffman rightly pointed out, this is a public health problem. This Bill came about, for Representative Satterthwaite's information, this Bill came about because of a senior citizen in my area who had been involved in starting the immunization program for the entire state fifty years ago. I'm exaggerating, but it's been a long time. And she was concerned about the spector of every year the school districts being in jeopardy of losing funding because the immunization program was lagging behind, because parents were not living up to their responsibilities under the law. All this Bill says is that the parents should live up his or her responsibility under the law to see to that his child is immunized. The schools will still be supportive of that. The schools will still have to keep the records regarding that, but this will see to it that we don't have the spector that we go through every year in the State of Illinois in watching the burden be put in the wrong place on the school districts with regard to this public health program. I encourage your favorable vote."

Speaker Matijevich: "The Lady from Cook, Representative Braun, has moved for the passage of House Bill 1092. The question is, 'Shall House Bill 1092 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who quish... who wish? The Clerk will take the record. On this question, there are 77 'ayes', 32 'nays', 4 voting 'present', and House Bill 1092, having received a Constitutional Majority, is hereby declared passed. The hour of 11 o'clock having now arrived we are on the Special Order of Business, the subject matter, Economic Recovery. The first Bill on the Order of Economic Recovery is House Bill 312. The Clerk will read the Bill."

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Clerk O'Brien: "House Bill 312, a Bill for an Act relating to the employment of economically disadvantaged high school students in an area of high unemployment. Third Reading of the Bill."

Speaker Matijevich: "Representative Taylor, from Cook, on House Bill 312."

Taylor: "Thank you, Mr. Speaker and Members of the House. House Bill 312 is a work-study program that has been around here for the last three or four terms. It's been to the Governor's Office once and vetoed. But House Bill 312 is an Act today in relationship to the employment and economic disadvantaged high school students in the areas of high unemployment. The problem area where unemployment is twelve percent or more, or the work force is unemployed, as determined by the U.S. Department of Labor or the... Department of Labor of the State of Illinois. Students must be at least sixteen years of age, the full-time high school student, as determined by the student's school district. The school districts reimburse the business community, service organization, or municipal organization for one-half of the service of the students, not to exceed two dollars and fifty cents per hour for the first six months. The students shall be employed for more than... not more than twenty hours per week. The school districts will establish guidelines to carry out the program. The economically disadvantaged high school student employment fund pays for the... pays to the State of Illinois pursuant to Section 123 of Section 202 of the Federal Government Guidelines Partnership Act, "... shall be deposited into this fund along with any and all matching funds appropriated from the General Revenue Funds. The Governor, through the State Superintendent of Education, shall ensure that no more than twenty percent of the available funds in

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the Economic Disadvantaged High School Student Employment Fund shall be spent for their administrate... this Act.' Mr. Speaker and Members of this House, this is a good Bill. It's good for the young people of our society, and all the areas of high unemployment. It's acceptable, and I solicit your support for House Bill 312."

Speaker Matijevich: "Representative Taylor has moved for the passage of House Bill 312. The Gentlemen from Winnebago, Representative Mulcahey."

Mulcahey: "To question the Sponsor?"

Speaker Matijevich: "Indicates he'll yield."

Mulcahey: "Representative Taylor, how many... how many school districts do you feel throughout the State of Illinois that are going to be... going to be affected by this Bill? How... how many school districts would... would be affected if this Bill were to pass?"

Taylor: "Well, I could not tell you how many school districts, but those areas where there are more than twelve percent unemployment. That area would be affected by it."

Mulcahey: "Do you have any idea what... what... how many of those areas we have throughout the state?"

Taylor: "Well, I know in Bockford, at one point, it was at twenty-one percent. In Decatur, I think it was twenty-two percent, east St. Louis and that area, twelve and a half percent, in Chicago, Illinois, twelve point two percent. So there are numbers of areas throughout the state that would be affected by this legislation."

Mulcahey: "Okay. Who sets up this program?"

Taylor: "The State Superintendent of Public Instruction."

Mulcahey: "Okay. And what... is... is there a cost involved in this?"

Taylor: "Well, yes, what I am seeking is a two million dollars appropriation, but there is matching money that will come



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from the Federal Government, who would bring this Bill into about twenty millions dollars."

Mulcahey: "Okay. And is... twenty millions dollars, and how much is state... state monies will be involved in this?"

Taylor: "Well, right now, I'm asking for two million."

Mulcahey: "Thank you."

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

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

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

Hoffman: "You're seeking an appropriation of two million dollars, and what did you say about federal money?"

Speaker Matijevich: "Representative Taylor."

Taylor: "Whatever federal money that we can get through the Job Partnership program under the block grant system, I am seeking two million in my appropriation Bill, but actually is calling for matching funds for whatever fund we can get in order to implement this program."

Hoffman: "What is the source again of the federal funds. Is it from the... are you suggesting that this is from the Job Training Partnership Act Fund?"

Taylor: "It... it is specifically would set aside for this type of program on the Job Partnership Program."

Hoffman: "Through the which program?"

Taylor: "The Job Partnership Act."

Hoffman: "The Job Partnership Training Program?"

Taylor: "Right."

Hoffman: "Have you discussed this with the Job Training Partnership Act Council that has been set up?"

Taylor: "No, I have not."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, as a Member of the Job Training Partnership Act Council, as the

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designee to the Secretary to the Department of Labor by the National Conference of State Legislators, to initially set on the advisory council for the Secretary to the United States Department of Labor, I would suggest to you that the hopes of obtaining an eighteen million dollar grant to go along with the two million dollar appropriation that's included in this is at best highly unlikely. I would point out that we currently have no such work-study program now funded directly by... by state money, although the HITS program that we have now through the adult ed program is somewhat vaguely similar, but it's... it's significantly different. To suggest that the state should come in and pay half of somebody's wages is to presume something that we've learned that did not work well when we got into the CETA program. We ended up spending more money for income maintenance than we did... than we did for training. If... if there is high unemployment, they use the twelve percent cutoff. Let's say you're at twelve point two and you drop to eleven point two. Then what happens to your program? Do you, once you're at twelve percent or better, you're forever in the program? Not only is there a cost to the state, but the direction of the program, I think, is... is not particularly clear, and I would rise in opposition to House Bill 312."

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

Piel: "Thank you, Mr. Speaker. Ladies and Gentleman of the House, I would ask all Members to look at this Bill very closely. There's some problems with the Bill as it comes out. There's drafting problems and potential constitutional problems, as I see the Bill. We have a situa... excuse me... a situ... We have a situation with this Bill, you know, what we're doing, we're sitting here

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telling the school districts, 'Okay, you're going to be paying out of school funds to have schools work... or to have students work in private business.' You're coming to a fine line as far as the constitutionality whether these school districts can pay private business, the taxing district paying private business. I think we've also got another situation, as far as I think it's a mis... a misdrafting of the Bill. One area of the Bill says that these... these funds are going to be paid, or these... these approp... appropriations are going to be received by the State Superintendent of Education. Well, that's sort of an unusual situation here in Illinois, because, you know, instead they should be going to the State Board of Education, not the State Superintendent of Education. And another question would come up as far as what happens if a specific school district is hiring out a lot of students, if this were to pass, which I don't think it will, but if it were to pass, and a lot of students are being hired from a specific school district, and all of a sudden the school district, their unemployment rate drops below twelve percent. A lot of these questions are not answered in the Bill. The Bill is very vague, and I would ask the Members of the House to look at this very, very closely and cast a 'no' vote on House Bill 312."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijevich: "The Gentleman has moved the previous question. The question, 'Shall the main question be put?' Those in favor say 'aye', those opposed 'no', and the main question is put. Representative Taylor to close."

Taylor: "Thank you very much, Mr. Speaker and Members of the House. The last Speaker said this Bill will not pass. I'm

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hoping that it will pass for the good of the people in the unemployed areas of this state. Representative Hoffman, apparently misunderstood what the Bill did in terms of the matching fund. It's dollar for dollar, whatever we can generate, whatever source we can generate that money from, and the matching fund is important in this particular legislation. I think that this is a good Bill. There isn't any technical problem that is involved in this problem... in this Bill today. I would have no problem of amending the Bill in the Senate, in order to comply with the constitutionality of this particular legislation. But I do think that it is something that is needed. The time is now, and we should not wait any longer. I think that this is a good Bill, and it should be passed, and I seek your 'aye' vote for House Bill 412 (sic - 312)."

Speaker Matijevich: "Representative Taylor has moved for the passage of House Bill 312. The question is, 'Shall House Bill 312 pass?' Those in favor signify by voting 'aye'. Those opposed by voting 'no'. Have all voted? The Gentleman from Cook, Representative Huff, to explain his vote."

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

Speaker Matijevich: "Representative Nelson to explain her vote."

Nelson: "Thank you, Mr. Speaker, Members of the House. I would encourage some of those green lights up there to look again at their staff analysis and to realize that this Bill is a direct subsidy for businesses. It will not do, in my judgment, what the Sponsor intends, to help out students in areas of high unemployment, but it will instead subsidize businesses. And I would urge 'no' votes on House Bill 312."

Speaker Matijevich: "The Gentleman from Cook, Representative McGann. One minute to explain his vote."

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McGann: "Thank you, Mr. Speaker and Members of the Assembly. We have heard a lot of rhetoric in opposition to this Bill, and the preparation of the same. Here we have a fine Legislator trying to help our needy youth. Other Legislators may talk, but come up with no great solution to this problem of high unemployment for our youth. True, we've had other programs that have not worked as well. Someone has to start. This Legislator has. I think we should have quite a few more green votes on that board. Thank you, Mr. Speaker."

Speaker Matijevich: "Representative Winchester. One minute to explain his vote."

Winchester: "Well, very quickly, Mr. Speaker, I think you should have said, all those in favor for a tax increase vote 'aye', all those opposed vote 'no'."

Speaker Matijevich: "I'll... I'll handle the podium, Bob. Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 50 voting 'nay', 1 voting 'present', and House Bill 312, having received the Constitutional Majority, is hereby declared passed. House Bill 1056. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1056, a Bill for an Act in relation to the reduced interest home mortgage fund. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle, on 1056."

Stuffle: "Yes, Mr. Speaker and Members of the House, I know that every Member of the House has received considerable letters and telephone calls regarding this Bill. And frankly, at the outset, let me say this about the Bill. I realize that what it does with regard to investment of pension funds, public pension funds, is opposed by a number of entities and people on philosophical grounds. I understand that

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opposition, but I hope that the testimony on the Bill today, the input by the Members would indicate that, in fact, much of the information you have received in opposition is not based upon sound guidance. And, in fact, including those letters that I've been receiving and calls, most of the people that are calling you are misinformed about what the Bill does. There's been more misinformation, I think, put out on this Bill, in opposition to it than any of the over two hundred Bills I've ever handled on this House floor. I think you know that I would not attempt, and never have attempted, to take pension money for any purpose that wasn't a valid one and wasn't for the benefit of the pension funds and the public as a whole. I've stood on this floor forty-eight different times in passing pension Bills for these various systems, and stood here to argue against taking away funds, and not putting back assets, and not giving a decent return to systems. Let me simply say, at the outset, prior to closing later, that this Bill provides for a one shot investment of state pension funds in a low interest mortgage investment program. That program is one hundred percent secured and one hundred percent insured by the provisions of the Bill. Now you've been told, and I know it from looking right down my own row here, by certain interest groups and individuals who are opposed to the Bill, a number of things in opposition to the Bill that simply aren't true. And I would briefly touch on those in opening. Some people have told me that they've been told, and I know it to be true from letters and calls too, that this Bill would allow money to go into out-of-state banks and into the hands of out-of-state residents for mortgage purposes. That simply is not true, and the Bill bears that out. They've been told that there's no insurance program

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in the Bill. That's untrue. It's a one hundred percent insured investment. One hundred percent secured as well, in the provisions of the Bill, and there's no question about that whatsoever. You've been told that there's no guaranteed rate of return or that the rate of return is substandard. I submit to you that the rate of return pegged at minimum is greater than the average yield that they've been receiving in these funds, and that there is a pegged rate of return. You've been told that there's no benefit to the annuitants and members to the systems. That's clearly untrue. Preference is given to them in the making of loans in every case. We're told by some, and I've been told this in at least three phone calls this week, that we're again taking money from the teachers and the old people, but we're not attempting to take money from the legislative funds or the judicial funds. That's simply untrue, and we're not taking money at all without return. You've been told no one's for the Bill, and I submit to you there are many people many people for the Bill. The Home Builders are for the Bill. Thirty-two counties in this state have never had a housing start since 1980 in a single family dwelling. Virtually no one is having any increase in home building. This Bill will provide money for roughly seventeen thousand construction jobs, and eight thousand housing starts in this state, initially. I think that, best now to answer to your questions and point out to you simply again that most of the information you've received about this Bill, and I've received, simply is inaccurate. I hesitate to say that the big lie technique's been used, but it's come awfully close to that with regard to the effort to defeat this Bill. And I'll be happy to answer questions and appreciate an affirmative Roll Call."

Speaker Matijevich: "Representative Stuffle has moved for the

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passage of House Bill 1056. On that, the Gentleman from Cook, Representative Greiman."

Greiman: "Well, Mr... I thought I would close... close, perhaps, I'm the hyphenated Cosponsor."

Speaker Matijevich: "Oh, you're going to... you're going to close. The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I'd just like to address myself to the Bill, and... and for the record, I'd just like to look at the Constitution Article 13, Section V, talking about pension and retirement rights. And I'll read it. It's very brief. It says, 'Membership in any pension or retirement system of the state, any unit of local government or school district, or any agency or instrumentality, thereof, shall be an enforceable contractual relationship, the benefits of which shall not be diminished or impaired.' I emphasized that word diminished or impaired, or those two words, especially impaired. This Bill, to me, could very well, in spite of what the Sponsor has said with the built in guarantees and so forth, could impair those pension benefits. Now, we all know that we had House Bill, an Amendment to House Bill 2290, sponsored by Speaker Madigan, that took forty million, takes forty million out of the pension funds, and I think we're talking about a hundred and fifty million dollars here. And when you look back at that word impair funds and going back to the legislation that we passed in the last Session, talking about the prudent person, which in view of the times and the high interest rate and... and opened up the latitude how these funds could be used. This is just not unique to the State of Illinois. All the money that is available, the reservoir of money, in both the public and the private pension systems throughout this country in the federal level are the only dollars that are



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available. And to me, when we here in Illinois with the fiscal crisis we have, we know that the percent level of the employer contributions to the system right now, all these systems, is not sufficient to meet the... the current funding requirements. And it's not likely in the immediate future that those dollars will be there. And we're going to be having to look at legislation in the future in which we might have to increase the employee contributions to cover all of those Bills that we're sending out of here that cost millions and millions of dollars in the future. And how can we, using that as a premise, which is going to have to happen, to cover those benefits in the future, how can we stand by here and take pension dollars out of these systems for investment, no matter what the guarantee is? What you're really saying is to the employees, 'We're going to have you finance all these different programs'. This is one, probably, in a long line in the future of proposals which we all know we need economic stability, and looking for the jobs, and creation of jobs, but this is not the route to go. And as far as I'm concerned, I think the... the thrust, and the concept, and the legislation is well meaning. It has a fine Sponsor, but to me it's the wrong route to chose to... to get the money. I... I just think that we're going to be looking at a tax increase in the future, and perhaps, there will be a dollars available for use with this concept and this type of a concept for the future. I just think that this Bill, when you talk about pension funds, it'd be the first step for this state. I think that we're establishing a very, very dangerous precedent, and that this Bill, we ought to give it a red vote, soundly defeat it, and reassess our position after we've voted on the tax proposals that will be forthcoming within the next few day."

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

Terzich: "Yes, Mr. Speaker, again, I oppose this Bill, as well. This Bill was also brought before the Pension Laws Commission, and I might mention the fact that the State Board of Investments just recently invested fifty million dollars in state mortgage money to be made available for home building in the State of Illinois. But in the same sense that the raid on the pension funds, that it is the fiduciaries responsibility to get the maximum return on any investment. This would be, I believe, contrary to that theory that the Board of Trustees of the pension system would not be prudently investing the money and would be doing a disservice to the members of the pension system. The Illinois Study Commission on Public Pension Investment Policies was established by Governor Thompson in 1981 to review investment policies and practices of the state retirement system. And one of the recommendations included the Commission's final report released in March of 1982 that was when considering the appropriateness of any given investment the fiduciary should only accept the lower rate of return for a level of risk and not for any other purpose. And this is seen... would be contrary to the Commission's recommendation. The cost aspects are somewhat... would result in a somewhat lower rate of return of the assets to the State Board of Investments. And I don't believe that they should be getting into the mortgage area. As I mentioned before that the State Board of Investments just recently did adopt a fifty million dollar dispersement for home building in the State of Illinois, and I don't believe that the General Assembly should start going in and start dictating where pension funds should be going into. And there's enough raids on the systems at the

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present time, and I would urge a 'no' vote."

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

Birkinbine: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I understand it, this Bill guarantees a minimum of seven point five percent rate of return, and on a slip handed out here by the realtors, their staff indicates that the average rate of return on all investments made by the State Board of Investments was only four point eight percent. Well, that sounds very good, but included in that are some, frankly, very well invested pension funds, for example, the teachers. The teachers have been getting a return of about ten percent on their investment. I have had trouble with the IEA on some of their Bills, but on this one they are absolutely right. It is not fair to take teachers' investments and say, we're going to use it elsewhere and give you only three quarters of what you've been able to get in the past. That is just not right. It's not fair. It should not be done. Obviously to get an average like this, there must be some pension funds that have been poorly invested in the past. If you wish to do something like this, go after those particular funds and help them out. But don't take a fund like the teachers and say, 'Sorry, gang, but we're going to give you only three quarters of what you've been able to get up until now.' It's not right, and we should not be a party to it. I would advise a 'no' vote."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijevich: "Mr. Flinn has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'no'. The main question is

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put. Representative Greiman, from Cook, to close."

Greiman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have twenty-two hundred and ninety some Bills that have been introduced in the House of Representatives this year. This Bill, of them all, that I can see, has been beautifully crafted by the principal Sponsor, Representative Stuffle, and the staff, and the Reference Bureau. So tight, so clear in its goal, that it would be a shame to have this Bill not pass. The Bill has every conceivable safeguard. You know, I listened to the Gentleman from DeKalb give the... almost... a rote speech that people get up. The Gentleman from Cook who heads the Pension Laws Commission gave that little speech, you know, about impairment. We're going to impair it. The truth of the matter is that we have eight billion dollars in the pension funds, eight billion dollars. This Bill calls for the use of a hundred and fifty million or so for guaranteed mortgage loans, not... not some helter-skelter investment; single family, single family homes, mortgages on single family homes to be administered by the financial community. Not to use hundred and twenty percent loan, but to use normal lending procedures. Do you not trust the banks and savings and loans of Illinois? Do you not believe in the sacredness of the land of Illinois? Thirty-two counties that you represent, thirty-two counties have had not a single building start for... for single family residences since 1980. I don't know who represents Clark County or Jersey County, or Mason, or Pope, or Schuyler. I don't know. I don't want to know really, but I tell you that those counties have had not a single housing start since 1980. This will generate that kind of start. This will help the construct trades in Illinois. This will help the financial community in Illinois, and who will it hurt? It

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will hurt no one. As a matter of fact, written into this Bill is a preference to annuitance, a preference to members of the system in getting mortgage money, and a narrowing of only Illinois borrowers. This Bill is... is... this Bill that we should... this Bill should have a hundred and eighteen people on it. Taking away all the hollering and all the hysteria, and the Big Apple, and New York, and all that stuff, this Bill is so narrowly draw, so tightly drawn that the... if we trust the judgment of... any kind of judgment of financial community, if we have any belief in single family dwellings for Americans, for Illinoisians, then this Bill should pass. If we care whether workers are working, then this Bill should pass. If we care whether the people who bring in the materials and who create the building materials, then this Bill should pass. This is not an irresponsible use of pension funds. Now, I've stood on this floor, as recently as yesterday, and fought for the... the good fight, I think, for the teachers. And I listen to the teachers, and teachers' unions are fine. They're nice folks, and I'm often their ally, but they're often wrong. And they're wrong this time. They're dead wrong in this Bill, and I'm going to not... and I'm going to not vote with the teachers on this Bill. And what are they going to do? They're wrong, and I'm telling them they're wrong. This is a good Bill. I support it. It should have a hundred eighteen votes."

Speaker Matijevich: "Representative Stuffle and Greiman have moved for the passage of 1056. Those in favor signify by voting 'aye', those opposed by voting 'no'. We have a number who want to explain their vote. I would ask them to hold it to a minute. I'm not going to put the timer, but hold it to a minute under the rules. The Gentleman from Living, Representa... Livingston, Representative Ewing, to

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explain his vote. One minute."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, if you list... listened to the dramatic close on the Sponsor of this Bill, you would think that this was motherhood and apple pie. We have been listening to that for so many years, and this state's in deep trouble. Listen to it again, and we'll just deepen that hole, dig it deeper. Really, I'm glad to see all those red votes up there. We won't take a lot more... our explanation vote. Thank you."

Speaker Matijevich: "Representative from Cook, Representative Turner, one minute to explain his vote."

Turner: "Thank you, Mr. Speaker. And I'm not quite clear on all of the... the way pension funds are handled, but there are a couple things about this Bill that I feel are very important. And one is, there's no set aside for re... rehab money in the City of Chicago, not necessarily the City of Chicago, but there's no money set aside for rehab. And in the City, we're not building single family dwellings as... as the distinguished colleague of mine mentioned, there's probably no single family dwellings have been built throughout the entire state. But in the City of Chicago our concern is a little different. True, there... is a need for housing, but rehab is of great concern. And because of the fact that there is no money set aside for rehab, I'm voting 'no' on this Bill."

Speaker Matijevich: "The Gentleman from Morgan, turn his... the Gentleman from... Representative Hastert, from Kendall, a minute to explain his vote."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, just to explain my vote, I think the red votes tell the story up there. But if you have to go home, and if you've voted on other teacher Bills and pension Bills, and you have to go home, and you have to face those retired teachers and those

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people what they perceive this Bill to be, you'll put more red votes up there. And I encourage a few more."

Speaker Matijevich: "Representative from Macon, Representative Dunn, a minute to explain his vote."

Dunn: "Thank you very much, Mr. Speaker. All I'd like to do is make sure I get a Roll Call, so I can take it home to the realtors, and to the home builders, people living in apartments, who'd like to buy a home, potential retirees, who have preference under this system, who'd like to buy a home so that when they retire they have a place to live, and to remind people that the red votes up here have at least a mild conflict of interest because they're being overly protective about their own retirement fund, the General Assembly retirement fund, which is in this Bill. This is a good business vote. With the climate of the State of Illinois, it would help us get back in the construction industry, which provides housing, and provides jobs, and provides opportunity for people that don't have it. The loans are guaranteed one hundred percent. In the event of default, they'll be fully repaid. There's absolutely no reason to vote against this Bill. It's one of the best Bills of the Session, and anybody who doesn't vote green is making a very serious error."

Speaker Matijevich: "The Gentleman from Cook, Representative Huff to explain his vote. One minute."

Huff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support this Bill, because as it has been stated before, I can't see where it hurts anyone. And I just wanted to remind the Members that in Chicago we pick up one hundred percent of the pensions for the teachers in Chicago, and I think that they should be willing to help other people to get this state moving. I think that this is a good Bill, and Representative Stuffle should be

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commended for it."

Speaker Matijevich: "The Gentleman from Cook, Representative Shaw. One minute to explain his vote."

Shaw: "Mr. Speaker, I... I'm... I take the position that every time that people need some money they run to the teachers pension fund and raid the fund. I think that this is bad for the retired teachers of our state. I think it's bad for the pension fund, and it's setting a bad precedent in terms of the way we are handling... taking the money from the... from the pension fund, and that's why I vote 'no'."

Speaker Matijevich: "The... the... Representative DeJaegher, one minute to explain his vote."

DeJaegher: "Thank you, Mr. Speaker. Ninety-five percent of the Legislators sitting on this floor today made one point and one point to the voters. They were concerned with the economy in the State of Illinois. Here you have an opportunity of turning this around. In my district, which represents Rock Island and Henry County, I have fifteen point five... fifteen point seven percent unemployment. Thirty thousand people out of unemployment. Thirty thousand people without work. The State of Ohio, they were concerned. They did do something. They set aside three hundred billion dollars to make home improvement loans and the building of homes. People were standing in lines wanting to take up these loans. You have an opportunity. You're not going to take away from those funds. Those funds are going to be restored. If you're concerned about the economy in the State of Illinois, you do want an improvement, you do want to turn this around, for heaven sake vote 'yes' on this Bill."

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

Wolf: "Thank you, Mr. Speaker and Members of the House. I'd just



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like to reemphasize a couple of things that Representative Stuffle indicated. He indicated that there was a lot of misinformation sent out on this particular Bill. I would say that's absolutely true. I've received mail from a number of individuals who have indicated that they don't know the slightest thing about what this Bill does. They've been told that this is being placed in a high risk type of investment. That's simply not true. What better investment is there than to invest in the single family mortgage? The Metropolitan Life Insurance Company does it. They invest millions of dollars every day. The John Hancock Life Insurance Company does it. They invest millions of dollars every day. And how about the New York Life Insurance Company, the Prudential Insurance Company? To say that this is a high risk type of investment is simply a misstatement of fact. What better way is there than to invest in the security and the economy of the State of Illinois? I would request that more green lights go up on that board."

Speaker Matijevich: "The Gentleman from Cook, Representative Brookins. One minute to explain his vote."

Brookins: "Mr. Speaker, Members of the General Assembly, I may have in my district more teachers than anyone in the County of Cook or the State of Illinois. I received more mail on this Bill than any other single issue, since I've been a Legislator. And I must stand in opposition of this Bill, because they perceive if it is not true that it will rob their pension funds, and then they'll eat it. So I must vote 'no'."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Stuffle, one of the chief Sponsors of the Bill."

Stuffle: "Yes, Mr. Speaker, and Members of the House, I just want to thank those people who were willing to stand up today,

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who fought so hard, as I have for the retirees and the teachers, and willing to vote for this Bill. It was carefully worked out. And reiterate that there are, I'm sure the Bill's not going anywhere, there are insurance provisions in here, and I hope that particularly for the freshman Members that when another controversial Bill comes that you look closely at it to see who your friends are in telling you about a Bill. And when you're misled that I hope you'll vote for the Bill on the basis of what's in it, not what misleading statements are made about it. And as I said before, I don't think I've ever had a Bill where I've seen more misinfor... misinformation and outright distortions made by the opponents about the Bill. But I commend those people willing to stand up and vote for what I think is a crucial Bill in this state, in a period of recession and depression. And if these people knew what was good for them, they would support the Bill too, because they're never going to be able to get these systems on their feet the way they want unless we can turn this economy around, and that's what the Bill's all about. So I commend those people who are willing to stand up to the teachers that we fought for so long and tell them they're wrong, because they are wrong, and they know it too."

Speaker Matijevich: "The Gentleman from Peoria... your lights off now. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 45 voting 'aye', 66 voting 'nay', 4 voting 'present', and House Bill 1056, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1180. Satterthwaite. The Clerk will read the Bill."

Clerk Leone: "House Bill 1180, a Bill for an Act to amend Sections of an Act creating the Board of Higher Education defining its powers and duties. Third Reading of the

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Bill."

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

Satterthwaite: "Mr. Speaker and Members of the House..."

Speaker Matijevich: "One moment. Representative Kirkland, you have your light on. Do... I'm sorry. Proceed, Helen."

Satterthwaite: "This Bill establishes a program of matching grants to engineering colleges in the State of Illinois for the purpose of purchasing engineering laboratory equipment and software. We have heard time and time again of the problems of our colleges getting appropriate equipments so that their students can be adequately trained. We hope through this program that there would be an additional incentive for sharing the responsibility with industry and making the connections so that we could qualify our universities to get the equipment they need and be able to turn out appropriately educated students. I'll be happy to respond to questions and urge your support of the measure."

Speaker Matijevich: "Representative Satterthwaite has moved for the passage of House Bill 1180. There being no discussion, the question is, 'Shall House Bill 1180 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 110 voting 'aye', 3 voting 'no', and House Bill 1180, having received the Constitutional Majority, is hereby declared passed. House Bill 1259. Stuffle. The Clerk will read the Bill."

Clerk Leone: "House Bill 1259, a Bill for an Act to create the Illinois Export Council with the Illinois Department of Commerce and Community Affairs. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Vervilion, Representative

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Stuffle, on 1259."

Stuffle: "Yes, Mr. Speaker, this Bill uses no pension investment funds whatsoever. It provides for an Illinois export council. The Bill came through Committee, I believe, on a unanimous 10 to nothing vote. It provides for just what the Bill title says, 'The creation of an Illinois Export Council Act,' with an Illinois export council that is impowered to coordinate export activities of the state in our efforts in international trade, with our businesses in the existing Department of Commerce and Community Affairs. I think it's an excellent Bill. Illinois has fought to maintain its second place status in this country in exports. It should be first, and I think with the efforts that can be put together through this and the next Bill that we can move into that position in the future. I think its important economic development-wise that we attempt to move ahead with job creation in the export market. We have a number, particularly, of small business ventures in the state, that want to participate in the export market and simply don't know how, don't have the expertise to do this. We conducted in Danville a seminar, through Senator Percy's office, and with my efforts and others, the Department of Commerce and Community Aff... Commerce at the federal level, efforts to put together this type of thing. This Bill provides the framework along with the next, and I would ask for an affirmative vote on House Bill 1259."

Speaker Matijevich: "Representative Stuffle has moved for the passage of House Bill 1259. Oh that, Representative Ropp."

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

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

Ropp: "Representative are you aware that there currently is an Agricultural Export Advisory group already in existence?"

Stuffle: "Yes, I am, and I understand that, and I think that's

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why we need this Bill. I don't think they're doing their job."

Ropp: "Well, one of the reasons is because they haven't been appropriated any funds that this Eody certainly ought to do. And another one, I don't know whether you're aware of, but in terms of international trade, I've seen an Amendment purposed in Appropriation I, presented by someone on your side of the aisle, that totally abolishes any trade offices in Hong Kong, Brussels, or San "Palos", South... South America. I'm wondering if this is somewhat contradictory to your proposal."

Stuffle: "Is that a question?"

Ropp: "Well, the question was, do you think that you're going to... I guess my question is in terms of your side of the aisle, are... are you on one hand supporting international trade, and on the other hand you're abolishing the current offices? Will this Bill cause any conflict with the overall philosophy of your side of the aisle?"

Stuffle: "Number one, I'm not a party to that. Number two, I don't necessarily think that issue involves itself with this. It may, admittedly, but this is a bipartisan effort, as you can see from the Sponsorship, to keep Illinois in its current posture of a leader in world trade and to bring about even more expert... export potential along with the next Bill. If you'll note, the fact that the Sponsors are bipartisan in terms of the Chairman of both the Small Business Committee, and myself, as Chairman of the Economic Development Committee, and both the Republican Spokesmen on those Committees, I think you'll understand that it's a bipartisan effort to move Illinois ahead in the export markets and to increase our share. And in fact, I might add, this Bill came from the Reagan Administration, which you're so fond of."

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Ropp: "Well, I certainly want to commend you for this, and I hope that we'll all remember this. Or at least, I'll be hopefully reminding others throughout this chamber when we get to other Bills that deal with international trade or the effect of products that are produced here in the State of Illinois."

Speaker Matijeich: "The Gentleman from... Gentleman from Hardin, Representative Winchester to close, I think."

Winchester: "That's all right. Yes. Fine. I am one of the Cosponsors of the Bill. It did come through the Committee on Economic Recovery which I am the Minority Spokesman. I support this Bill wholeheartedly and I would think that the... the way that the Bill has, the design for the membership of the export council is a fair and equitable way. The Lieutenant Governor is the Chairman of the council. The main function is to coordinate and direct the international export of... of the businesses of Illinois, and to review existing export programs, with an eye towards enhancement of export programs. We in Illinois are rich in items that can be exported. We need someone or a group, a council, authority, to help open up those markets for us overseas. The... the Committee passed the Bill out on a 10 to 0 vote. We feel that this legislation would go a long way in helping to... to provide additional dollars for our export businesses in Illinois, and hopefully create jobs, and I would ask for a favorable vote."

Speaker Matijeich: "Representatives Stuffle, Winchester, Mautino, and Woodyard have moved for the passage of House Bill 12... 1259. Those who are 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 110 voting 'aye', 1 voting 'nay', and House Bill 1259, having received the

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Constitutional Majority, is hereby declared passed. Representative Brookins votes 'aye'. Doyle 'aye'. House Bill 1260. Mautino. Mautino, Stuffle, Winchester, Woodyard. Read the Bill."

Clerk Leone: "House Bill 1260, a Bill for an Act to create the Illinois Export Development..."

Speaker Matijevich: "McAuliffe 'aye' on that last Bill. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Members of the House. House Bill 1260 creates the Illinois Export Development Authority. In the Select Committee on small business and economic recovery, one of the main issues presented to us was the need for working capital by small business persons. In that regard, we have fashioned with the United States Chamber of Commerce and in a bipartisan effort, House Bill 1260. Illinois is, indeed, fortunate to be number two in export commodities as they pertain to agricultural products. More importantly, the Illinois manufacturing entities contribute over sixteen billion dollars of export manufactured goods from the State of Illinois to other countries, and of course, as well as about number three in that regard. What this legislation does, by creating the Authority, is set up a guaranteed bonding fund with the inclusion of insurance companies, banking, and financial institutions for a ninety percent guarantee after the exporter, that individual business person, sets up a line of credit with his financial institution. This is, without a doubt, one of the proposals that is being presented in about seven other states so that we can coordinate our exporting efforts, because approximately four hundred thousand individuals in this country, and about a hundred thousand in this state are involved in exporting goods. The program for the

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funding would have a maximum ceiling, and it would... would set forth fixed rates, short term, international competition for funding for Illinois goods, which would, first of all, continue and possibly create additional jobs in the manufacturing area for export goods. And this ties into House Bill 1259, as well as House Bill 41, as it pertains to foreign trade zones in port authorities. We feel that this legislation is one of the finest proposals that can be embodied into an economic recovery program for the State of Illinois. In that regard, I would sincerely appreciate an affirmative vote on 1260. I'd be happy to respond to any inquiries."

Speaker Matijevich: "Representative Mautino has moved for the passage of House Bill 1260. We'll back up. Will the Clerk read the Bill?"

Clerk Leone: "House... House Bill 1260, a Bill for an Act to create and define the powers and duties of the Illinois Export Development Authority and provide for the manner of financing. Third Reading of the Bill."

Speaker Matijevich: "On the Motion, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, one of these Bills for a bonding authority, and I've forgotten which one, but one of them had general obligation bonds in it. Is this the one? Are these general obligation bonds?"

Mautino: "No, that was House Bill 1425. It will be put on Interim Study. I was incorrect on your stat... on your question last time. This does not include any general obligation bonds. It's a guaranteed bonding program. Ninety percent by the financial institutions with insurance to cover, and the ten percent would be covered by the



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contractual guarantee put up by the manufacturer, which is twenty-five percent of his contract sale."

Vinson: "Thank you."

Speaker Matijevich: "Representative Mautino, Stuffle, Winchester, and Woodyard have moved for the passage of House Bill 1260. Representative Woodyard to close this time. Kinda pass it around."

Woodyard: "Thank you, Mr. Speaker. I... in closing, I certainly rise in support of this legislation. It's been mentioned in the past. This... these two Bills were brought us by the U.S. Department of Commerce in which they feel that it's highly important that the State of Illinois pass legislation very similar to what they are recommending in other states to help small business in the degree of export. The question has certainly arisen as to the state's debt impact on these bonds, and I can, quite frankly, tell you that the state will incur no debt impact with these bonds. They'll be treated very similarly to the Bill the Governor signed last year creating the 'Agi' Bonds. These are the same types of bonds, so I urge a 'yes' vote on this Bill."

Speaker Matijevich: "Representatives Mautino, Stuffle, Winchester, and Woodyard have moved for the passage of House Bill 1260. Those in favor signify by voting 'aye', those opposed by voting 'no'. The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I don't want to explain my vote, but I would like to remind the Clerk and the Speaker that Representative Richmond has returned and should be placed on a Roll Call. And he needs his key so he can vote."

Speaker Matijevich: "Thank you. The doorkeeper, please, return the key to Representative Win... Richmond, and I believe Representative Richmond has to sign a form. Oh, he's

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already done that. Let the record show. On this question, there are 115 voting 'aye', no 'nays', and House Bill 1260, having received a Constitutional Majority, is hereby declared passed. Hold on to your seats. House Bill 1305. Let the record show that Richmond voted 'aye' on the last Bill, 1260. Read the Bill, 1305."

Clerk Leone: "House Bill 1305, a Bill for an Act in relationship to financing the state highways and local streets and highways and amending certain Acts herein named. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Ronan, on House Bill 1305."

Ronan: "Thank you, Mr. Speaker and Members of the House. House Bill 1305 is one of the issues that we've discussed extensively already this Session. This is the plan that we brought before the General Assembly in a bipartisan effort to do something about the horrible deteriorating conditions of the roads and highways and bridges here in the State of Illinois. Obviously, any time a tax increase is presented before this Body, it may not be the most popular issue that we have to face. However, it's a much needed issue that has to be addressed right now. Last December, Congress and President Reagan worked together in order to achieve the necessary program so that federal funds are available. Now, we, here in the State of Illinois, must do the same thing. As I said, it's not a partisan issue. Republicans and Democrats have worked together in order to work out a very decent reasonable compromise. It's a program that will benefit all of the citizens of the State of Illinois. Residents of Cook County and the City of Chicago will receive direct benefit in our local programs. Residents of the ring counties and suburban areas will also get benefits, and, obviously, our downstate friends will also

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receive the kind of funding necessary to adequately...adequately address the...the highway needs. This issue is a pro-business issue. It's going to get the construction industry moving ahead again in our state. It's also going to aid the suppliers and other related industries. This is obviously and definitely a pro-labor issue. This will give an opportunity for your constituents who are operating engineers, teamsters, laborers, tradesmen to get back to work, and that is obviously one of the most important things that we can do as a legislative Body, is put people to work. Right now, the decision is before us. We can...We can not take that decision and we will have to come back and face this issue later on in the Session. But today is the day to act. The votes are necessary in order to send this Bill to the Senate so that they can get about their business and then send it to the Governor. As I opened up with, this is not a popular issue. It's not an issue that anyone relishes the chore of having to sponsor it. However, the job is here before us. The votes have to be put on it today so that we can get about the business of the State of Illinois. Vote for the people of your district who need jobs. Vote for the businesses of your district and do something for the...for the taxpayers here in the State of Illinois and a much needed and long overdue proposition. It's been 1969 since we raised the gas tax and now the time has come upon us again. I urge for your support and passage of this fine Bill."

Speaker Matijevich: "Representative Ronan has moved for the passage of House Bill 1305. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker, on a point of personal privilege."

Speaker Matijevich: "Proceed."

Vinson: "Sometime earlier this Session, on several occasions, I

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raised, with the real Speaker, the problem of the ladies' restroom. We are now in the...late in the month of May on one of the most important Bills in the Session and there are thousands of people circulating around this Capitol right now, making it virtually impossible for the ladies of the Chamber to go down to the second floor. We still have not done anything in regard to expanding the facilities in the ladies' restroom. Several Members on our side of the aisle have raised complaints about that to me this morning, and I think it might be wise for the Speaker to take under consideration doing that on a more expeditious schedule than he has previously considered necessary."

Speaker Matijevich: "We're...we're working at it. The Gentleman from Will, Representative Davis, on the Bill."

Davis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. No one in his right political mind wants to raise taxes on anybody in this state. There are multiple tax issues in front of us. I said before on Second Reading, when I put the Amendment on this Bill that would create another penny increase in 1984 and another penny in 1985, that despite the fact that none of us want to raise the gasoline tax because we all use automobiles, and despite the fact that politicians in general do not like to even consider raising taxes, that I have yet to hear one constituent in this state object to the notion of raising the gasoline or motor fuel tax for the purposes of fixing up Illinois's roads and bridges. There was a lot of confusion over the Amendment that went on to this Bill to add a penny in 1984 and a penny in 1985. I once again want to try and clear up that confusion for the Members. The original proposal in front of us on Second Reading contained an indexing provision of automatic increases that would have amounted to almost four cents additional in the

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next four years. Those of us philosophically opposed to indexing automatic tax increases objected to that notion and I carried the Amendment to say out in front to the people of Illinois that we are getting more than our fair share of the federal dollars in Illinois, for the first time in a long time, returned to us from federal coffers on the recently enacted federal gas tax legislation, and to match those dollars, I am firmly convinced, as are many, many people in this General Assembly, that it's not the three and a half cent proposal that is necessary to recapture those federal dollars to the utmost maximum in the next four and a half to five years, but that an additional penny in '84 and '85 is absolutely necessary so that we secure the maximum amount of federal dollars, fix up the maximum amount of the 25,000 miles of roads in the State of Illinois and, certainly, the bridges, my God, the 11,000 bridges that need fixing for the safety of all our citizens. It is a tough vote. It is a right vote, and I intend to vote for it, and I think all of you should stand up and vote for this tax that you have not heard from your constituents, but only from some segments of the oil industry, that it is a bad vote. This is a correct vote, and you should vote 'aye'."

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

Brummer: "Yes, thank you, Mr. Speaker and Members of the Assembly. I rise reluctantly in opposition to this Bill, and I say reluctantly because I campaigned last year in favor of a gas tax increase. I think the importance and the necessity of a gas tax increase is apparent to everyone in the state. However, I think what we have to do is look at the merits of each in the Bill that is put before us with regard to the various factors and...that are contained

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in that Bill. My reason, my primary reason for opposing this Bill is with regard to the state and local split. The reason that I felt that we needed a gas tax increase was not only to help state highways, but also help those units of local government, those townships and the rural roads, particularly in the...in the rural community, the farm to market roads. They have been faced with the same type of difficulty of maintaining the roads that the State of Illinois has during the last ten years. In fact, I would suggest their difficulty in maintaining the roads has been more severe than the State of Illinois because many of those roads are maintained with oil and chip, have to be done annually or at least every two years, the price of oil that is used has...has increased from three dollars a barrel crude to thirty-eight dollars a barrel, and now is down to about thirty dollars a barrel, but, nevertheless, has been about a ten-fold increase during the...during recent years. I feel that reducing the local government share from the formula that has been in place for many, many years, the local government's share has been 65% in the past. This reduces the local government's share, with regard to the new revenue to 30%. I think that is simply unfair. I do not think that we can selfishly address the state problems with regard to state highways and fail to recognize and...and work for a solution of the units of local government with regard to their need for increased revenue. I realize this provides some increased revenue to the units of local government. However, I think, just almost absolutely reversing the...the share of the formula that has been in place for many, many years is totally unfair with regard to units of local government, and for that reason, I rise reluctantly in opposition to this. I would hope that we can defeat this at this time and come

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back with a Bill that increases gas tax in a reasonable amount and makes due recognition of the needs of local government to maintain their road systems as well."

Speaker Matijevich: "Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you...thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know I was quite surprised and disappointed when the federal government told us that we would be ending up having a five cents a gallon increase in our taxes for gasoline, not only to help the federal highway program, but also to help the locals. It would seem to me that now what we are doing is saying that in order to get our initial tax monies back that the federal government has imposed, we have to again add another tax to get it...to have a matching funds. So we have a tax on top of a tax to spend the monies that were rightfully, I thought, ours in the first place. I think it would have been fairer if the federal government were to say that, alright, if you need local tax monies, we will tax it and here it is with no strings attached, and you can use it honestly and fairly. The federal government did not do that, and I think they are wrong in saying that we'll tax you and then you will have to raise additional taxes. When we add on almost now thirteen cents a gallon, plus sales tax, plus the federal gasoline tax for locals, you can see the high impact. For those who bought diesel cars because they would save gasoline and wear and tear, you are going to add another two and a half cents to those poor people that drive their little Rabbits and all this and that, and add that to it. When we get done, we are up to almost twenty cents a gallon and that sounds pretty high just for our state taxes to maintain our roads. I think it's too much, including all the other increases we are talking

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about. In trying to help the little people use little cars, we raise their license plates higher than ever before. We take incentives away from them. Why not use the bigger cars that will tear up our roads more, and that's, in fact, what we're doing with this tax program. I do not support it. I think it would have been fairer if first we started with the federal government's honest approach and said, 'If you need the money, we'll do it and give it to you,' but no, we have to add more taxes on top of it, and I think that's wrong."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1305 is a piece of legislation that is imperfect. It's imperfect because it does not have adequate funding and no funding, as a matter of fact, for urban mass transit. We fought the fight, however, on Second Reading to fund mass transit in northeastern Illinois. We lost the...the battle, but I don't think we've lost the war. However, the fact of the matter is, this legislation addresses jobs, and jobs are needed throughout the state of Illinois. Jobs to resurface highways that are...been neglected for well over three years. More specifically, the legislation in my estimation has provisions to safeguard minority contractors and minority employees. There are provisions in the legislation and federal legislation, which certainly supercedes this, which would allow for a ten percent set aside for minority contractors. I support that and I'm delighted that the legislation and the Sponsor and the supporters of this legislation have understood the need for minority participation in highway construction and the need to maintain and preserve jobs in the State of Illinois.



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This highway funding package has the support of all of the major labor groups in this state, the AFL-CIO, the Teamsters, even business, the Manufacturers Association, and, yes, even the Taxpayers' Federation of Illinois, the State Chamber of Commerce, the Road Builders Association, and labor groups such as the Operating Engineers, the labor unions, and, of course, Southern Illinois Contractors Association. Quite often we pass legislation in this Body that is imperfect, and this legislation is not perfect, but the time is now for us to bite the bullet, to make a decision, to take a stand. I urge an 'aye' vote for House Bill 1305, for it's a job creating Bill, and it will sorely, sorely protect the jobs that we presently have in our state, and will increase even new jobs in the coming years. Ten million dollars can go an awful long way, and that's, in fact, what we're looking for in the City of Chicago, County of Cook. I urge an 'aye' vote."

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

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

Speaker Matijevich: "Representative Wolf has moved the previous question. The question is, 'Shall the main question be put?' Those in favor, say 'aye'. Opposed, 'nay', and the main question is put. The Gentleman from Morgan, Representative Beilly to close."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really can't add a good deal to the really rather eloquent speech that Representative Davis made earlier, and Representative Bonan and some of the other proponents of the Bill. It is in some sense a tough vote, but I think there is nobody here who is...doesn't know that this must be done. Keep in mind that we haven't raised this tax since 1969. Name a business of any kind that hasn't raised

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its prices fifty times since 1969, and yet the same cost increases affect us and affect the state's ability to build roads as affect business. Now, it's true that the sales tax revenue have gone up, but it's nowhere near kept pace with the rate of inflation in the cost of building roads. We can be concerned about local funding. I am, and we've entered into discussions on that, and I'm sure those discussions will be continued. We can argue over whether we should have continued the indexing provision or gone to the penny penny provision. Everybody would have their own way of refining this package, but it has been worked out on a bipartisan basis between the Leaderships on both sides of the aisle and with the Governor's Office to handle a very critical situation in this state, where the very basic part of our infrastructure is crumbling, literally crumbling beneath our feet and beneath the wheels of the cars and the trucks on our highways. We cannot, we dare not delay. This is a reasonable package that's been put together very carefully. It is a reasonable package, maybe a tough vote, but we all know it should happen. I would urge that everybody support House Bill 1305."

Speaker Matijevich: "Representatives Bonan and Reilly have moved for the passage of House Bill 1305. The question is, 'Shall House Bill 1305 pass?' Those in favor, signify by voting 'aye'. Those opposed, by voting 'no'. Representative Flinn, one minute to explain his vote."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise to support this Bill. I do so because I have promised the construction unions that I would and I want to keep my promise. I promised the construction companies that I would and I want to keep my promise, but more importantly, I promised my constituents who were tired of the potholes and the bad roads that are

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damaging their cars continually, so I want to keep my promise. Someone mentioned political...politics in this thing. Well, let me tell you, as far as politics are concerned, it will fade off into oblivion once we pass the income tax. It will be hard to find anybody who has voted 'no' or 'yes' on the gas tax. It is a user's tax. It is a fair way to tax the people. It taxes the people who use the road. Nobody wants to vote for a tax increase for no reason, but we have plenty of reason in this case, and I proudly voted green."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. There are Sections of this Bill that I do not like either, but when I see the amount of return from the federal government to the State of Illinois for the nickel tax that was placed on us, for every dollar that goes to Washington, we will, for the first time, get at least a dollar...near a dollar sixty-five. That's why we need the three and a half cents. For the first time in many years, the State of Illinois will be out front in getting more money back than it deserves, as we historically have really been cheated. This is a good Bill in that regard. This is a Bill that I think puts more people back to work, has a greater rippling effect throughout our state to put our economy back in gear than probably any collective bargaining Bill that we'll be voting on in the next day or so. This is a good Bill. This provides tremendous opportunities for getting people off of public aid, back into the job market. In addition to that..."

Speaker Matijevich: "Gentleman bring his remarks to a close."

Ropp: "This is a Bill that the State of Illinois needs now. We've got to be firm in this area and support the kind of

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thing that provides transportation improvement and highway care and maintenance throughout the State of Illinois. I urge your favorable..."

Speaker Matijevich: "Representative Eraun, one minute to explain her vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill and I encourage other Members to give it their whole-hearted support. We've been reading, in recent months, about the crumbling infrastructure in this country, the crumbling infrastructure in the State of Illinois. The only responsible vote, it seems to me, to get our economy going, to see to it that our highways and our roads don't fall apart, is a vote for this Bill. This Bill does not include mass transit funding, and I have always been a supporter and an activist in favor of mass transit funding, but that is another issue which will be taken up at another time. I say to you we have a responsibility to the citizens of this state to see to it that the very basis of the government and the very basis of services that they expect are not denied them, and I encourage an 'aye' vote on this Bill."

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

Friedrich: "Mr. Speaker and Members of the House. I don't enjoy voting for higher taxes any more than anything...body else, but last year I supported a Bill to increase the gas tax because I knew what was happening and the cost of maintaining and building roads. You can't buy asphalt and rock at the price you did ten years ago and with...with less revenue than you had. I happen to be involved a little bit in the building business and I know what the cost of materials for road construction is, so I...I think the right vote is up there. I...I don't enjoy doing it,

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but if you don't ride, you don't pay."

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

Mautino: "Thank you...Thank you, Mr. Speaker. I would like to state that I don't believe that the \$18 increased registration fee on vehicles over 35 and under 35 horsepower go into the road fund. In fact, everybody in this House knows that it does not. That question has not even been addressed with this legislation. As amended, many of us have supported and notified our constituents that we were supportive of three and a half cent increase in the gas tax in order to capture the federal funds and that's all that's needed, but most importantly, the question of why the additional one and one and two and a half percent on the special fuels that was adopted by Amendment #10? It is very similar to saying, in my estimation, this year the legislators get \$28,000 and next year they get \$29,000 and the following year they get \$30,000. That does..."

Speaker Matijevich: "Put in a Bill."

Mautino: "...That doesn't sit too well with the constituents and we have all gone through that. I don't believe that the increases at the federal level tied with this increase are beneficial to our citizens and driving public. What I do recommend is that three and a half cent as we have said we would adopt..."

Speaker Matijevich: "Bring your remarks to a close."

Mautino: "...be placed back on this Bill, and until that time, I cannot support it."

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

Neff: "Thank you, Mr. Speaker. In explaining my vote, I have been voting 'no' because of...there's several parts of this

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Bill I don't like. We're not giving local government their share has been brought up here. They need roads just as bad as the state does. And then particularly, I live in west central Illinois and if you look on any road map, you'll find we're the only area in the State of Illinois that doesn't have an interstate within fifty miles, or a four lane road. Macomb, with seven to eight thousand pupils driving back and forth to the northern end of the state and have to start out on two lane roads. This area has been known, as many of you have heard, as 'Forgotonia', the forgotten people. So, my people are just getting tired of paying taxes and getting nothing for it, not getting their share, and so I...even though I'm voting 'no', I'm..."

Speaker Matijeich: "Bring your remarks to a close."

Neff: "...going to switch my vote to 'yes', but I hope this is a message to the Governor and Secretary Cramer that we expect more than what he intends to give us in that area of the state."

Speaker Matijeich: "Representative...the Gentleman from Macon, Representative Dunn, one minute to explain his vote."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation. I, too, have druthers. I would like some different things to be put in the Bill. I would like to see more...more money for local governments. As a matter of fact, I had an Amendment the other day, during second Reading on this Bill to change the formula for motor fuel tax purposes to provide more money for local roads. That Amendment failed. Having failed, we now have nothing before us now but this vote. The choice we have to make at this time, is whether we want to put our vote up on the board for any new money to repair our roads in the State of Illinois, or whether we

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want to vote for no new money. Everybody in this state, every taxpayer in this state knows that we need more money for our roads. At the present time in this General Assembly, this vote, this Bill, is the only way to get any more new money for roads in the State of Illinois and if you live anywhere in..."

Speaker Matijevich: "Ering your remarks to a close."

Dunn: "...downstate Illinois, you should be voting green for this Bill. It's a good Bill in its present form. It's what the people back home want. It's supported by every group that you can name in the State of Illinois, with the possible exception of one independent oil company group. Everyone should be voting for this good Bill, and I would urge more and more green votes on there to send a message to the Senate to send this Bill to the Governor in its present form."

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

Harris: "Thank you, Mr. Speaker. Thank you, Mr. Speaker. Our Congressional delegation worked long and hard to achieve the...the benefits to the State of Illinois for the road projects that they did. I want to vote 'yes' on this Bill. However, Representative Mautino's remarks are accurate. We're asking for a penny the year after...the year after FY '84 and another penny in 1985. I ask the Assembly to remember that when the Department of Transportation comes back again for an additional tax increase in those years, adding already to the...the exceptionally high burden of taxation we place on gasoline already, and I must regretfully vote 'no'."

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

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

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House. I don't have to vote for this tax increase because this Bill does not address the problem of mass transportation, which is a major problem in my district. But I am going to support this measure because I am concerned about the welfare of all the people of the State of Illinois, downstaters, suburbanites and Chicagoans alike. And I just hope that those of you who are voting green now will vote green when the mass transportation Bill comes up. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Panayotovich, to explain his vote. One minute."

Panayotovich: "Thank you, Mr. Speaker. I agree that we probably need some sort of tax increases within this state, but I run into a problem that I think is very pertinent to this; that right on the Illinois - Indiana borderline in my district, a customer can go across the way and buy a gallon of gas for 20 cents cheaper. No matter whether it be taxing or whether it be the cost of oil, I just cannot see the difference of 20 cents in my district, with people leaving my area. So, I cannot support this Bill."

Speaker Matijevich: "Gentleman from Hardin, Representative Winchester, one minute to explain his vote."

Winchester: "Thank you, Mr. Speaker. I am a hyphenated Sponsor of the Bill, and I didn't intend to explain my vote, but a previous speaker made a comment, and I think he did it inadvertently, and I think it's caused to...some confusion on both sides of the aisle, when he stated that the fees collected from the sale of license plates would be put into a special fund for the Secretary of State's Office or possibly in the General Revenue Fund. That is absolutely incorrect, Mr. Speaker. The money collected from the license plate fee will be put into a special construction account, something that we've not had before, a special



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construction account that we'll use specifically for road widening and resurfacing and bridge construction, and I think that that needed to be pointed out and I would ask for a favorable vote."

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

Marzuki: "Thank you...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a very difficult vote for me because there are no funds in here for mass transit. There is not enough money going back to the local people for road repairs. I, too, am voting for this Bill because I believe it's in the best interests of all of the people of Illinois. I would hope that some of you people who are now Sponsors, who are now on that board with a green vote will remember this when we are talking about mass transit in the coming days and our local roads, that we will make other legislation that will take care of these problems. Thank you."

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

Stuffle: "Thank you, Mr. Speaker. I think the points have been adequately made. Only to serve notice, as others have, that we know this Bill will come back from the Senate with changes. There's concern on my part about the diesel tax, the one cent add-on. I thought we should have put the three and a half cent Amendment cap on. The local share question remains open, debatable. I hope the Sponsors realize that many of those 'yes' votes such as mine indicate our desire and our need to have a gas tax Bill and a road program in place because of our economy and the dilapidation of our roads, and that the Sponsors realize that when the Bill comes back there had better be some changes. There had better be some compromises or all those

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green votes probably won't be there and we will have had to say no to our desperately needing highway system and to our construction trades and our people who need work. Let's work out a compromise in the Senate. Let's put this thing over today and come back and put it over when it's in far better shape than this for our economy."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 75 voting 'aye', 42 voting 'nay', and House Bill 1305, having received a Constitutional Majority, is hereby declared passed. Landslide Bonan. House Bill 1425, Mautino-Hannig-Christensen-Stuffle and Ieverenz. The Clerk will read the Bill."

Clerk Leone: "House Bill 1425, a Bill for an Act creating the Illinois Product Development Corporation to finance powers and duties. Third Reading of the Bill."

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

Mautino: "Thank you, Mr. Speaker. By mutual agreement, the Sponsors respectfully request that that Bill be placed on the Interim Study Calendar."

Speaker Matijevich: "Leave to place House Bill 1425 on the Interim Study Calendar. Leave. The Bill will be placed on Interim Study. House Bill 1508, Bullock. Clerk will read the Bill."

Clerk Leone: "House Bill 1508, a Bill for an Act to amend Sections of the Illinois Banking Act. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I request leave to return this Bill to the Order of Second Reading for purpose of Amendment."

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Speaker Matijevich: "Gentleman asks leave to return House Bill 1508 to Second Reading for the purpose of an Amendment. Does he have leave? Leave is granted and the Bill is on the Order of Second Reading. Are there any Amendments?"

Clerk Leone: "Amendment #2, Bullock-Panayotovich, amends House Bill 1508 as amended."

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

Bullock: "Thank you, Mr. Speaker. I'd like leave to withdraw Amendment #2."

Speaker Matijevich: "Leave to withdraw Amendment #2. Further...Leave. Amendment #...just a moment. Representative Ewing, for what purpose do you rise?"

Ewing: "Mr. Speaker, if the Sponsor withdraws this Amendment, and if the next Amendment is successful, I will object to hearing this Bill today."

Speaker Matijevich: "And...and he can do that. Leave to withdraw Amendment #2. Leave, and 2 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Bullock-Nash-Panayotovich-Saltsman, amends House Bill 1508 by deleting the title and inserting in lieu of the following."

Speaker Matijevich: "Gentlemen from Cook, Representative Bullock, on Amendment 3."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1508 is an Amendment to the Banking Act and House Bill 1508 with Amendment #3 does essentially three things. Amendment #3 to the Bill provides that the state chartered banks may invest not more than three percent of its capital and surplus in housing development corporations. This Amendment is required in order to give parity to state banks commensurate with that of federal

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banks in that the Garn-St. Germain Amendment adopted by the Congress allows national banks to presently provide this service. We also, in this Amendment, tighten up the language which defines housing development corporations to close any loopholes regarding the kinds of leeway investments permitted in the Bill. This change meets the objections expressed in Committee by the Banking Commissioner. The third thing the Bill does, it increases the lending limits of state chartered banks to 20% from the current 15% of banks capital surplus which may be secured or unsecured at the banks discretion. I'd like to make a minor correction. This is a portion of the Amendment which tracks the federal legislation. I previously said that it was the first part of the Amendment and that was incorrect. This is the part that tracks the federal law which doesn't allow, in fact, allow state banks to have parity with federal banks. The Amendment also exempts from lending limits loans or extensions of credit secured by separate deposit accounts in the bank and basically that, in fact, Mr. Speaker and Ladies and Gentlemen of the House, is the Amendment. In closing, in further comment, I'd like to say that the General Assembly has traditionally provided parity powers for state banks commensurate with that of national banks. This measure, Amendment #3, which becomes the Bill, continues this program with respect to state bank lending limits, and it is attempting, as I said previously, to permit increases in lending limits from 15% to 20%. The rationale for these provisions are that economic recovery is needed in our state. The base for national banks, it's figured on their capital surplus reserves for loans and individual profits. I think state banks should have the same benefit. The measure is designed to ease and to provide access for state banks to make larger loans to

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consumers and that included businesses and to give particular emphasis to increasing the availability of loans for housing improvements. The measure was requested by the banking industry and portions of the legislation is supported by the Commissioner of Banks, and it would benefit all state chartered banks, and I would be glad to answer any questions, Mr. Speaker, that might arise."

Speaker Matijevich: "The Gentleman has moved for the adoption of Amendment #3. Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, on this Amendment, I believe that the Sponsor is misinformed as to the support of the Commissioner of Banks. Second, our concern with this Amendment, and it provides for some cleanup language that the Commissioner of Banks wanted which was also in Amendment #2, which he withdrew, but Amendment #3 also allows for a lending program, and we are concerned about this program if it is adopted. And our concern is this: Number 1, we're afraid that this will allow some banks who are already on shaky ground to over..."

Speaker Matijevich: "One moment. John Kramer is on the Floor celebrating. The Secretary of the Department of Transportation, John Kramer, is shaking hands with everybody. Congratulations, John Kramer. Proceed."

Ewing: "Well, Mr...well, Mr. Speaker, I hope people won't lose the train of thought. We have passed the gas tax. Now, we need to turn our attention to something else. First of all, this Bill could provide some dangerous authority for banks that are already on shaky ground. Number 2, this could jeopardize the federal insurance on bank accounts, the FID..anyway, you know what I mean. Thank you. For those reasons, I would certainly ask that we opposed this Amendment in hopes that the Sponsor will go back, put on

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Amendment #2 so this Bill can be approved. Thank you."

Speaker Matijevich: "Representative Bullock to close. Wait a minute."

Bullock: "Mr. Speaker, I'd just like to respond to the Gentleman's..."

Speaker Matijevich: "One moment, I didn't see the Lady from Kane, Representative Zwick, on the Amendment."

Zwick: "Thank you...Thank you, Mr. Speaker, Members of the House. I simply wanted to add at some of the insight into this controversy that is apparently going on over whether to adopt Amendment #2 or Amendment #3 to this Bill, since I was on the Committee when we discussed this particular...the Bill and passed it out of Committee, and the agreement that we did reach in Committee, although the Amendment came out on a very favorable...the Bill came out on a very favorable vote, was that the Commissioner of Banks was there testifying in opposition to the Bill, and the agreement we reached was that the Commissioner of Banks would meet with Representative Bullock and come to an agreement on this particular measure. I believe an agreement was reached. The Commissioner of Banks met with Representative Bullock and they reached an agreement and that agreement is in Amendment 2. Now, it is also in Amendment 3, however, some of the original provisions that were in the original Bill that the Commissioner objected to are also in Amendment #3, and I don't believe that that was what the Committee agreed to when they voted this Bill out of Committee that day. So, at this point, I would have to object to Amendment #3, and ask for your 'no' votes on this until we can reach some consensus. Thank..."

Speaker Matijevich: "Representative Bullock to close."

Bullock: "...you. Mr. Speaker and Ladies and Gentlemen of the House, I wish to respond briefly to two points. The first

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point is the question of whether or not the Banking Commissioner supports Amendment #3. The Banking Commissioner does not support Amendment #3 for this simple reason. Amendment #3 includes his language for raising lending limits. He supports that part of the Amendment. Amendment #3 also reduces from 5% to 3% on the leeway provision and Amendment #3 strikes out the optional language, which I thought was superfluous, relative to defining residential housing. I have no difficulty deleting that language. Amendment #3, in my estimation, is an excellent Bill. It becomes the Bill. Let me respond to one other objection that was raised. There is no question in my mind or that of the members of the banking industry that this legislation does indeed comply with FDIC provisions. I think that argument is...bogus and counterfeit and deserves no consideration. The fact of the matter is, we need an economic recovery program in the State of Illinois. House Bill 1508, Amendment #3, if it's adopted, puts us on the road to recovery in developing sound housing in this state and allows the financial institutions the leeway to, in fact, do that. I urge an 'aye' vote on 1508, Amendment #3."

Speaker Matijevich: "Representative Bullock moves for the adoption of Amendment #3. Those in favor, say 'aye'. Opposed, 'no'. Those in favor, vote 'aye'. Those opposed, vote 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 65 'aye', 45 'nays' , 4 voting 'present', and Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Greiman in the Chair."

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Speaker Greiman: "Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I move at this time to suspend the appropriation rule for immediate consideration of HB 1508, as amended."

Speaker Greiman: "Gentleman from Cook has moved to suspend the appropriate rule for the immediate hearing of House Bill 1508 on Third Reading. Are there objections? The Gentleman from Livingston, Mr. Ewing."

Ewing: "Yes, Mr. Speaker, I object to that."

Speaker Greiman: "Alright, under the rules, it takes 16 votes on this Motion."

Ewing: "May I speak to the Motion then?"

Speaker Greiman: "Indeed."

Ewing: "Ladies and Gentlemen, certainly we should not vote to suspend the rule to allow the immediate hearing of this Bill, and I would ask everybody on this side of the aisle to withhold their vote. He has put on an Amendment which the Commissioner of Banks does not approve, and I think we would be ill-advised to immediately hear that Bill, and have the Majority on the other side of the aisle whisk it out of here. I would ask for a 'no' vote."

Speaker Greiman: "Is there further discussion? Gentleman from Cook, Mr. Bullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I respectfully disagree with Representative Ewing. We understand the business of this House and it has to be dealt with in an expeditious manner this week. We have deadlines upon us. Friday is, in fact, a deadline for all Bills in this House of a substantive nature to have cleared the Chamber. I'm offering this Motion in a sense of fairness and to expedite the working of the House. The Amendment that went on the Bill is a substantial Amendment,



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but I think everyone in this Chamber understands the impact of the Amendment, for we are on the Special Order of Business. Economic recovery cannot be deferred. Action on this Bill should not be deferred. I certainly hope that Members on both sides of the aisle, especially those who are fond and support the banking industry. The banks of the state want the Bill, Representative Ewing. The Commissioner of Banks is mutual friend of both of ours and he is not as strident in his opposition to this legislation as, perhaps, you are, but that is unfortunate. I would urge an 'aye' vote on the Motion to consider immediately 1508."

Speaker Greiman: "Mr. Bullock and Ladies and Gentlemen of the House, the Chair on examining the rule reconsiders the announcement made previously and advises you that pursuant to Rule 37B, that paragraph may be suspended only upon an affirmative vote of 71 Members. Now, for what purpose does the Gentleman from DeWitt arise?"

Vinson: "Just to call the Chair's attention to that and the Chair has done that on its own Motion."

Speaker Greiman: "Thank you, Mr. Vinson. The question is, 'Shall this Motion pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. Explain his vote, the Gentleman from Hardin, Mr. Winchester."

Winchester: "Well, Mr. Speaker, just...just because we are facing a deadline is no reason why we should...we should consider this Bill on Third...or consider this Motion to move this Bill to Third Reading for consideration. It is a bad Bill. He did indicate...there is merits to the Bill, but as it stands now, it is a bad Bill. He indicated that Commissioner Bill Harris was in support of the Bill only if...only if the Sponsor of the legislation would consider

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an Amendment that Commissioner Harris presented to him, which he did not...he did not do, and because of that, I would ask that there be a 'no' vote on this Motion. Let the Bill stay. Put it on Interim Study Calendar. Let's consider the Bill throughout the summer months, and maybe we can reshape it and come back next year."

Speaker Greiman: "For what purpose does the Gentleman from Livingston, Mr. Ewing rise? Mr. Ewing, you spoke in debate. You cannot explain your vote."

Ewing: "I don't...I don't want to explain my vote, Mr. Speaker. I do...I don't think I'll need to, but if this reaches the required number of votes, I would verify."

Speaker Greiman: "Alright. Have all voted who wish? Have all voted who wish? Mr. Bullock."

Bullock: "Well, thank you, Mr. Speaker. I just want to clarify two points. Representative Winchester was probably...misspoke himself, but he certainly has been in error on two occasions. Number one, failure to hear this Bill today does not put it on Postponed Consideration, Representative Winchester. This is a Motion. The Bill is presently on Third Reading. Secondly, I had at no time and did not intend at any time to represent to this Chamber or any other group that Representative Harris, the Banking Commissioner, is in support of Amendment #3. I submit to you, Representative Winchester, if you check the record and go upstairs and get the tape of which you are so fond of doing on that side of the aisle, you'll find that I indicated Representative Harris supports that provision of Amendment #3 which he offered and the language is verbatim of what he provided which merely raises the lending limits, and I indicated very explicitly that he does not support the first two parts of the Amendment which relate to the leeway provisions. I strongly suggest that you check the

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record, for I do not want to be put in the predicament of saying that I offered the Banking Commissioner's support for this Amendment because he certainly does not support it."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 64 voting 'aye', 47 voting 'no', 4 voting 'present', and the Motion fails. The Bill will remain on the Order of Third Reading. Yes, for what purpose does the Gentleman from Livingston, Mr. Ewing arise?"

Ewing: "I would like a ruling of the Chair. I believe that this changes the title of the Bill and will have to go back to Second Reading First Legislative Day."

Speaker Greiman: "I'm not certain that it's timely, but we'll look at the...for the substance of it in any event, because I already moved it to the Order of Third Reading, Mr. Ewing. The Gentleman from Cook, Mr. Bullock."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, I merely reference for Representative Ewing's consideration House Rule 36...36D. The language is as follows: 'This Subsection does not apply to Amendments which amend the title of the Bill by adding or deleting Sections, numbers from the same Act that is amended by the Bill.' You certainly have ruled correctly, Mr. Speaker. A, the Gentleman's Motion is not timely. The Bill is presently on Third Reading, and B, the Bill does not, in fact, violate the Rules of the House."

Speaker Greiman: "I believe the Gentleman's point is well taken and the Bill will remain on the Order of House Bills Third Reading...on the...It remains on the Special Order of Business also. Now, on the Order of House Bills Special Order of Business, subject matter, Economic Recovery appears House Bill 1847. Mr. Clerk, read the Bill. Mr.

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Ewing, for what purpose do you seek recognition, sir?"

Ewing: "Mr. Speaker, just a little clarification. You say the Bill is on Third Reading Special Order of Business, but will not be considered today?"

Speaker Greiman: "Unless Mr. Bullock can garner 71 votes, it will definitely not be. Those are the rules, that's my rule."

Ewing: "Thank you very much."

Clerk Leone: "House Bill 1847, a Bill for an Act to amend the State Occupation Use Tax Acts and their titles in relationship to the imposition of such tax on tangible property purchased for leasing or renting. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1847 amends the appropriate Sections of the Revenue Code to provide that those in Illinois who regularly or predominately are engaged in the business of leasing or renting property may elect to pay their state sales tax liability on either the purchase price of the property or the rental price of the...the receipts from the rental price of the property. Basically, 45 other states in the United States now collect the sales tax on this basis. It, of course, applies to both the sales and use taxes because those two taxes are interchangeable alternates. In our judgment, the passage of 1847 will, in all likelihood, increase sales tax revenue for the State of Illinois because normally when this kind of equipment is leased or rented, some...the price for their rental or lease cost is some 130% of the...of the normal for sale purchase price. Probably would have the impact of also increasing the corporate income tax base in Illinois because currently many of the people engaged in this business stockpile and warehouse the inventory for this

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material out of Illinois. They would no longer have an incentive for doing that. It has been amended once in Committee to avoid any possibility of the imposition of a tax on a tax, and I would move for the passage of House Bill 1847."

Speaker Greiman: "Gentleman from DeWitt has moved for the passage of House Bill 1847. On that, is there any discussion? Gentleman from Cook, Mr. O'Connell."

O'Connell: "Question of the Sponsor."

Speaker Greiman: "Indicates he'll yield for a question."

O'Connell: "If I understand this Bill correctly, it offers two options in which to pay the sales tax. Either, as is currently the method, you would pay on the purchase price of the property which is then held out for rental or leasing. Is that correct?"

Vinson: "You could pay on the purchase price or if the equipment is the subject of a lease sale...of a lease agreement, lease purchase agreement, you could pay on the actual receipts on the lease."

O'Connell: "And the second method is if you hold it out for rental, you can pay on the receipts as it comes in?"

Vinson: "That's...that's correct."

O'Connell: "What is the effect on the cash flow of the revenue?"

Vinson: "The probability is first of all that people normally engaged in this business would very frequently resort to the second method, and if they resorted to the second method, the cash flow impact would be temporary depression in cash in revenue flow to the state with a subsequent increase."

O'Connell: "Are you saying that the cash flow would increase?"

Vinson: "I'm saying that there would be a temporary period of reduction and a subsequent period where you would expect

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about a 30% increase. Normally what...what the people tell us is that normally the reduction period is a six to nine month period and after that, you begin seeing the results of the increase."

O'Connell: "Thank you."

Speaker Greiman: "Further discussion? The lady from Champaign, Representative Satterthwaite."

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

Speaker Greiman: "Indicates that he will."

Satterthwaite: "Representative, what happens in the event that the total price of the item is never reached in terms of the rental agreement?"

Vinson: "Where that normally occurs is, for instance, in the case of word processing equipment or in the case of computer equipment, and what the normal pattern is is that in almost all of those cases, the purchaser or the leasee exchanges that equipment and substitutes a new agreement for new generation equipment, if you will, and you get a higher flow of revenue because of the new, the higher price with the new generation equipment."

Satterthwaite: "But the owner of the equipment then never becomes liable for the amount between the...the amount that has been paid and the amount that would have been paid if it had been on the total price of the item?"

Vinson: "In the...in the case that you describe, the owner would never be liable because the owner would be the leasor."

Satterthwaite: "Well, but somebody would have had to pay the tax on it."

Vinson: "The purchaser or leasee, that's correct, and the purchaser or the leasee, if he has not purchased, if you will, all of the equipment, ends up not paying on that because normally what occurs in those situations is he's buying more expensive equipment and that contract ends up

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being substituted for the first."

Satterthwaite: "Well, I have some concerns about the Bill, although the Sponsor who normally does not sponsor tax increases tells us on the one hand that this will increase the revenue of the state. On the other hand, there obviously are occasions when less revenue will be generated by this process. If I could clearly indicate that he was looking for a tax increase, I would chastise the Sponsor for that, knowing that he doesn't like to increase taxes on the people of the State of Illinois, but on the other hand, since it is very unclear to me that it really would generate new revenue, and, in fact, I suspect might end up generating far less revenue, I think I'll just oppose the Bill instead."

Vinson: "Thank you."

Speaker Greiman: "Further discussion? There being none, the Gentleman from DeWitt to close."

Vinson: "I would ask for favorable consideration of House Bill 1847."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. With you, Currie. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 94 voting 'aye', 12 voting 'no', 6 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Order of Business Subject Matter Economic Recovery appears House Bill 1851. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1851, a Bill for an Act in relationship to state contracts and small construction businesses. Third Reading of the Bill."

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

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Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill creates the Illinois Small Construction Business Act of 1984. It could be called the Small Business Assist Bill because what it essentially does is allows the various agencies to set aside up to 10% of their total construction budgets for contracts with small construction businesses. This, of course, just allows them or gives them some protection that they won't be left out of the action in the state. It is pro-small business. It's a good Bill. It received a vote of 13 to nothing in Committee, and I...urge your favorable consideration."

Speaker Greiman: "The Lady moves for the passage of House Bill 1851, and on that is there any discussion? The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. This is an excellent Bill. I'm surprised it wasn't on the Consent Calendar. It should have been, and I hope everyone will join in support of this Bill and pass it out of here with 118 votes."

Speaker Greiman: "Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I...Will the Sponsor yield?"

Speaker Greiman: "Indicates that she will."

Brummer: "How do you define the small business in the Bill?"

Braun: "Hello, oh, sorry. The small business is defined pursuant to the definition in the...the same definition that's used by the Illinois Small Business Purchasing Act. The definition is already in the statute, and..."

Brummer: "And what is that definition?"

Braun: "Well, Representative Mautino has the definition, because he asked...A, B, C and D, thank you. I don't have it written here, the actual language, but there is nothing tricky about this Bill. This is a very good, solid Bill."

Brummer: "No, I...I support the concept. We...I have had some



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contact from some constituents at times that the definition that was already in the Act should be expanded because of the impacts of inflation and things of this nature, and I was just simply wondering what the definition was that was used."

Braun: "Here. I have it. I just looked at the third sheet. The small construction business is an independently owned and operated construction firm not dominant in its field of operation. Small business construction contract is a construction contract for which only bills from small construction businesses are accepted."

Brummer: "Thank you."

Speaker Greiman: "The Gentleman from Versilion, Representative Woodyard."

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

Speaker Greiman: "Indicates that she'll yield for question."

Woodyard: "Representative, can you tell me what this Bill does that we are not doing presently?"

Braun: "Well, it provides that...what we're not doing? Well, one of the problems we have is, again, with helping small businesses, and all this does, it says that the small businesses, at least to the extent of 10% of an agency's construction business, that small businesses should be given a preference. That's all."

Woodyard: "I agree with Representative Ewing that this is a good Bill and should be passed, but I really feel that we are presently doing that. The other question, would you tell me why you put this Bill in Interim Study and had it back out in fifteen minutes?"

Braun: "It was a...I think it went into Interim Study by accident is what happened."

Woodyard: "Thank you very much."

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Speaker Greiman: "The Gentleman from Dupage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen. I believe that the language from the Small Business Purchasing Act has been delineated by rule to include manufacturing firms which have sales in less than one million dollars annually, or service oriented firms with sales of less than one million dollars annually and manufacturing firms of fewer than two hundred employees, I believe. I believe that's correct."

Speaker Greiman: "Is there further discussion? There...There being none, the Lady from Cook to close."

Braun: "...microphone isn't...oh, it is working now. I was just going to say this...this has to do with construction contracts only, but thank you, Representative. I would encourage a...an 'aye' vote on this Bill. This Bill, I think, is overdue and I think it's in the interest of the small businesses of the state and if we are talking about economic recovery, we can't certainly forget them. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Order of Business Subject Matter Economic Recovery appears House Bill 2218. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2218, a Bill for an Act to add Sections to the Public Community College Act. Third Reading of the Bill."

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

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Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2218 would create High Technology Innovation Grant Program within the Illinois Public Community College system. It would provide for up to 20 grants. The original Bill had 12. It would also...contain a limitation of not more than two grants to a community college. The grant applications would go to a Committee that was selected by the Governor. The grants would be made by the Illinois Community College Board. The program would start as soon as we can have your 'aye' votes. I would solicit your 'aye' vote for the passage of House Bill 2218."

Speaker Greiman: "Gentleman has moved for the passage of House Bill 2218. On that is there any discussion? Gentleman from Livingston, Mr. Ewing."

Ewing: "One comment I would like to make. This Bill cost two million dollars. It's just another expenditure which I think has a doubtful benefit. If we would remember back to the Sputnik era, we decided to throw money at education in this state and in this nation, and Ladies and Gentlemen, it didn't solve the problem. Now, we are talking about high tech, and we think if we don't throw money at education again, we are going to be left out. That is not the way that we get a quality education in this state or in this nation. I think this is ill-advised and certainly poorly timed for the financial condition of this state, and I would ask for a 'no' vote."

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

Giglio: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the last speaker. I think the community colleges are on the right track, if we are going to provide any kind of future for the future generations of our state. I think the...the people that

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are going to the community colleges need this kind of training. We don't have any training now for these people for the new industry and the technology coming down the pike and we in Illinois don't have that type of technology. If you check the record and read the books that have been printed in the last ten years and find out states like Pennsylvania, Connecticut and other places that have the high technology are the ones that have the employment in their states. So I think this is a very good Bill. and I would urge your support."

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

Yourell: "Thank you, Mr. Speaker. I raise...rise in support of House Bill 2218. My own personal experience in my own junior college district is that that's exactly what they are attempting to do now. This legislation is very important if we are to heed the Governor's advice in his Budget Message to us when he mentions that there are 700,000 people unemployed in Illinois and about 65% of those unemployed individuals will not go back to the jobs from which they came from. They have to be either retrained or some other industry to be formed in this state in order for them to be placed back in the ranks of the employed. We all recognize and we quote the words 'high tech' all the time, and I think this an excellent opportunity for those who really sincerely believe that that is the wave of the future to do something about it now and not wait until it's too late, until money is spent in other areas it will not do any good. I think we all understand the problem of our secondary and elementary levels of education today where they don't mandate the teaching of math, English, computer sciences, social sciences and so forth in the number of years that are necessary to qualify these individuals to take their place

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in our new high tech society. That is part of the overall question and a question that was addressed most recently by Representative Breslin in House Bill 1719 which did something to mandate those most important subjects so that when the individuals do graduate from high school, they'll have some basic training, but without a place to go to initiate that basic training such as high tech centers that will be initiated by this legislation, it's just a waste of time. It's good legislation. It's progressive legislation. It's legislation that we need to improve our junior college foundation levels and I urge your support of this fine Bill."

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

Topinka: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill because I think it's a tremendous investment. I think the community colleges have risen to the challenge of filling in the slack here of trying to get people retrained, and if we are ever going to get them back on the street and working in new jobs, this is the way to go about it. It's a good business Bill and I would encourage as many 'aye' votes as possible on this side."

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

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

Speaker Greiman: "Gentleman has moved for the previous question. The question is, 'Shall the previous question be put?' All those in favor, signify by saying 'aye'. Those opposed, 'nay'. The 'ayes' have it, and the previous question will be put." Mr...Mr. Leverenz to close."

Leverenz: "Why, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill fits to the Governor's program in that the community colleges are to be the location for the training. They are to be the front line for high

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technology. You found, in the original request of the Board of Education for the state this year, a million dollar request for this type of program for grants. We have refined it. We have provided that the Governor selects the people that will be choosing who gets what. We want the program in place. Whether it's a two million dollar appropriation or perhaps only a one million dollar appropriation, the fact is that this is a good idea and the time is right. And I sincerely ask for your green vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'nay'. Voting is now open, and to explain their vote, Mr. Marzuki, the Gentleman from Cook."

Marzuki: "I'm very pleased to be able to vote 'yes' on this question. I think that our investment in the Sputnik did pay off. Our adventures in space have led to a great many new commercial ideas in this country, and I commend everyone who is giving the junior colleges a chance to retrain many of our people in Illinois."

Speaker Greiman: "Gentleman from Kendall, Mr. Bastert. To explain her vote, the Lady from Champaign, Ms. Satterthwaite, one minute."

Satterthwaite: "Simply to say that in Committee, we had testimony indicating that in many of the new programs that can be funded through the jobs training program or other federal sources, while there may be funds to back the student in that particular course, there frequently are not funds available for the equipment. If we want those job training programs to really function, we have to give them the equipment to do their work."

Speaker Greiman: "To explain his vote, the Gentleman from Cook, Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I just want to take this opportunity in explaining my vote to commend Marine Valley Community College, which is in Palos Hills, which is part of my district, for taking a leadership role in addressing the academics of high technology and this Bill is a reflection of their efforts, and I would commend an 'aye' vote for everyone in this Body."

Speaker Greiman: "Gentleman from Macon to explain his vote, Mr. Dunn."

Dunn: "Well, just to point out, Mr. Speaker, that if we really want high tech in this state, I think we have to start it with the University of Illinois. It's wonderful to provide all these...or the training for all the students, but if they have no place to go to work after the training, it won't do one bit of good, and it's only things like the...like the science and the physics and the engineering programs at the University of Illinois which is one of the premier institutes of higher education in this entire nation that will attract and draw high technology to our state. So we are putting the cart before the horse here. We ought to go to U of I, get that program in place, attract industry and then train people. We're a little bit ahead of ourselves here."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 92 voting 'aye', 22 voting 'no', 1 votin 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Special Order of Business Subject Matter Economic Recovery appears House Bill 2233. Out of the Record...Order of Special Order of Business Subject Matter Economic Recover appears House Bill 2282. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2282, a Bill for an Act to amend

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Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "This is a Bill that I'm quite proud to present to you, and what it does is amends the Income Tax Act. It authorizes deferral...deferral of the new...of the tax on certain kinds of long term capital gains reinvested in a new Illinois business. Now, I honestly believe the implementation of a Bill such as this will not only help the economy, but it will also help business in this state. I think business leaders throughout the State of Illinois have stated many, many times that we are unreceptive to them. I think the enactment of a Bill such as this will show our intent, that we do and are concerned about the business in the State of Illinois. The State of New York has a Bill similar to this. The only difference in the State of New York, they used the capital gains tax. The State of Illinois does not have a capital gain tax. This is why this Bill is structured around this particular idea. It's the deferral of taxes, deferral of taxes. Hopefully, all of you will give me a green vote. I took a walk for you yesterday. Hopefully, that you will walk to the console today and give me a green vote on this one."

Speaker Greiman: "Gentleman moves for passage of House Bill 2288, and on that is there any discussion? Gentleman from Livingston, Mr. Ewing."

Ewing: "Ladies and Gentlemen of the House. We are, or shortly will be considering whatever tax package the Senate may pass over here. You can be assured that that tax package will include some increase on the individual income tax. Illinois has been fortunate in having a flat rate across the board tax with no exemptions, no exemptions for capital gains is one of those big exemptions in the federal tax."



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If we approve this Bill, Ladies and Gentlemen, who are we helping? We are helping the people with property, the people with money. We are not helping the Joe Blow worker in this state, who doesn't have property, who is trying to sell it. Ladies and Gentlemen, I hit a nerve on the other side. They had to speak up, they had to shout out. Ladies and Gentlemen, this is not a good Bill. It's not good for the type of tax we have in this state, and if you believe you are for the working man, it's not a good Bill for the working men and women of this state either. I'd suggest a 'no' vote."

Speaker Greiman: "Is there further discussion? There being none, the Gentleman from Rock Island, Mr. DeJaegher to close."

DeJaegher: "I take exception to the remark that was just made. I feel that business must have an incentive. We are not giving them nothing. They will have a responsibility of reimbursing this money to the state. All it is an encouragement of the state. Two weeks ago, I heard an eloquent speaker say, 'if we're going to do something, let's put it where it is'. Give business an incentive and I think that this is going to give that business an incentive to enlarge their plants, to improve their facilities, to create more jobs. I believe it will be a boost to economy. Hopefully, I will have your 'aye' vote. Thank you."

Speaker Greiman: "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...Mr. Kulas to explain his vote, the Gentleman from Cook."

Kulas: "Since this Bill helps Republicans, I'll vote 'aye'."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 67 voting 'aye', 43 voting

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'no', 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Order of Business Subject Matter Economic Recovery appears House Bill 2290. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2290, a Bill for an Act in relation to the Illinois Development Finance Authority, amending Acts herein named. Third Reading of the Bill."

Speaker Greiman: "And on that, the Gentleman from Cook, Mr. Madigan. For what purpose does the Gentleman from Effingham arise? Excuse me, Mr. Madigan."

Brummer: "Yes, if I might briefly, I have one of my constituents here that served with many of you for many years, Representative Chuck Keller, standing back here by Frank Giglio's desk. Like you to welcome him."

Speaker Greiman: "I think that may be a violation of one of our rules, Mr. Brummer...we don't have to discuss it. The Gentleman from Cook, Mr. Madigan."

Madigan: "Well, Mr. Speaker, I would like to place my objection in the record to the introduction that was done by Mr. Brummer. We specifically provided in the rules that we would not provide for introductions and that includes former Members of the House. So I wish to be on record in opposition to the objection and Mr. Keller is a wonderful person."

Speaker Greiman: "The Gentleman's point...points are well taken. On House Bill 2290, Mr. Madigan."

Madigan: "To the Bill, House Bill 2290 would provide for the creation of the Illinois Economic Development Finance Authority. This Authority would presume...would assume two functions currently provided by other state agencies. Number one, it would assume the Illinois Industrial Development Authority and it would assume the Illinois

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Environmentalist Facility Financing Authority. In addition, it would provide for three new functions. Number one, a land bank, number two, a venture capital function, and number three, an insured industrial revenue bond function. Our purpose in offering this legislation is to meet the needs as enunciated by the Illinois Small Business Conference of 1980, the needs as developed by a recent report of the Department of Economic...the Department of Commerce and Community Affairs, and lastly, the testimony as adduced by the Illinois...by the House Select Committee on Small Business and the House Select Committee on Economic Recovery. All of these sources have told us that the real need of Illinois business is to provide better access to capital at reasonable rates for medium and small size firms. The larger firms, even in a period of rising interest rates, have the ability to gain access to capital. It's the medium size and small firms that encounter difficulty in getting a loan to begin or to expand. This program would provide for the use of no state cash, a minimum use of the state credit and a maximization of a partnership between public and private, private being Illinois banks, investment bankers and insurance companies, and public being the credit of the state, as provided through the newly created Illinois Economic Development Finance Authority. This Bill was not drafted by my staff. It was drafted by financial experts in the State of Illinois. We went to the financial community and we asked the financial community what do you need and how do you do it? Thereafter, the Bill was drafted in complete cooperation with these well known and experienced people in the field of finance. I think that this is an excellent Bill. It has the support of numerous institutions and organizations all over the state. I would recommend an

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'aye' vote."

Speaker Greiman: "Gentleman moves for the passage of House Bill 2290. Is there any discussion? The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I am certain that Speaker Madigan has gone to great lengths to see that this Bill was properly drawn. I'm certain that his motivation in the promotion of this legislation is of the highest caliber. I would remind the Body though, that this Bill still uses our pension fund money, and that was the will of this Body yesterday when they decided not to adopt the Amendment which I offered which would have deleted that. But I would say that we must remember that when we cast our 'aye' vote or our 'no' vote on this legislation and in my opinion, as long as that is in the Bill, this vote...this Bill deserves the same fate which we gave to 1056, and I would urge an 'no' vote until the pension funds are removed from this legislation. Thank you."

Speaker Greiman: "Gentleman from Hardin, Mr. Winchester."

Winchester: "Well, it's Winchester, Mr. Greiman."

Greiman: "I thought I said...Mr. Winchester, yes."

Winchester: "Okay. I, too, reluctantly rise in opposition to this Bill. I think that it is pretty well drafted, has some real good merits to it. I know that several financial individuals who are well respected in the state participated in it. I know that the Chamber of Commerce supports it, but it still comes down to just one area within the legislation, and that is, as Representative Ewing outlined, the 40 million dollars that's to be taken out of the retirement system. Surely there could be other ways to find that money, I don't know, but other ways to find that money besides taking it out of the retirement

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system. It appears that it is the will of a large great majority of people in this state that they don't want us to touch the retirement system any further, regardless of how and what benefits, to what programs that that money would use, and just based on that one provision, one Section of the legislation that would require the 40 million dollars be taken out of the retirement system, I would ask the Membership to vote 'no'."

Speaker Greiman: "Any further discussion? The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This Bill again was reviewed by the Pension Laws Commission which stipulates that they do not have any position on the Bill. Since the state has only so much money available for appropriations to the retirement system, they state that the requirement in the future years appropriate amounts to repay this loan in previous years could affect the appropriations that would otherwise be made to the retirement system. I would like to bring to the attention to the Members of the General Assembly that the money is to come out of the monies that are appropriated by the General Assembly or the State of Illinois into our pension system. Of course, needless to say that the Governor in the previous years has utilized approximately 600,000,000 dollars to fund state government by lack of participation and paying in the proper amounts into the state retirement system."

Speaker Greiman: "Mr. Hastert, Gentleman from Kendall."

Hastert: "Would the...would the Sponsor yield, Mr. Chairman?"

Speaker Greiman: "Indicates that he will."

Hastert: "This is a...Mr. Sponsor, is this a...does this create a board that oversees the Authority? Is there a Board created?"

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Madigan: "Yes, we create the Illinois Economic Development Finance Board. That Board would assume the current Illinois Industrial Development Authority, and the...Environmental Facilities Finance Authority."

Hastert: "And then they elect their own Chairman?"

Madigan: "Yes, right."

Hastert: "Are those members...are they...have any legislative appointment?"

Madigan: "No, they are appointed by the..."

Hastert: "So there's not...no Senate confirmation or anything like that on it."

Madigan: "They would be appointed by the Governor with Senate confirmation."

Hastert: "With Senate confirmation?"

Madigan: "Yes."

Hastert: "Okay. Then one final question, the appropriation or the power of this Board to spend money, is there any...do they have any responsibility to the General Assembly at all? Do we have appropriation power over them?"

Madigan: "In a sense, yes, because the Board would be housed in the Department of Commerce and Community Affairs, but it would still be an independent agency. Our purpose in developing this plan is to provide that the personnel currently employed by the Department of Commerce and Community Affairs who have experience in this field could be made available to this Board, and in light of the requirement in the legislation that an applicant first go to a private financial institution and that he have a commitment in a percentage amount from that financial institution, we feel that by using the private financial institutions, we can draw upon their expertise and minimize the need for new state employees, especially in light of the use of the current employees in the Department of

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Commerce and Community Affairs."

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

Speaker Greiman: "Proceed, Sir."

Hastert: "The only reason for questioning the Sponsor of this Bill, I...we, and myself personally in this General Assembly have had some problems with the Illinois Housing Development Authority and the Authority that is created there. I just wondered if that was a like situation and I had some concern about that and I appreciate the answers."

Speaker Greiman: "Further discussion? On the Bill, the Gentleman from Cook, Mr. O'Connell."

O'Connell: "Mr. Speaker, Ladies and Gentleman of the House, I would just like to make note with the...the proposal of this Bill by the Leader of the Democratic side of the aisle, that for years the other side of the aisle has been accusing us of being short term in our thinking, of not addressing long term business issues. I would submit that this is an ingenious long term innovative proposal that hasn't been submitted by our staff, as pointed out, but the business community itself. I would also suggest that the other side of the aisle take a look at some of the other states and what they have done, specifically Massachusetts, where the unemployment rate in that state which ten years ago was reaching extremely high levels is now practically nil. If this state is to start moving, we have to show a bipartisan acceptance of innovative concepts that will provide for us a long term betterment, and I would submit that this is, indeed, a positive step in that direction."

Speaker Greiman: "Further discussion? The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill, and especially, I want to make a comment about the suggestion that this was

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some kind of a raid on pension funds. It is anything but that. The discussion of 40,000,000 dollars is a little bit clouded when you realize that they are only talking about 10,000,000 dollars a year. The state pension funds get back their money with a guaranteed 10% interest and that 40,000,000 dollars which comes out over four years gets paid back 94,000,000 dollars. This is in no way a raid on pension funds. I have voted against friends, and I've voted against allies over in this side when it comes to pension funds. But I guarantee you, this is not a raid on pension funds, this is a good Bill for pension funds, and I stand in support of it."

Speaker Greiman: "For what purpose does the Gentleman from Cook, Mr. Cullerton rise?"

Cullerton: "Mr. Speaker, I would like to know from the Parliamentarian how many votes this Bill will take to pass?"

Speaker Greiman: "Thank you, I will consult with him and will be back with you in a moment. Thank you, Mr. Cullerton, for posing that question. It is the opinion of the Chair that House Bill 2290 establishes a program for revenue bonds which are not obligations of the state backed by the full faith and credit of the state. Section 9(b) of Article 9 of the State's Constitution, provides in part that state debt may be incurred or the payment of state or other debt guaranteed by law only if approved by three-fifths Constitutional Majority. State debt as defined in Section 9(a) of the Constitution, as quote, 'bonds or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be repaid directly or indirectly from tax revenue and which are incurred by the state, any department authority, public corporation, or quasi-public corporation of the state, any



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state college or university, or any other public agency created by the state, but not by units of local government or school districts', unquote. House Bill 2290 authorizes revenue bonds which are not not obligations of the state backed by the full faith and credit of the state. House Bill 2290 creates no other bonds or evidences of indebtedness which constitute state debt within the meaning of the constitution, nor does it guarantee any other debt. Accordingly, a Constitutional Majority of 60 will be required for passage. Mr. Cullerton."

Cullerton: "Well, Mr. Speaker, assuming that you didn't read that, I just wanted to compliment you on that excellent ruling. And I'm... I'm amazed that how quickly you were able to put that together and off the top of your head to deliver that. I'm very impressed."

Speaker Greiman: "Mr. Cullerton, any body who has watched me knows how fast I think on my feet, but I thank you for the compliment in any event. Alright. There being no further discussion. The Gentleman from Cook, Mr. Madigan to close."

Madigan: "Mr. Speaker, Mr. Stuffle will close the debate."

Speaker Greiman: "Oh, I'm sorry. Yes. The Gentleman from Vermilion, Mr. Stuffle, to close."

Stuffle: "Yes, Mr. Speaker and Members of the House, briefly, this Bill was heard in the Committee on Economic Recovery, was given a full hearing. We addressed all the issues addressed here today. I think it should be pointed out that this is not a quick fix. It's an effort at long term stability to help our economy. It is supported by the Chamber of Commerce. It's supported by the big and small business interests of the state. I think the pension issue that was raised is clearly a red herring with the repayment provisions of 10% a year. We're clearly not taking

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anything that's not being paid back with ample interest. And it's ironic to hear those who opposed that provision are the same ones who, in fact, took the 70,000,000 that they're now crying about away from those pension funds. This Bill provides the same kind of incentives business has been asking for on the Republican side of the aisle and in part from us over here over the years. It doesn't provide giveaways. It provides a solid mechanism of helping business help itself through local financial institutions with the small help of the state in the form of the insured revenue program, bond revenue program and the other three programs that the Speaker indicated to you were in the Bill. I think it's one of the best Bills we've had before us. The best crafted, best thought out, most important, and will have the most impact possibly of any Bill that we will pass in this General Assembly. I think the Speaker is to be commended for putting it together, for analyzing it and for looking all over this country, and not even just in the State of Illinois, at the bond people, the banks, labor and business to put together a finely crafted and finely tooled piece of legislation that can be supported by people in this state to bring economic recovery out of the recession we face now. And for those reasons and the one cited by the Speaker, I would ask, joining with him and the other Principal Sponsors, Representative McFike and Representative Mautino, for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The 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 85 voting 'aye', 25 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby

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declared passed. On the Order of the Special Order of Business, Subject Matter, - Economical Recovery, for the purposes of a Motion, Bonan on 2233."

Ronan: "Mr. Speaker, I'd like to put this Bill on Interim Study."

Speaker Greiman: "Gentleman asks leave to...for the Bill... for House Bill 2233 to be placed on the Interim Study Calendar. Gentleman have leave? Leave is hereby granted. For what purpose the Gentleman from Cook, Mr. Cullerton, rise?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to continue consideration of all House Bills placed on the Order of the Special Order of Business - Economic Recovery, which were not heard on Wednesday, May 25, 1983, today, to be considered as a Special Order of Business - Economic Recovery at 4 p.m. on Thursday, May 26, 1983, and all House Bills placed on the Order of the Special Order of Business State and Local Government Administration, which would not be heard on Wednesday, May 25, 1983, to be considered as a Special Order of Business - State and Local Government at 5 p.m. on Thursday, May 26, 1983."

Speaker Greiman: "The Gentleman has moved that Bills not heard on the Order of Special Order of Business, Subject Matter - Economic Recovery, be heard at 4 p.m. tomorrow on a continued Special Order of Business, and that those Bills that we do not hear today, on the Order of Subject Matter - State and Local Government Administration, be set for 5 p.m. tomorrow. Is the... does the Gentleman have leave? Leave. Leave is... There's objection. All those in favor of the Motion signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, we'll take a Roll Call. All those in favor signify by voting 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 74

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voting 'aye', 32 voting... There are 76 voting 'aye', 32 voting 'no', none voting 'present', and the Motion carries. Alright. Ladies and Gentlemen of the House, we will now go to page four on your Calendar Second Reading Bills that are on Special Order of Business. And the first Bill in that category is House Bill 2012. On the Order of House Bills Second Reading, Bills on Special Order of Business, appears House Bill 2012. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Excuse me, Mr. Clerk. For what purpose does the Gentleman from Cook, Mr. Piel, arise?"

Piel: "I was just wondering if the light was working, because when the Motion was made about seven minutes ago, I... All I wanted to do was explain why he wanted to set up another Special Order of Business and never called on. So I just decided I was going to leave it on to see how long it took you to recognize me."

Speaker Greiman: "Well, Mr. Piel, it is blinking in wonderful form and fashion, Six."

Piel: "Thank you very much, Mr. Speaker."

Speaker Greiman: "Alright. Mr. Clerk, read the Bill on the Order of Second Reading."

Clerk O'Brien: "House Bill 2012, a Bill for an Act relating to public financing of gubernatorial campaigns. Second Reading of the Bill. This Bill has been read a second time previously. Amendment #1 was adopted. Amendment #2 was withdrawn."

Speaker Greiman: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Madigan - Preston."

Speaker Greiman: "And on that, Mr. Madigan or Mr. Preston. Which... which of you will handle that? Mr. Preston, the Gentleman from Cook."

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

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House. Amendment #3 to House Bill 2612 is a technical Amendment that merely changes the course of election law in Illinois from the beginning of the history of this state. What Amendment #3 does is to delete everything after the enacting clause, and require public... or offers public financing of gubernatorial elections in Illinois placing restrictions on expenditures in those elections for candidates who choose to accept public funds. And those restrictions have been well debated and discussed in the previous discussion on this Bill, but I will highlight some of the more important elements of the Amendment. It places a limit on candidates for Governor and Lt. Governor who choose to receive public matching funds for their election campaigns of a million and a half dollars in a general... excuse me, in a primary election, and further, limits the amount of the expenditures that are permissible to two million dollars in the general election. As you may recall, in the most recent election we've had, over eight million dollars were expended by the candidates for the office of Governor alone. That, I would submit to you, is getting to the area of the ridiculous, and because of that there has been a public outcry to do something to limit the expenditures that can be... can be made in a campaign. This Amendment also raises the threshold from the original version of the Bill from \$50,000 to \$100,000 for candidates who are eligible for these public matching funds. And what the affect of this is, is to eliminate candidates who are not serious candidates for the highest office in Illinois. It is difficult for anyone but a serious candidate who is running a serious campaign to raise a \$100,000, and that's why we sought to raise the limit to \$100,000 in order for a candidate to receive public matching funds. It raises the limit from the original version of the Bill of qualifying

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contributions from the original limit, which was \$150 to a more realistic limit of \$500 so that individuals contributing to a gubernatorial campaign may contribute under this Bill and still receive matching funds of \$500. It raises the amount that may be transferred from a primary account to a general account, so that candidates who run for the office of Governor and Lt. Governor who have left over in their primary accounts a certain amount of money in which we established here in the Amendment of \$35,000, that's the amount that can be transferred from the primary to the general election account. It raises also, the amount that a political party can contribute to a general election of the candidates of that party from the original version which set that limit of \$100,000. The amended version of the Bill which this amended encompasses, allows political parties to contribute up to, but not to exceed a quarter of a million dollars, \$250,000 for candidates who are receiving the public matching funds and permits families of the candidates to contribute up to \$35,000. Political committees, corporations, unions may contribute up to \$5,000 to the political campaign funds. But what I think are the most important aspects of this Bill, and some of the abuses which we have seen in the past, is that this Bill requires any unexpended funds, after the election is over, any funds that are left in the political campaign account cannot be put into the pocket of the candidate. It can't be expended on whatever the whims may be of the candidate. The money that's left over, since you and I, through our tax dollars, have funded part of that campaign account, that money is returned to the General Revenue Fund. And the Bill goes further and says that after the campaign is over, there is limitations, there are limitations placed on what post election expenses can be

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paid out of that account. The purpose and the effect of the Bill as amended by this Amendment is to see that campaign funds go for campaigns and not for other purposes. Further, the purpose and the effect of this Bill is to see that there are reasonable, workable limits on how a candidate can raise his money for his campaign, and how those candidates can spend the money, and how much money can be spent on a campaign. There has been, as I indicated, a public outcry concerning the abuses, or what appear to be abuses, of campaign laws. This Bill changes the course of Election Law in Illinois. It's a needed urgent reform that other states have incorporated. And the time is now here for Illinois to also bring this up to the statute books and to make some meaningful changes so that the electorate can have some faith in the candidates that they elect. I'd be glad to answer any further question. We had considerable debate on this in the past. And I, at the same time, urge those who are voting to vote green."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment 3 to House Bill 2012, and on that, is there any discussion? The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. An inquiry of the Chair. Has the fiscal note been filed on this Bill as yet?"

Speaker Greiman: "No. The fiscal note has not at this moment been filed, no."

Olson: "In the interest of moving the business of the House along, would the Sponsor consider taking this out of the Order of Business at this time until that's filed?"

Speaker Greiman: "Indicates that he won't."

Olson: "May we proceed?"

Speaker Greiman: "You want to proceed on the Bill, Mr. Olson?"

Olson: "Yes, question to the Sponsor."

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Speaker Greiman: "Proceed, Sir. He indicates that he'll yield for question."

Olson: "Thank you, Mr. Preston. We discussed some of the essence of the Bill the other day, and I would merely repeat some of the concerns that we had relative to the 'periferation' of campaign committees to a question that was raised the other day of the service in kind by supportive agencies of a candidate selection. And wish you would address those for us again, please."

Preston: "Well, concerning the service in kind, any service in kind where volunteer or where employees of any political campaign, or any corporate entity, or of any individual perform service for a candidate for pay, that's included in the spending limitations under the purview of this Act as amended. However, volunteer services are not, and frankly, I don't think there is any constitutional way, nor should there be any constitutional way, to prevent that. Employees of a corporation where the corporation, for example, views that a certain candidate is in that corporation or that labor union's best interest to have their... to encourage their employees or their union membership, to, on a voluntary basis, go out and work on behalf of the candidate is not prohibited nor should it be prohibited. However, if that entity pays these people to do it, in that case it falls within the purview of this Act, and while it's not prohibited, that applies towards the spending limitations."

Olson: "Few additional questions, please. In the absence of a fiscal note which seems to be very difficult in coming relative to the audit costs, the cost that might accrue to the general revenue funds, in your preparation for this Bill, have you given some thoughts to what those costs might be? Also, to the affect on subsequent campaigns,



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four years after the '86 election?"

Preston: "Well, yes, Representative. The State Board of Elections indicates..."

Olson: "Mr. Preston."

Preston: "I'm sorry, Mr. Olson. The State Board of Elections indicates that the audit cost, data processing and printing costs would be \$50,000."

Olson: "Is that to be taken out of the State Board of Elections or the gubernatorial funds?"

Preston: "That is... That will come out of the General Revenue Fund appropriation to the State Board."

Olson: "Okay. In the other states that you cite as looking at this concept, do you have definitive figures as to what the actual GBF impact have been in those states such as New Jersey, where they recently had a primary, where they had six or seven candidates?"

Preston: "That... Our... That \$50,000 figure was based on the New Jersey experience I am informed."

Olson: "The New Jersey experience. Yes, thank you very much."

Speaker Greiman: "Further discussion. The Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "He indicates he will yield for a question. He's reluctant, but he indicates he will."

Vinson: "Thank you. Representative, on page eight of your Bill, of your Amendment, lines four and so on, you provide that a candidate for Governor or Lt. Governor who accepts a loan deviating from the regular practices of the lending institution making the loan is guilty of, what I think, a class A misdemeanor?"

Preston: "Yes, of course, that's what it says."

Vinson: "Why would you make... why do you put that burden on the candidate?"

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Preston: "Well, Representative, as you know, since you're an attorney, the only situation in which the candidate can be held to have violated this provision of Section 6 is when he knows that the credit arrangement he has developed with the bank is contrary to that bank's normal lending practices. And the purpose of that provision is so that... Well, let me give you the simplest hypothetical, a pro-banking legislator, or a pro-banking candidate, who's running for the highest office in Illinois can't have some arrangement with their bank to finance that candidate outside the restrictions placed on the candidate's expenditures in this Bill, and outside of the money raising ability of that candidate. So that it's perfectly alright for a candidate to go to a lending institution and borrow funds, if that lending institution requires the same credit worthiness of that candidate as the lending institution requires of all other similarly situated people. But to have the lending institution move outside of their normal course of business for the benefit of one particular candidate would be a..., in effect, a contribution, and not a loan and that should be restricted, according to the purview of this Bill. That's the whole purpose of the Bill."

Vinson: "Alright now, what particular financial credit worthiness does a candidate for Governor fall into, where... how does he get rank? Is he going to be ranked against other candidates for Governor. Is he going to be ranked in terms of his campaign's ability to raise money and repay the loan, or is he going to be ranked in terms of politician seeking loans in general?"

Preston: "Well, first of all, different lending institutions have certainly their own individual requirements. Most of the practices, almost universal, however, that when a

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candidate's campaign committee goes to borrow funds that that individual guarantees, individually guarantees, the loan. So much of the loan may well depend on the credit worthiness of the individual. Therefore, if Jay Rockefeller wanted to come to American National Bank and borrow some money, he would have a slight leg up on Representative Greiman if he wanted to borrow the same amount of funds at that bank."

Vinson: "So the thing that we're really looking to is the individual candidate's financial sheet."

Preston: "Well, it would be... it would be a combination of things. Certainly, they would look, also, at the ability of that candidate to raise the funds afterward to repay the loan, and that may come from the campaign committee. My experience with it is that a bank would be ill-advised to go... And I think they universally refuse to base simply on the credit worthiness of a political campaign committee to loan funds. They normally require personal guarantees. Then they look to the collateral value of those personal guarantees."

Vinson: "And that is... that is what... If the bank deviated from that, that's what the criminal liability would be predicated on?"

Preston: "No. If the bank deviated from it, and the candidate knew the bank was deviating from it, that would be what is prohibited by Section 6 of this Amendment."

Vinson: "Deviated from the... a regular evaluation of the candidate's own personal financial worth?"

Preston: "No. That's not what I said. I said however that individual institution ranks the credit worthiness of a loan application, and the person... and the a person whether that be a campaign committee or whatever, who is borrowing the funds. Now the credit worthiness of anyone

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borrowing funds from any institution is increased tremendously by the number of people and the personal assets of the people who guarantee that loan. So, again, Mr. Rickerfeller borrowing funds or guaranteeing a loan that has a hell of a lot more credit worthiness than if I were to borrow those funds. Now that's what the bank should look at. And if the bank... And if the candidate knows the bank is not doing it, and the intent here is very clear. We don't want to put together a situation where banks can do favors for candidates outside their normal course of business in making loans, because that... if they're going to do that, that's a contribution, that's not a loan, and that should be recorded as such. So we don't want banks giving low interest, abnormally low interest loans to one candidate as opposed to other people who go to that bank. We don't want one bank giving abnormally high amounts of loans to a given candidate, because that is not a loan, that becomes a contribution. And if they're going to give contributions, it should be recorded as contributions."

Vinson: "Does that requirement currently apply, or would it as a result of this, to General Assembly candidates?"

Preston: "This Amendment does not apply to General Assembly candidates, but only to candidates for Governor and Lt. Governor of Illinois."

Vinson: "But does the policy that you're talking about apply to General Assembly candidates?"

Preston: "Well, Representative, I think that is just outside the discussion that we have here, we're talking about the... this Amendment which applies only to Governor and Lt. Governor of Illinois. I'm not aware of... If you're interested in putting such a Bill, I'd be glad to take a look at it, but I'm not aware of the restrictions on loans

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for legislative candidates. But this Bill doesn't deal with that in any manner whatsoever."

Vinson: "Alright, does... Is the intent of this Section, in any fashion, to place a burden on the candidate to inquire as to what the normal lending practices are in this kind of loan?"

Preston: "No. It does not place and the intent is not to place any investigatory burden upon the candidate to go and... First of all, I don't even think it would be appropriate to go and ask the bank what their normal lending procedures are, and certainly that burden is not intended to be placed on any candidate whatsoever. However..."

Speaker Greiman: "Bring... bring your remarks to a close..."

Preston: "... However, in just answering it further, it doesn't take someone to go through a thorough investigation to know that if they go to a bank, and the bank offers them a two percent loan, that that's out of the normal course of business in today's commercial climate for loans. And a reasonable person should know that he's getting something more than a loan. He's getting some enhancement. He's getting a favor. He's getting, in essence, a contribution."

Vinson: "Okay. Now... now that's specifically what I want to get to. Let's say that a candidate for Governor did get a two percent loan. Now would he be in violation of this statute, if this becomes law, if he got a two percent loan, and if the bank was willing to make a two percent loan to another candidate for Governor?"

Preston: "Well... You know I... That's... that's not something I can answer, because that's for a finder of the fact to look at all the circumstances surrounding that loan. If there.... It would seem to me, that if there are loan readily available to gubernatorial candidates and that it's

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been done in the past at very low interest loans, then no. That... that I would assume is not outside the normal course of business. I will like to find this bank that you're referring to, because I would like to make a loan for myself."

Vinson: "Well you were referring to it originally."

Preston: "Well, I... I don't know of any bank that would make a two percent loan for anything..."

Vinson: "You see my problem..."

Preston: "... To anyone for any purpose."

Vinson: "My problem with the Section, and this is why I'm trying to get so much out in intent on it is that you talked about regular practices of the lending institution making the loan, but don't you agree that there are very few banks which have ever made loans to gubernatorial candidates?"

Preston: "No. Well I... I... If I answer that question, I'd be speaking without knowledge. I don't know, I haven't looked at gubernatorial candidates' records where they loan money. But I think it is not uncommon for candidates for public office to borrow funds. I don't think it's uncommon at all, especially at the beginning of their campaign."

Vinson: "But this... Okay. Now let's go to that question."

Speaker Greiman: "Mr. Vinson, the rule of the ten minutes are coming to an end shortly, I wanted to get..."

Vinson: "Well, I just want to finish this one matter."

Speaker Greiman: "Fine, Sir. Proceed."

Vinson: "Let's say... Let's go back to the bank that made the two percent loan to a candidate for Governor, and let's say that that bank was willing to make a two percent loan to the competitor candidate for Governor, now if both of those are true facts, and if a candidate for the General Assembly went into that bank and borrowed money and was given an eight percent rate, again a loan for running for public

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office, would in that situation and... and let's even say that the candidate for Governor knew that the candidate for the General Assembly had gotten the eight percent loan, would we have a situation then where there might potentially be a violation of this Section?"

Preston: "Representative, I can't... If I could add to your hypothetical many other facts, the answer would be yes, if I could add other facts, the answer would be no. If it is... It is not sufficient to escape this Section of the Amendment to say that. Well, we're a lending institution, and we made a two percent loan to this candidate's opponent for Governor", that does not necessarily relieve a candidate who knows that it is... who knows that it is not within the normal course of business to make two percent loans, because I don't want to create here banks that make ridiculously loans to everybody running for Governor, as opposed to everybody in every other business or in other area of a human endeavor. But only to gubernatorial candidates, they make ridiculously low interest loans because then no matter who wins, boy, that person is going to see to it that state funds are deposited in our bank. I don't want that. That's among the main reasons that this kind of a Bill containing these kind of restrictions are necessary. However, however, if it is normal for a bank to make to... given people of like credit, a certain interest bearing loan, then there is nothing wrong with that bank giving that same interest or similar interest type loan to a candidate for Governor."

Vinson: "But the thing that really has to be evaluated is the credit worthiness of the recipient of the loan then."

Preston: "That is correct, as it is in every single loan situation at every bank. And it is by federal and state regulation. There are very tremendous regulations of what

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kind of collateral banks can accept in return for loans. And the type of loan that certain collateral is good for and other loans that collateral is not good for. I would ask you to take a look at regulation U, regulation Z of the Federal Banking Act which will point that out in some detail."

Vinson: "Okay. One final question in connection with this Section. Why do you limit the operation of this Section, and the deposits that can be made under the Bill in general to banks and I think, savings and loans, why not credit unions as well?"

Preston: "Well, because we thought in... There are all sorts of tremendous regulations on what credit unions can do with their funds. They're restricted in all sorts of area under present law, they don't need this restriction. They don't need any further restriction on here. If they do, I would certainly look into it, and I may well support your Bill on it."

Vinson: "But that... But can a candidate under this make his... put his accounts and so forth in the credit union?"

Preston: "No."

Vinson: "So you are discriminating against credit unions in this?"

Preston: "I'm discriminating against gubernatorial candidates, cause it does restrict any kind of money you can..."

Speaker Greiman: "Mr. Vinson and Mr. Preston. Thank you. Is there further discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield to two quick questions?"

Speaker Greiman: "He indicates that he will."

Friedrich: "In the last campaign, 1982, the AFL CIO endorsed every Democrat and no Republicans. Would that then make the contributions they make on any of their



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multi-organization a part of the available contribution from the Democrat party since they appear to be part of the Democrat party?"

Preston: "No, it would not. And just in response to the wording of your question, the... if that was a statement, the AFL CIO did not endorse me in the last election. So..."

Friedrich: "The other question, and a quick one. The AFL-CIO does print literature for candidates and pro and against. Would the distribution of that literature by... that had been printed by them, by their members, broadside, even though they were not paid directly for doing it. Would that be in violation of this Amendment?"

Preston: "Well, actually there are more facts that are needed to properly answer your question, whether we are talking about the AFL-CIO or any organization. If an organization as an organization asks its membership to support a candidate in its own literature printed at its own expense, that would not fall into the purview of this Act. However, this Act covers expenditures by the campaign fund or for the campaign fund, meaning like kind. You get into a gray area in present election law, in my mind. And this Bill in that area, I think there is still a little bit of grayness in it, as to whether or not if I circulate material asking people to vote for you, is that a like kind contribution to your campaign? I don't think it is. This doesn't change the existing law on the subject, however, on that Amendment."

Friedrich: "Well, okay. To the Amendment, Mr. Speaker. I think this opens up a can of worms where it gives the AFL CIO, an organization like that, a definite advantage over the public, and I doubt if it's a good Amendment."

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

Birkinbine: "Thank you, Mr. Speaker. Will the Sponsor yield for

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a question?"

Speaker Greiman: "He indicates that he will yield for a question."

Birkinbine: "Mr. Preston, I notice on page 19 of Amendment #3, you have set out the mechanism that would be put before the taxpayer so that they could indeed assign one of their dollars of taxes to go to the Gubernatorial Elections Fund, is that right?"

Preston: "That is correct."

Birkinbine: "That dollar, it... does that come off a potential refund that somebody has, or where is that dollar coming from? That part of the tax..."

Preston: "That dollar is coming from the taxes paid by the candidate... by the taxpayer. It does not come out of a refund, indeed many of us may not have refunds. It comes out of the taxes of the State of Illinois to..., that's why we call it public funding of gubernatorial elections. This is the public fund that is established with this checkoff system."

Birkinbine: "So, if I owed \$300 of taxes to the state, and I were to check that box, the state would get 299 to go in the General Revenue Fund and one dollar would go to this specific fund?"

Preston: "That is correct."

Birkinbine: "With that in mind, first... Oh, one aspect of that, does the state presently have any sort of checkoff on its income tax now?"

Preston: "No, they do not. Least that's... That's... that's my belief, they do not. I don't have a form in front of me."

Birkinbine: "There has been efforts in the past, though, to have one form of checkoff."

Preston: "That's correct. There has been."

Birkinbine: "I think Representative Skinner had something on it."

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Preston: "A number of people have. A number of people have. When I was on the Revenue Committee, a number of those Bills came up."

Birkinbine: "Now, as I understand the Amendment, if there are dollars left over in this fund, after the campaign is all over, those dollars are to be turned back to the General Revenue Fund, is that right?"

Preston: "That's correct."

Birkinbine: "Do any of those dollars, could they be used in the inaugural for the purposes of an inaugural, because you also deal with that, do you not?"

Preston: "No. Those funds could not be used in the inaugural."

Birkinbine: "So basically, what you're saying is somebody, I, could checkoff... I could, or anybody else, if this were to pass and become law, could checkoff saying that, 'Yes, indeed, I want one dollar of my taxes to go toward this Gubernatorial Elections Fund.' And yet, if those dollars were leftover at the end, they would be plunked back into the General Revenue Fund, and could, therefore, be used for something entirely different than what I designated it to be used for."

Preston: "Oh, of course, yes, that's true. And right now under present law, when you pay your taxes you don't have any right to designate where any portion of that money goes. But this would say you have the ability to designate where one dollar goes. Right now you have none. Right now you and I as legislators decide, are among those who decide, where everybody's tax dollars will go. And this will let an individual decides that for the purpose of public financing of the highest office... the campaign for the highest office in Illinois, that there should be restrictions. And we have to pay for those restrictions, and we're going to pay one dollar."

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Birkinbine: "And yet, there is no guarantee that it's actually going to be used in that regard."

Preston: "No, there is no guarantee. Some of the taxes will. Some may come back to the General Revenue Fund."

Birkinbine: "If I could ask you about a Section earlier on, that we touched on the other day where you specified what... And I don't have... I'm not sure exactly what the Section is, cause I don't have it marked up as I did before..."

Preston: "I've memorized the Amendment, Representative, so you could just mention the problem, and I'll tell you where it's at."

Birkinbine: "It dealt with in kind contributions. And what I'm thinking of is the supply of manpower that a group could come in with and use. And yet, as I understood it, that would not be considered as a contribution."

Preston: "Well, I know I made a distinction between the type of manpower. What would be considered in-kind contribution, is if I paid you ten dollars to work for Governor Thompson's reelection. That's an in-kind contribution. The time you spent, let's say, is ten dollars, if... if you're..., however, are a volunteer and on your own time, you are working for any candidate, let's... let's take... since we are talking about Governor, you work for a gubernatorial candidate, that's not an in-kind contribution. That's called being a precinct captain. And you should know all about that being from the Democratic machine of... or the Republican machine of Wilmette."

Birkinbine: "Northfield."

Preston: "Northfield, I'm sorry."

Birkinbine: "As of... Yes. So that if I get this right, on your own time would have to mean after working hours."

Preston: "It'd have to mean on your own time, Representative."

Birkinbine: "I'm sorry."

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Preston: "It would have to mean on your own time."

Birkinbine: "So... so that if..."

Preston: "You know obviously... You know what I'm saying is an employer could not pay you to work on a campaign without that being considered in-kind contribution. But what you do on you own time, is what you do as a volunteer on you own time."

Birkinbine: "So that if the First National Bank of Chicago were to have six of its employees work on behalf of a candidate for Governor, perhaps, running a phone bank, and those employees suspended their work at the bank and manned the phone bank, and this was strictly the bank's idea, they didn't coordinate it with the gubernatorial campaign because the bank was, nonetheless, paying them their normal salary. That would be considered an in-kind contribution?"

Preston: "Well, you... you present, again, where there is a gray area, because you... that would have to be decided on the surrounding facts of that case. What I'm saying to you, you know, to make it clear rather than being, you know, iffy about it, if I pay you to go help someone else, even though that someone else didn't... I didn't coordinate it with them, but I'm paying you, that's an in-kind contribution. If you do it on your own, that's not an in-kind contribution. If it's an in-kind contribution, it falls within the limitations of Mr. Madigan's fine Bill. If it is volunteer work, it does not fall within those restrictions. So, you know, yes, there will be organizations, I'm sure, who will, whether it be First National Bank, and I heard of someone mentioned who was a former employee of that bank that might be interested in running for higher office one day. I'm sure that there are people who might encourage members of their corporation, members of their labor union, members of whatever to go to

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work for a candidate, encourage. If those people do it on their own time, that's not in-kind contribution even though the encouragement came from an employer. If they're paid to do it, well, that's an in-kind contribution."

Birkinbine: "So... This is the last question I'll ask on that matter. Being specific, if the COPE were to send in several people to work on behalf of a campaign, that would be calculated into the dollars, the dollar limitation that they could contribute."

Preston: "Representative, if COPE paid the people to go out and work in a campaign, that's part of their contribution to that candidate. If they did not pay those people, then it was not part of their in-kind contribution of that candidate. So, if part of your job is... Alright, who... what candidates are we going to be helping? We're a pack. Who are we going to be helping here? Well, you guys go out and work for this one, and you guys go out and work for that one. That's part of the in kind contribution. If COPE just suggests they endorse you as a candidate for Governor, and people who are members of COPE go out and work for you on their own time, not being paid to do it, that is not in-kind contribution. That's not within the purview, no matter what organizations that person might belong to."

Birkinbine: "Do you know how such in-kind contributions are calculated? How do you calculate the worth of in-kind contribution?"

Preston: "Well, you... You just said it. You try to calculate the market value of that in-kind contribution. So that if..."

Birkinbine: "Their salary?"

Preston: "Their salary... It's... The answer is that it is a question of fact, and you have to look at all the

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surrounding circumstances. Generally, the value is the market value. And if it's salary, that's probably the best indication of what market value is. And... You know, that's normally how it's done under current law. This in that regard doesn't change the current law."

Birkinbine: "Okay, Thank you very much."

Preston: "Yes, Sir."

Speaker Greiman: "The Gentleman from Macon, Mr. Tate."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen, will the Sponsor yield? Representative Preston, is... you know, I presume the rationale behind this Amendment is that you feel that special interests are starting to control the Governor's Office or whatever. What, in the last statistics, in the last election, what was the percentage of individual contributions, personal contributions versus special interest contributions?"

Preston: "I'm sorry, Representative, I don't have those figures, but part of your state... your... your statement is only partially... Your statement is only partially correct, Representative, because it is not the idea that special interest groups are taking over undue influence of the Governor's Office. But it's the public perception that that could happen. That's part of the problem. There may be influence. There may only be the perception of it, but the people of Illinois have a right to perceive their highest elected official as being untouched by undue influence of special interest groups. And it's because of that that Mr. Madigan saw fit to work on and put together this Bill."

Tate: "Well... under this Amendment..., what you're doing is you're setting up a one dollar contribution that every registered voter in the state can qualify for. Is that correct?"

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Preston: "Every taxpayer. Every..."

Tate: "They don't have to be a register..."

Preston: "No, certainly not."

Tate: "Okay. Then what... How... What was the amount of tax returns filed last year?"

Preston: "I... The number that comes in mind, Representative, is 2,000,316 tax returns last year in Illinois. Now, I'm not certain that's correct, but that was a number that I had heard. I'm sorry, I was told that it's 2,000,218. I'm sorry."

Tate: "Yeah, well, what I was driving at there, Representative Preston, was if you were familiar with, or what your anticipation was, or the experience with the ratio of the federal checkoff system, what their experience has been?"

Preston: "Well, their experience has been that a significant number of people have been interested in checking off to have public financing of the federal presidential elections. I do have, in front of me, the answer to your first question, the types of campaign contributions in the last election. To Mr. Thompson's and Mr. Ryan's campaign special interest contributed, according to the figures I have, \$2,455,589.90, which was 42.4% of their total contributions that came from special interest. As compared to that, Mr. Stevenson and Mrs. Stern had \$386,082.55. Now think of those numbers for a second, 2,400,000 versus 386,000. 42% for Governor and Lt. Governor of Illinois, and 16.8% to the losing candidates in those election... in that last election. So..."

Speaker Greiman: "Mr... Mr. Preston, I wonder if we could keep your answers a little less far afield and directly on point, not necessarily to this issue, but to the issues generally, Sir. Proceed, Mr. Tate."

Tate: "Well, I guess what my concern is, is it possible then, if



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you're not really familiar with the ratio of the federal checkoff system and we don't really have any experience or any past experience to rely upon with Illinois, then is it possible that if the money... if we don't accumulate enough money, then that money has to come out the GRE, right? Is that correct?"

Preston: "Yes. That's correct but our projections are clearly that we will accumulate enough money."

Tate: "What are your projections then?"

Speaker Greiman: "Mr. Preston, there is a question on the floor."

Preston: "6.8 million, Representative, is what our projected raising funds will be on a very conservative projection. That's based on 25% actually checking off. And in the federal checkoff system somewhere I believe is 38.6%."

Speaker Greiman: "Mr. Preston, he asked you for those figures. Now, you know, I think you should just respond to the question that he propounds."

Preston: "Well, Mr. Speaker, I... Although..."

Speaker Greiman: "You may propound other questions if you want. You have had... You are into your ten minutes."

Tate: "Would it provide for... Would this Amendment provide for additional attorneys being hired by the State Board of Elections?"

Preston: "No, Representative, the... No, it does not. I would answer more fully, but I'm afraid that the Speaker might..."

Speaker Greiman: "Please feel free to answer, I don't want to... The Chair is not in the habit of intimidating anyone. However, the Chair wishes to remain awake for the balance of the afternoon. Proceed, Mr. Tate."

Tate: "Well... Would it provide for violations of the law if the candidate could not... even if the candidate doesn't know about it. I mean if the candidate would go out and spend

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money, what are the violations in the Bill now?"

Preston: "Alright, if the candidate does it without expending over the restrictions knowingly he has violated nothing, but not knowing what's going on in his or her campaign. However, if a candidate knowingly violates the prohibitions of this Bill, they are in violation of the law."

Tate: "Okay. Where does it define campaign expenses in the Bill? I haven't found that Section."

Preston: "Page two of the Bill, paragraph... subparagraph five, no, excuse me. Page two at the bottom, paragraph F."

Tate: "Under expenditures, okay. Now, on Section... On page three, in line 105 under Political Committee, that this takes and tells both the Governor and Lt. Governor's campaign that they both can have separate accounts. Is that correct?"

Preston: "Only for the primary election."

Tate: "Only for the primary election. Okay. And on page four and the Section 1 of the political party, does... would that mean that the communist, the socialist, libertarians, everyone else on the ballot or checkoff dollars would also apply... be applicable to them?"

Preston: "It means that anyone who got five percent of the statewide vote under the Election Code would be a political... would be considered within that definition."

Tate: "Okay..."

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

Tate: "Alright. On page seven, in... and I think it's Chapter G under Communications on Any Subject by a Corporation. Does... Now... Does like when the AFL-CIO or the Farm Bureau, somebody does a direct mail piece for you, and you know, that's an in-kind contribution. So, does this apply?"

Preston: "Yes, if they do a direct mail piece, for you it's an

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in-kind contribution in this Bill. It does apply."

Tate: "You... You... But it's..."

Speaker Greiman: "Thank you, Mr. Tate. Your time has expired, Sir. You may continue your question, one question."

Tate: "Just on this subject, on this Section here, because it says in Section G, it says that when you get out the vote campaigns by a corporation aimed at that it's stockholders, or a labor union, aimed at it's members, that it shall not be construed to be in connection with the election of any candidate. And like recent federal examples is they've done, like a labor union or some associations, done a telephone poll, and they've given the results of the telephone polls to the candidate. Now, is that applicable under the communication system?"

Preston: "Well... You're asking a question that is quite impossible for me to answer. I'm not the Sponsor."

Speaker Greiman: "Excuse me... Thank you, Mr. Preston. Mr... The Gentleman from Cook, Mr. Tate, we're going to hold you to ten minutes. Now you've had ten minutes. I called you, I said, Sir, you're time is up. I allowed you a question beyond that. Now do you want another question, Mr. Tate, or would you like to be with the rules? Mr. Kulas, the Gentleman from Cook."

Kulas: "I move the previous question."

Speaker Greiman: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?'. Yes, Mr. Vinson, for what purpose do rise, Sir?"

Vinson: "Mr. Speaker, I don't believe Mr. Tate got his question answered. I would oppose the Motion for the previous question."

Speaker Greiman: "We can do that, Sir. Let's just take the Roll Call on it, and then we'll go from there."

Vinson: "Can I speak to the subject?"

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Speaker Greiman: "At order. In order. In order, please. I think you withdraw your request to speak. Is that right, Mr. Vinson?"

Vinson: "I thought you just overruled it."

Speaker Greiman: "No. I was... you were standing, and I just thought you turned your back. I will, I'm prepared to do that if you want to. Alright, the question is, 'Shall the previous question be put?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. On this Motion, there are 70 voting 'aye', 46 voting 'no', none voting 'present', and the Motion fails. Back on the... Back on the Amendment. The Lady from Marshall, Mrs. Koehler."

Koehler: "Excuse me."

Speaker Greiman: "Yes, Mrs. Koehler."

Koehler: "Mr... Mr. Speaker, I thought the previous question had been put. Is that correct?"

Speaker Greiman: "Under our rules, we need two-thirds. Unfortunately, it did not get two-thirds. Therefore, we are back on debate. The..."

Koehler: "Thank you. Thank you, Mr. Speaker. Representative Preston, as you ... If you will recall the other day when we addressed this Amendment previously, I had expressed to you my deep concern about establishing this as the public policy for the State of Illinois to have taxpayer financing of elections. I still have grave reservations about that, particularly since your Amendment states on the very first page that this... even though this is for only gubernatorial elections at this time, that it does not preclude the financing of further elections. Is it your intention to expand this further to perhaps the Secretary of State, the Comptroller, the Members of the General Assembly?"

Preston: "Representative, certainly not. This Bill will deal

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strictly with the public financing of gubernatorial elections. There is no plans nor there is an Amendment to expand it beyond that point. What's done in future General Assemblies, I can't answer. That's up to that General Assembly. But this is the intent only for, as far as I am aware, only for gubernatorial elections, not for any statewide or legislative offices."

Koehler: "Well, I am certainly opposed to the philosophy of taxpayer financing of elections, particularly at this time, when we are seen threatened our reductions and funding for education, for mental health, for the various things that I think are the first priority of government. Now, why... perhaps we are also establishing here a checkoff system that the State of Illinois has not had previously. And I think would also, again, not be a good precedent. Perhaps you would explain why you have put taxpayer financing through a checkoff system of elections before, perhaps, the checkoff system for mental health, for public aid recipients. It certainly should be our priority above and beyond the financing of political campaigns."

Preston: "Well, Representative, I agree with you entirely in what you said, but not in the conclusion you draw from it. I think that exactly for that reason that we prohibit special interest groups from standing in the way of obtaining more funds for the poor of Illinois, for people who are in public aid, for people who need support for problems in mental health and developmental disabilities. That's why we don't want special interest groups gaining undue influence over the highest office in Illinois. It's specifically for the best interest of those people that we want to keep the highest office in this land appear to everyone to be clean, above board and to restrict the special interest groups in the amount of funds they can

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contribute, to restrict those candidates in the amount of money they can expend. So that the only way you get elected to be Governor of Illinois is by going to the people and convincing the people that you're the best candidate."

Speaker Greiman: "Mr. Preston, she just asked a little question. Proceed, Mrs. Koehler."

Koehler: "Well, thank you, Representative. However, I do disagree with you. I do not believe that there is any place in our state for taxpayer financing of our elections for political purposes. Thank you."

Speaker Greiman: "Thank you, The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank You, Mr. Speaker. Will the Sponsor yield for question or two?"

Speaker Greiman: "He indicates that he will."

Churchill: "Representative Preston, I've... I believe Mr. Tate had addressed a question to you, and I don't believe that I heard the answer to that. Assuming that telephone polls are done on behalf of a candidate to determine the status of the candidate standing in the election contest, and those polls, the results of those polls are given to the candidate, does that fit under this statute or not?"

Preston: "It will depend on at whose behest the polls given was done."

Churchill: "So, in other words, if it were not at the candidate's bequest (sic behest), then this would not be covered."

Preston: "If I did a poll because I was interested, and I happened to release the results to the newspaper or told you about it, or told a gubernatorial candidate about it, that's not in-kind contribution. If I did it because the candidate asked me to, or in connection with the candidate then it is."

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Churchill: "Okay. The second question I have for you is have you, in the last few days since we previously discussed this issue, had an opportunity to check the experience ratio of the federal checkoff?"

Preston: "I believe the number that I heard was 38.6% of federal... of people filing federal income tax returns checked off the funding of presidential elections."

Churchill: "I had one of our staff members call the Federal Elections Commission to ask them that question, and the answer that we received was 27%. The 27% of the personal tax return, filed in the United States, are used with a checkoff for that dollar box. Mr. Speaker, to the Amendment."

Speaker Greiman: "Proceed, Mr. Churchill."

Churchill: "I done some brief calculating which I'd like to share with the Members of the House. A few minutes ago Representative Preston was questioned in regards to the amount of the number of individual tax returns filed in the State of Illinois in a year. His answer was 2,318,000 returns. Well, what I wanted to do was come up with some idea of how many dollars were going to go in this gubernatorial fund, and if I figured on the basis of approximately 27% which is the federal ratio, that would mean that in one single year we would end up with about \$520,000. That's assuming that 27% is given in the State of Illinois. That's assuming that people are as interested in the gubernatorial contest as they are in a presidential contest. And I don't think that's a proper assumption. I think that the figure will come out way below the 27%, perhaps maybe in the area of 10%. Nevertheless, assuming that we do receive that 27%, 520,000 per year. Between this date, between the date of the time this Bill will go through both Houses and be signed by the Governor and the

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next primary election for a gubernatorial candidate, we have two tax paying times, which means that we're going to end up collecting on the basis of our assumptions, approximately 1,040,000. Added to that, after that next primary, and of course, we're still talking about changing the day of the primary, we have another tax collection time, which means that a total we're going to make about \$1,560,000. That's what we're really talking about bringing in, \$1,560,000. But what will the fund expend during that period of time? In the 1986 primary if we have two candidates who are able to attain the maximum matching funds, we will look to spend approximately two and one quarter million dollars. For every additional candidate that we have there will be an additional \$750,000 and this could go up in the point of being five, six, seven million dollars."

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

Preston: "I certainly will. In the '86 General Election, we'll have two candidates, who I assume will both... may be able to attain their matching funds. That's one million a piece for a total of two million dollars. All total you're looking at the necessity of getting four and a quarter million dollars bottom line. But you've only brought in two and three... one and a half million dollars, which means that you got a gap of two and three quarter million dollars at the very minimum. That's two and three quarter million dollars that the public is going to pay with General Revenue Funds, tax dollars for the gubernatorial election. That is public financing, not through checkoff. That's public financing through tax dollars. Checkoff is voluntary. Tax dollars are involuntary. I'm surprised that you would put forth this kind of an idea where you go to the taxpayer of this state to fund an election, on



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something that is supposed to be a voluntary basis. I object strenuously to this Amendment."

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

McAuliffe: "Could I ask the Gentleman a question?"

Speaker Greiman: "Indicates that he will yield for a question."

McAuliffe: "If your ward organization was to print up a sample ballot, or a pamphlet, and it had the name of the gubernatorial candidate on there, would that be an in kind contribution?"

Preston: "Well, I... You know, I'm not sure on that. I... I really don't know. I don't know the answer to that."

McAuliffe: "I don't think it would be."

Preston: "I don't think it would be."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

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

Speaker Greiman: "Indicates that he will."

Hallock: "Were you surprised that I was going to ask a question? The problem I see with this Bill is that it's coming in kind of late and rather confusing, and I'd appreciate it if you could answer the question on page seven, the bottom paragraph discusses the quadrennial inflationary adjustment. What does that mean exactly, and what are you trying to do by that Section?"

Preston: "The... All the figures in the Bill, for example, the \$500 limit on individual contributions are quadrennially adjusted based on what inflation is so that the \$500 limit is not one that we... that is fixed in stone where as inflation goes up and that \$500 becomes ridiculously low, this has an automatic adjustment factor. So that if we experience 16% inflation, that figure will increase as well."

Hallock: "Why do you use the CFI as your index, and what does it

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mean when you say, 'the board shall determine the cumulative percentage difference in the CFI'. What is the cumulative percentage difference? That sounds to me like language you might see in an economic report more so than you would in a campaign election law."

Preston: "Well, as I'm sure you're aware most gubernatorial candidates are very well grounded in economics. What that means is looking at the present figures based on the previous time they made that determination. So the cumulative is from the... the preceding time the determination was made by that Board, by the State Board of Election."

Hallock: "Especially House candidates. But why do you use the CPI as opposed to some of the other national standard that are used for determining inflation in this regard?"

Preston: "Well, because we felt it was the best, most accurate guide, and that's why we chose that one. It is, as I'm sure you're aware, it is commonly used as well. So..."

Hallock: "Well, then a further question, on page 13, line 19, you discussed all contributions of \$150 as adjusted by the Section or less. What you do with those that are \$150 or more? What provisions do you make for those kind of contributions?"

Preston: "It only gets matched at \$150."

Hallock: "So any contribution that is more than that would not be covered."

Preston: "Yes, that's correct."

Hallock: "So, my question then is what about those people who choose to give \$149 once, twice or thrice?"

Preston: "You know, John, I'm sorry, I... in hearing the conversation here, I forgot your... the specifics of your question."

Hallock: "The quest... The question then was if \$150 is the

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situation, what do you do with those cases of a person who gives \$149 more than one time?"

Preston: "Only up to what is, as amended, up to the \$500 limit would the matching funds be given. So, if you give a \$149 three times, or if you give 500... \$440 three times, the matching funds that you get total are the \$500."

Hallock: "So you're saying a person can give a \$149 three times, and then give another \$45 or so one time and still this law applies, or it doesn't?"

Preston: "As long as it's under \$500, they would be eligible for matching funds."

Hallock: "Well, then if a person gives a \$150, he'd be treated differently though. When a person gives 149 will be in one category, and a person gives 150 will be in a different category. A person who gives 149 three times will be in a different category, than a person who gives 150 once."

Preston: "No, that's not correct."

Hallock: "Well, you know... You may surmise it's not correct, and I appreciate your saying that. But could you explain to the House exactly why they would not be correct."

Preston: "It's clear from the Bill. If you'd read that Section, the Bill is very clear."

Hallock: "Well, if... If I had thought it was clear, I wouldn't have asked the question. Further question on the same page. And my main problem to the good Representative who many times has good Bills, and I don't think this is one of them, is that the Bill is unclear. And it comes at such late date that complicates our deliberations. But on the same page, down on line 30, you say that the board shall certify from time to time to the State Treasurer. Well, you know as a lawyer, I don't too often see in our technical statutes, in the Illinois Revised Statute, the phraseology used, from time to time. Usually in our State

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Statutes, we try to pin down what a person should or can do by time certain. What does the language 'from time to time' mean, in terms of the statute? And how is any one going to implement that when they don't really know what that means?"

Preston: "Well, Representative, if you would read all of that Section, I think you would answer your own question. On line 33 of that same Section, it says, and I'll read it for you. 'The Board shall make such certifications at least once every other week following the primary date'. So, I think that clarifies that for you."

Hallock: "But then why is the language used from time to time in the...?"

Speaker Greiman: "Gentlemen end the question. Mr... Excuse me. You can propound the question, and you can keep on propounding the questions, but you can not keep badgering my witness. Now, Mr. Hallock..."

Hallock: "I'm cross examining, I'm not badgering."

Speaker Greiman: "You're not cross examining. You're not in a court, Sir. We accord each other appropriate respect. We ask the questions in a 'non-pejorative' way. You'll proceed, Sir, along those lines with that decorum."

Hallock: "Right, and since you have put us in a court setting, what I'm trying to do is resolve a dilemma the courts might face. We have, clearly, in the same paragraph, two different terminologies being used. We have at one point in time, 'time to time' suggested. In another statute, in another line, I should say, we have ..."

Speaker Greiman: "And the Gentleman... And the Gentleman answered..."

Hallock: "...purposes to straighten it out. Does we mean, in fact, from time to time..."

Speaker Greiman: "The Gentleman gave the best answer that he

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could give. Now, from hence forth on that subject, you are badgering him. Proceed, you have about... about a half a minute left, Mr. Hallock."

Hallock: "Well, I appreciate the Chair's entering into this dialogue. It seems to me the rules provide the Chair should not really make comments."

Speaker Greiman: "The Chair is impartial, but the Chair. Excuse me, Mr. Hallock, our rules are not a suicide pact. They are a... They are instead a manner for us to do our business, Sir. You have a half a minute. Proceed."

Hallock: "Okay. Well, let me use that half of minute then to address the Bill, if I might, if that's okay with the Chair. What I tried to point out in my questions of the Sponsor of this Bill is that the Bill is really very confusing. And what I think as a Member of the House, and I think all House Members should take the same position, question and almost resent is the fact we have here before us a very complicated Bill. Some of the language in this Bill is clear, and much of it is not. We are not sure what it does, when or why. And to entertain a Bill at this stage when we have two days left for the final passage of House Bills, takes away time from other Bills the Members have that are not so confusing, and have been on the table before the House for months in advance. I would say this Amendment is a bad one. It's too confusing. It should be defeated, and let's get on to the matters of the House, mainly those Bills which were on Third Reading that have to be heard by Friday. Thank you."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hensel."

Hensel: "Thank you, Mr. Speaker. When I had my light on, I had about two questions I wanted to ask of the Sponsor, but I believe they've been answered now. And I appreciate your recognizing me. Thank you."

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Speaker Greiman: "Thank you, Mr. Hensel. The Lady from Cook, Mrs. Wojcik."

Wojcik: "I have the same response, Mr. Speaker."

Speaker Greiman: "Yes."

Wojcik: "Yes, my questions have been answered."

Speaker Greiman: "Okay, thank you."

Wojcik: "Thank you."

Speaker Greiman: "The Gentleman from Lake, Mr. Peterson."

Peterson: "Mr. Speaker, does this particular Bill need a fiscal impact note inasmuch as we're changing the income tax forms, etc."

Speaker Greiman: "I believe a fiscal note has been requested. Isn't that correct?"

Peterson: "I hope so."

Speaker Greiman: "Yes, a fiscal note has been requested."

Peterson: "Thank you, Mr. Speaker."

Peterson: "An inquiry has been made of the Chair previously. The Gentleman from Champaign, Mr. Johnson."

Peterson: "He must be gone."

Speaker Greiman: "Thank you. The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield, please? Two brief questions."

Speaker Greiman: "The Gentleman indicates that he'll yield."

Mays: "I listened very intently to Representative Churchill's lines of questioning on how he felt the figures, and how he supported the figures he came up with. Can you tell me how you came up with a 6.8 million dollar figure for that fund?"

Preston: "Yes, I... When I mentioned that, two billion figure for income tax returns to Representative Churchill, either he misheard or I misspoke. That was the figure that was

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based on the New Jersey experience. The figures that would apply to Illinois would be considerably higher than that."

Mays: "Why? Because we have a much greater population..."

Preston: "Because we have a much greater population of people."

Mays: "More people... More people filing tax returns? How long has the New Jersey law been in effect that you're patterning this after?"

Preston: "Eight years."

Mays: "And after eight years how much... You're saying that 38% of those people filing income tax returns in that state."

Preston: "... that's not what I said. I believe that... Oh, I'm sorry, excuse me. That is correct."

Mays: "So that is patterned... Your interpolation of the 38% figure is also patterned after the New Jersey experience. Is that correct?"

Preston: "We used the 22% participation assumption because we wanted to be very conservative. And with that 22% participation assumption, we came up with the 6.8 million dollar figure."

Mays: "The 22% then is what the New Jersey experience is?"

Preston: "No, the New Jersey experience is 38%. But we wanted to be very conservative so we knew what the bottom line figure was, and we used the figure of 22%, far below the New Jersey experience."

Mays: "The first year the law... What other states have this kind of law in effect?"

Preston: "There are fifteen other states that have this type of a law."

Mays: "In their experience over the course of their... Since the law had been enacted... did they start out at relatively low figure at first and then gradually build up or what?"

Preston: "Oh, I couldn't answer that, Representative."

Mays: "You can't answer then."

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Preston: "And that... that's been the case in New Jersey, but I don't know about the other fifteen states."

Mays: "And so you're still satisfied that 22% would be about what we should be at in Illinois."

Preston: "Well, that's for the purpose of our assumption in order to guarantee that we have the funding that we have indicated. Our expectation is really considerably higher than that. But, we wanted to be very, very conservative because we wanted to appeal to the Republican side of the aisle."

Mays: "You know I like conservative estimates. The 6.8 million you're talking about then would fund the campaign in 1986 and then have some left over. Is that correct?"

Preston: "Yes, that's correct."

Mays: "How much?"

Preston: "\$6.14. I don't have the exact figure, I think."

Mays: "That's what... That's what I thought. But in the event that your estimates are not conservative enough, then there would be public tax dollars that would be used to supplement the funds. Is that correct?"

Preston: "That's correct."

Mays: "Okay. That's enough on that line of questioning. Just briefly, your Amendment #2 was not adopted. Was that... That was withdrawn, was it not?"

Preston: "That's correct."

Mays: "How did Amendment #3 change the Bill as it stands right now? Briefly. I don't want to drag this out."

Preston: "Representative, I've explained it in great detail, my opening remarks today, and my remarks the other day. It changes it in many ways. It... The individual contribution limit is raised to \$500 from a \$150. The family contribution was raised from 25,000 to \$35,000. There were numerous other. The general... the primary



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limitation was set at a million in a half dollars total expenditure. The general election was set at two million dollars total expenditure. The amount of political... of the political party contributions were raised to \$250,000 from one hundred thousand dollars and on and on."

Mays: "Thank you very much. Mr. Speaker, may I speak to the Bill, please?"

Speaker Greiman: "Proceed. Yes, proceed."

Mays: "Thank you very much. I... You know, I think there are just reservations that have been raised on this side of the aisle. I think that everybody in the entire chamber ought to be looking at this with a degree of skepticism. Just because fifteen other states have adopted something along this line is no reason for us to rush into it, the last minute when we are on Bills on Third Reading. And I might also add, that there's twenty states that have adopted right-to-work laws, and I'm sure this chamber wouldn't jump over itself to try to get that into law. So that is absolutely no reason for this chamber to support it. I would really question whether the taxpayers that put you and me in office would want to see their dollars going to subsidize the gubernatorial campaign when they are already stretched to the limit, and it's obvious that the pressures your side has put toward new spending measures in this General Assembly is going to stretch those tax dollars even... those taxpayers limited dollars even further. So I would also join with a number of other people, hopefully, on both side of the aisle, that view this with a great deal of skepticism and would urge its ultimate demise."

Speaker Greiman: "Excuse me. What purpose the Gentleman from Lake, Mr. Churchill rise?"

Churchill: "Mr. Speaker, I rise on a point of personal privilege. And I... It seems to me that I recall writing down a

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figure of 2,000,318 which has later changed to some other figure tax returns that... it was a figure that I heard Mr. Preston say. And just a minute ago in further debate, I understand my name comes up again and that the figures were inaccurate. I would like... If... If that's correct, I will like to ask some other questions."

Speaker Greiman: "Well, I think that you asked questions, you indicated... Just excuse me, Sir, please. You indicated that there might be some inaccuracies. I gave you an opportunity to make a statement. You had an opportunity to speak for ten minutes. The Body has heard if there are any discrepancies. And I would prefer that you did not proceed with any further questions. If you feel that you have been maligned, which is the purpose of this, I will allow you a minute or so to take away the malignancy. For what purpose the Gentleman from Cook, Mr. Cullerton rise?"

Cullerton: "Yes, Mr. Speaker, I just wanted to let you know that about two hours ago your lunch came, and it's over here on your desk."

Speaker Greiman: "Thank you. This is a forced way for me to diet. Excuse me. The Gentleman from Cook, Mr. Piel."

Piel: "Mr. Speaker, Ladies and Gentleman of the House, I will give you a choice, Mr. Speaker, either you can stay on your diet and I'll ask questions, or if you want to get off your diet, I will move the previous question."

Speaker Greiman: "I will accept your moving the previous question. The Gentleman from Cook has... Mr. Piel has moved the previous question. The question is, 'Shall the previous question be put?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Motion is adopted. And Mr. Preston to close. Mr. Piel, that is the most significant piece of legislation that you have offered this Session. Thank you, Sir. Mr.

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Preston, Proceed."

Preston: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Contrary to what some of the previous speakers have indicated, this Bill is certainly the least Bill to be rushed through this House. This Bill has received more intensive study, more intensive debate today and on previous days than any Bill in my recollection in the... I think in the four years since I been serving the General Assembly. Speaker Madigan has worked extremely hard on this piece of legislation. He has worked with both sides of the aisle. He has worked with people in the Senate, Senator Berman, Senator Netsch. He has worked with people on this side of the aisle diligently, long hours, into the night, on many occasions to put together what is an answer to the peoples' complaints about the way gubernatorial elections are going in Illinois. This Bill addresses that issue and puts together a piece of election reform that will put a limit on expenditures for candidates who receive public funding. The concept of public funding is a good concept. It's one that... that attaches to it restrictions on what special interest groups can contribute to a campaign and how those dollars are expended. This is a good Bill. It's been well debated, and I would urge those who are interested in election reform to vote 'aye' on this Bill."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open on Amendment #3. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 62 voting 'aye', 53 voting 'no', none voting 'present', and the Amendment is adopted. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #4, Madigan - Preston."

Preston: "Mr. Speaker, may I withdraw Amendment #4?"

Speaker Greiman: "The Gentleman withdraws Amendment #4. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Madigan - Preston."

Speaker Greiman: "Mr. Preston on Floor Amendment #5."

Preston: "Thank you, Mr. Speaker. Amendment #5 is a purely technical Amendment that cleans up some of the language. It was done in some respects at the request of the LBB. And I'd ask for your adoption of this Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #5 to House Bill 2012. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Churchill."

Speaker Greiman: "The Gentleman from Cook, Mr. Church... I mean, I'm sorry. The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I guess at this point I would just like to pass on to you the question I was going to ask before. Perhaps it's rhetorical, but in the calculations that I did quickly from what Representative Preston had said before, it indicates that there will be more than eleven million. That's about eleven and a half million people checking off boxes from that calculation. And since we only have eleven million people in the state, I was just wondering if the other half million people were going to arise from their graves to check the boxes? I just... just a rhetorical question. Amendment #6 deletes all of the problems of the public financing. That's what it does. It takes out the fact that the General Revenue Funds may have to support gubernatorial election contests.

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It takes out the dollar checkoff box. What it does keep is the thing that I think everybody is probably really concerned about, and that is the cap on the expenditures, to try and keep the cost of campaigns within some certain limitations. But it doesn't relate just to the gubernatorial contest. It goes beyond that. And Amendment #6 puts a cap on the primaries for Governor and Lieutenant Governor of a million five, in the general elections of two million; on the Attorney General and Secretary of State races, a million for the primaries, a million and a half for the general election; for the Comptroller and Treasurer, seven hundred and fifty thousand for primaries and a million for the general election. A violation of expenditures in excess of this would be a Class A misdemeanor. It is at this point, that I would move the adoption of Amendment #6."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #6 to House Bill 2012. And on that, is there any discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Amendment. This Amendment completely emasculates the Bill. It doesn't have any restrictions on the amount of contributions that any special interest group can give. It only puts limitations on expenditures, and it would leave some... some special interest group the ability to go and give a million and a half dollars and essentially own a gubernatorial candidate. At the same time, putting the limitations without public financing on who can give what amount of money to whom is unconstitutional and has been so held in the past, and I would urge this Body to reject this bad Amendment."

Speaker Greiman: "There being no further discussion, the Gentleman from Lake to close."

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Churchill: "I think I expressed my thoughts on the Amendment during my opening remarks, although, I would recall... call for an Roll Call vote on this. Thank you, Mr. Speaker."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #6 to House Bill 2012. All those in favor signify by voting 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill... on this Amendment, there are 40 voting 'aye', 71 voting 'no', none voting 'present', and the Amendment fails. Further Amendment?"

Clerk O'Brien: "Amendment #7, Preston."

Speaker Greiman: "Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #7 is purely a technical cleanup Amendment that addresses some of the technical problems that were mentioned by some of the previous speakers, and I would urge your 'aye' vote."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #7 to House Bill 2012. On that, is there any discussion? The Gentleman from Adams, Mr. Mays."

Mays: "Thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Greiman: "Indicates that he'll yield."

Mays: "You say Amendment #7 is purely technical in nature."

Preston: "That's correct."

Mays: "What specific technical problems does it take care of that we're already raised our points on?"

Preston: "There are a number of subsections in the Bill, as presently amended, that created certain offenses, and it left out a Subsection subparagraph. That's what Amendment 7 puts in. The one that was, by mistake, left out."

Mays: "Thank you."

Speaker Greiman: "Further... further discussion? There being

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none, Mr. Preston to close. Mr. Preston."

Preston: "I closed."

Speaker Greiman: "The question... the question is, 'Shall this Amendment be adopted?' All those in favor signify by saying... by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, McGann."

Speaker Greiman: "Mr. McGann, the Gentleman from Cook."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I respectfully withdraw Amendment #8."

Speaker Greiman: "The Gentleman withdraws Amendment #8. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. Olson, yes."

Olson: "Mr. Speaker, I don't believe the fiscal note has been filed."

Speaker Greiman: "Yes, the fiscal note has been filed as amended."

Olson: "Is there a copy available?"

Speaker Greiman: "Yes. It has been. Third Reading. The Bill is on Third Reading. We now... we now move to the Special Order of Business, Subject Matter, - State and Local Government Administration. On the Order of House Bills Special Order of Business - State and Local Government appears House Bill 18. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 18, a Bill for an Act relating to the Homestead Improvement Exemptions and amending certain Acts herein named. Third Reading of the Bill."

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

Capparelli: "House Bill 18 amends the Revenue Article, increases the value of the homestead exemption state-wide from twenty-five thousand to thirty thousand. Amendment #1

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delays the payment til 1984. It removes it from the inclusion of the State Mandates Act and Hastert's Amendment, ties it to the Consumer Price Index, and I would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman moves for passage of House Bill 18. 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 '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 88... 87 voting 'aye', 16 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills, Special Order of Business, Subject Matter - State and Local Government Administration, appears House Bill 234. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 234, a Bill for an Act relating to access to public records and documents. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Mrs. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 234 is a carefully drafted Bill providing public access to public documents in the State of Illinois. I'm sure many of you are aware that early this year Illinois shared the distinction with Mississippi, the only two states in the nation without an Act, a statewide statute, providing and ensuring that public documents, public records would be open to the public."

Speaker Greiman: "Please give the Lady your attention."

Currie: "At this point, in May 1983, Illinois has the distinction alone, for Mississippi is the forty-ninth state in the nation to ensure that kind of openness to the people within its borders. House Bill 234 would rectify the oversight in



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Illinois, would ensure that there is openness in government, there is accountability to the people, that what we pay our bureaucrats to do for us will be open and available for us to inspect. At the same time, the point of the Bill is to say there will openness, there will be accountability. We also carefully exempt, in House Bill 234 those kinds of documents that we believe, and I'm sure every Member of this chamber believes, should not be so open to public inspection. Those kinds of items include the riot plans in the state penitentiary, for we think it does not make sound public policy to say that the prisoners should have access to the riot plan before the prisoner figures out exactly how the riot will look. We think that the kinds of job evaluation forms in personnel files should not be available for open public disclosure. We think that when people are recipients of certain kind of grant programs, that their names should not be available for casual public inspection and casual public looks. House Bill 234 applies to every agency in State of Illinois Government, and it applies to every other government in the State of Illinois. This House Bill 234, if we adopt it, would become the overriding state statute in this area, would provide for openness at every level of government, and this Bill establishes clear procedures so that the citizen, as well as the bureaucrat, knows exactly what is required when a request is made for a document. The agencies have time to respond to a request for information. An individual making the request knows what kind of time frame the agency has for response so that everybody is well served, in terms of knowing what the nature of the ball game is, what the parameters of that kind of public inspection should be. I think it's time for Illinois to join the forty-nine other states who already say that there

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will be open access to open records. I think it's time for us to join with the Federal Government that has had Freedom of Information legislation on the books since 1967. I would be happy to answer any questions about House Bill 234, and I would certainly welcome your support."

Speaker Greiman: "Lady from Cook moves for the passage of House Bill 234. On that, is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "Thank you, Mr. Speaker. To the Sponsor, I fully and absolutely am in support of this Bill. But, in terms of creating a record for legislative intent, would you address the question of whether you intend this to be applicable to home rule units, including the City of Chicago?"

Currie: "Yes. My..."

Speaker Greiman: "The Lady indicates that she'll yield for questions."

Currie: "Yeah, thank you, Representative Johnson. Yes, my...my... certainly understanding and perhaps you would like to have a ruling from the Parliamentarian on this point, but my understanding is that this Bill will be applicable to all home rule units of government. This is the state statute. My understanding is that we would want individual localities to provide even greater access to open information than House Bill 234 does. For example, we have a seven-day period for an agency response to request for information. If a local government is able to respond to information more quickly, they might well wish to adopt an ordinance saying that there will be response within an hour or within three hours. I think we would welcome that kind of participation from the local level, but the point is - and the point to the question you asked - is that, yes, this Bill does say to every unit of local government, including those that are home rule units of government,

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House Bill 234, the Freedom of Information Statute, applies to you."

Speaker Greiman: "We will respond in a moment or two, Ms. Currie. In the meantime, Representative..."

Johnson: "Representative Currie really incorporated my parliamentary inquiry. Just in briefly addressing the Bill. I think one of the fundamental rights, one of the fundamental liberties of every citizen is to have access to and knowledge of what its elected officials and nonelected officials in a governmental capacity do for or to citizens. This Bill brings us not only into the 20th Century, but up to date in terms of nationwide trends in individual liberties, the citizens' right to know. I think it's an extremely important Bill, a good Bill, and I urge a 'yes' vote."

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

Keane: "Question of the Sponsor."

Speaker Greiman: "Indicates that she will yield."

Keane: "I have a problem with the definition of public bodies that's in this Bill as it... as it is presently written. Will the Sponsor guarantee that we will amend it over in the Senate?"

Currie: "Thank you, Representative Keane. There is a concern with the definition of public bodies as that definition affects not-for-profit organizations. I have made commitments to people who have expressed that concern that we will certainly work with them to amend this legislation in the Senate chamber."

Keane: "Thank you."

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

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "Indicates that she will yield for a question."

Cullerton: "Representative Currie, Section 7, paragraph (F) of

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this Bill - could you explain what that does?"

Currie: "Yes, Representative Cullerton. Section 7 (F) of the Bill presents the exemption with respect to trade secrets, and I think the issue you want to raise is whether or not or how broadly this language is to be defined. Throughout House Bill 234 we have; one, appropriate and applicable, followed the language in the Federal Freedom of Information Act, language which means that interpretations offered by case law in federal courts can be a guide to people trying to understand what this language means to them. We do define trade secrets broadly in this Bill, and we certainly intend that term to be interpreted so as to include business strategies and information that, if it were disclosed, might cause harm to the competitive person... position of the person in the business community. We really do not intend, by this Bill, to have a chilling effect on private parties interest or willingness in doing business with the state. That's what we intend by trade secrets. And as in this provision, so throughout the Bill, when there is some close parallel between our language and language in the Federal Freedom of Information Act, it is our intention that case law interpretations under federal FOIA should guide individuals in the courts in Illinois in interpreting the provisions of House Bill 234."

Cullerton: "Representative Currie."

Speaker Greiman: "Mr..."

Cullerton: "I have another question."

Speaker Greiman: "Proceed, Sir."

Cullerton: "Representative Currie, as you know when this Bill was up in Committee, Amendments #1 through 10, I believe, were adopted without much explanation. I think, in part, because the Speaker was presenting the Bill and people kind of rolled over and played dead for him. I wonder if you could

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explain what Amendment #4 does? That was adopted in Committee on a voice vote, and I don't know what that means either. Could you explain what Amendment #4 does?"

Currie: "I believe Amendment 4, Representative Cullerton, is the Amendment that requires public bodies to prepare lists of the records within their purview only as of the effective date of the Bill. What that Amendment means is that, although every public body will still have to make public documents collected before the effective date of this Act, they will not be required to go back and index or list records that came into their possession before the effective date of House Bill 234."

Cullerton: "Okay, and one final question, Representative Currie. In Amendment #10 you use the term 'substantially prevails' with reference to attorneys' fees. Could you explain what that is, please?"

Currie: "I think what it means is that if the plaintiff in a proceeding brought under this Act substantially prevails, in whole or in part, that that court, if it decides that the information at stake was in the public interest and, of course, if the plaintiff won, the court shall award attorneys' fees. What it means is that if somebody has a case involving four separate documents and wins on one document, that the court may well decide that some manner of attorney fees are appropriate."

Cullerton: "Thank you. No further questions."

Speaker Greiman: "Excuse me. Mrs. Currie and the Gentleman from Champaign, Mr. Johnson, with reference to the inquiry that you made, it is the opinion of the Chair that this Bill touches a subject matter already regulated by the state and, accordingly, will not need an extraordinary majority, but may be passed on a Constitutional Majority of 60. Gentleman from Cook, Mr. Bonan."

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Ronan: "Thank you, Mr. Speaker. Will the Lady yield for some questions?"

Speaker Greiman: "She indicates that she will."

Ronan: "Representative Currie, this is a Freedom of Information Act similar to House Bill 90 that was introduced and lost earlier in the Session. Do you know what the differences are between this Bill and House Bill 90?"

Currie: "I don't believe that House Bill 90 started out with a strong statement suggesting that it's the fundamental philosophy of our government to say that public acts, public records, shall be open to the public that pays for them. I think the difference between House Bill 90 and House Bill 234, as much as any other difference, is one of perspective. House Bill 234 starts from the proposition that records shall be open. House Bill 90, as I understood it, started from the proposition that most things should be private."

Ronan: "Well, I obviously disagree with your analysis. I think House Bill 90 basic goal was to make information available to the public in an orderly and reasonable fashion. That's why I'm amazed that, you know, your Freedom of Information Act, which seems to be a decent concept - I'm Cosponsor of it - would have your overwhelming support because of your philosophical bend. And when House Bill 90 was heard a month ago, you led the charge to kill it. So, I find that to be ironic."

Currie: "Well..."

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

Flinn: "Mr. Speaker, my normal Motion."

Speaker Greiman: "Gentleman moves for the previous question. The question is, 'Shall the previous question be put?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes'... In the opinion of the Chair, the

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'ayes' have it. In the opinion of the Chair, we'll have a Roll Call. Okay. All those in favor... The question is, 'Shall the main question be put?'. All those in favor signify by voting 'aye', those opposed 'no'. To explain his vote, Mr. Friedrich."

Friedrich: "This is probably one of the most far reaching Bills we will consider in this Session. To have no opportunity to have the Lady answer questions is absurd."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 55 voting 'aye', 51 voting 'no', 1 voting 'present', and the Motion fails. Mr. Friedrich on... on the Bill."

Friedrich: "Well, I'd like the... Would the Lady yield to a ...?"

Speaker Greiman: "Indicates she will."

Friedrich: "What is the penalty for some public body or person involved with a public body failing to respond if I go to them for information?"

Currie: "In the event that a public body denied a request they should have granted, and that decision presumably would be made only when the claimant went to court, then the public body shall have to make that information available."

Friedrich: "Well, is that a civil proceeding, or do I have... do I, as a private citizen with no money and they refuse, what's my recourse?"

Currie: "If they refuse, you take them to court. If in a civil action..."

Friedrich: "A criminal proceeding?"

Currie: "In a civil action if you prevail, you may get the information; and, if the Judge decides you substantially prevailed, in whole or in part, and that there was a substantial public stake in the information you requested, then you will be given a grant by the court of attorneys' fees. In the event you were denied, there is also a

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criminal penalty in this Bill, Representative Friedrich. In the event you were denied by willing and knowing intentional violation of a bureaucrat looking at your request, then that individual will be subject to a Class C misdemeanor penalty."

Friedrich: "Would, in your opinion, the Attorneys' Registration and Disciplinary Committee be covered under this Act if I went to them and wanted information about the attorneys and the fees and so on? Would that be available?"

Currie: "Without having specific information available to me about the construction of that Commission, my general answer would be yes."

Friedrich: "Well... It's your opinion then, if they're handling public funds or the fees paid in by an attorney for his registration, that that is a public fund that I could investigate?"

Currie: "All I can tell you, Representative Friedrich, is that any public agency, public body in the State of Illinois will be subject to the provisions of House Bill 234 if and when it becomes law."

Friedrich: "And the Supreme Court is, in that role then, a public body?"

Currie: "I believe that the Supreme Court is already under the State Records Act, which means that with respect to funds they are already covered."

Friedrich: "Well..."

Currie: "Public funds."

Friedrich: "To the Bill then, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Friedrich: "The court has consistently stated that that was not a public body. They can collect money from lawyers. They're not subject to audit, and it's none of our business because they said so. They say the money a plumber pays in is



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public funds, and this is not. I just want to get it on the record, if this thing passes, that at least it was the intent of the Legislature that they be subject to investigation and audit just the same as everybody else. I can tell you this thing lends itself to harassment of local bodies. For example, let's take some city clerk or some city council that became suddenly unpopular and fifty people descended on that council and say I want... they pick out fifty different sets of records to produce. You can figure what chaos this would cause in the inner-local government. I think you're opening up a bucket of worms to harass units of local government, and I think you'll regret doing it."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Greiman: "Yes, he indicates he (sic - she) will."

McMaster: "Ms. Currie, first let me commend you on your desire for openness of governmental records. I agree that governmental records should be open to the public. I wonder, though, how far you wish to go in your desire for openness. I was, for many years, involved in township offices. For instance, as a township supervisor, I handled the... was supervisor of the general assistance of the township. Do you follow me? Now, do you believe that as a supervisor of general assistance I should make public the names of the people who receive general assistance?"

Currie: "No, Representative McMaster."

McMaster: "Why?"

Currie: "And in fact, under this Bill, there is confidentiality for individual names or other identifying materials for students at the University of Illinois, for people who are involved in certain kinds of housing subsidies, for people

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who receive medical treatment at the University of Illinois or who are on public grant programs through the Department of Public Aid."

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

Speaker Greiman: "Proceed, Sir."

McMaster: "I think it's clearly evident that the Spcnsor of this Bill does not really mean what she says. You know, as supervisor of general assistance, I was spending the taxpayers' money, and it is my belief that those taxpayers had every right to know where that money was being spent. I was responsible for it. I was bonded as the supervisor of general assistance. It was required that I had to keep all of my records open. Still, she says I should not disclose those records. I should not let people know who I was giving the general assistance money to. In other words, what she's saying is, if I so desired to say that a son of mine needed money, I could give him a thousand dollars. And no one would be able to know it, because I would have those records concealed. I would not have to show them. No one had the right to know who I gave that money to. I disagree with that, and this is what I think is wrong with the Bill. I believe sincerely in openness as far as public records are concerned, and I believe that we should have general assistance as open as any other record of a public employee to prevent misuse of public funds. And I'm sorry she does not agree with me."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Lady yield to a couple of questions?"

Speaker Greiman: "Indicates that she will."

Piel: "Earbara, last Session of the General Assembly, we had a Bill by Representative Catania. This one seems quite similar to it. What difference is there between this one

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and the one Susan had?"

Currie: "I would say basically two, Representative Piel. First, this is pretty much an entire redraft of House Bill 1974. We started, not quite, but almost from scratch in drafting House Bill 234. Certainly, the basic provisions and the basic premise, the basic perspective of the Bill is the same. I would say also in this draft the other major difference would be that we have looked more carefully at the issue of exemptions so as to make sure that we do protect legitimate rights to privacy and legitimate items that, in the matter of public policy, should not be open to general public view."

Piel: "I guess that was one of the big things as I recall. We defeated that thing twice, and that was one of the big things as far as what records... what state records would be open. Okay. In State Government, Representative Currie, what areas would be exempt? What departments? What areas would be exempt under this Bill?"

Currie: "There are no departments exempt under this Bill, including the General Assembly, which, of course, is not exempt under this Bill. Every agency in State Government is covered by the provisions of House Bill 234. That was, in fact, one of the differences between this Bill and House Bill 90. Under House Bill 90 the Governor could have exempted from open information requirements all of the state agencies."

Piel: "Okay. In other words, basically, we're not exempt. Things that we say..."

Currie: "The General Assembly is not exempt, nor is any agency of State Government. Certain kinds of records are exempt. For example, Departments of Law Enforcement or Corrections are not required to identify confidential sources, stool pigeons if you will, since it would seem an interference

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with their capacity to get on with the job if somebody who is feeding information to the law enforcement authorities might be identified to the friends about whom he is informing. But that's a provision that's general. It is not drawn with respect to a specific department or agency."

Piel: "You continually make reference to the Department of Law Enforcement. I wasn't sitting in Judiciary Committee. So, I don't know. But I noticed on our synopsis here that the Department of Law Enforcement and the Illinois Association of County Clerks and Recorders and the Police Benevolent Protective Association of Illinois are... were all opponents. Could you tell me why?"

Currie: "Apparently, some of these groups felt that the protections already provided with respect to law enforcement activities, and they take up nearly a page of House Bill 234, were not adequate. In fact, none of those groups came to me after Committee hearing to suggest specific Amendments for change. I think that we did a pretty good job of making sure that important law enforcement activities would not be hampered by House Bill 234, and I am still waiting to see if any of them comes to me with the proposal for some additional exemption."

Piel: "What is the possible fiscal impact to the state? Is there any; and, if so, what?"

Currie: "The fiscal note filed on House Bill 234 as amended - I'm sure you remember the fiscal note, Representative Piel. The suggestion was that there would be little if any additional fiscal impact on the state. If you remember, we are covered already by the State Records Act, which means that financial documents are or should already be available. At the local level, of course, the Local Records Act applies, and that means that for local governments, too, the additional costs, if there are any,

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of House Bill 234 should be negligible. The number of requests for information that are likely to come in are unlikely to skyrocket when House Bill 234 becomes law. I think anybody who's involved in village, or city or state agency administration would be surprised if there would be an overwhelming number of requests for information when House Bill 234 is the law of the State of Illinois."

Piel: "Okay. Getting back to something that I asked you starting out, and you made the remark that the General Assembly was not exempt. Are there any areas where we are exempt under this Bill?"

Currie: "There is an exemption provided for Bills in the Reference Bureau."

Piel: "In the Reference Bureau. That's the only area of the General Assembly that's exempt."

Currie: "That is specifically exempt, yes."

Piel: "To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, I hope that you realize what this Bill can do. I think there's certain areas of State Government that should be confidential. I definitely feel that there's certain areas of State Government that, you know, are left, you know, to the specific area of State Government. Case in point. We sitting here on the floor - I've asked the question three times as far as the General Assembly. All three times the same remark was made. Under this Bill, technically speaking, any notes, any comments in a Republican or Democratic Caucus can be construed as public record, and I think that this is bad. I think when you get behind closed doors, as far your Democrat or Republican Caucus, I don't want to know what somebody on the other side of the aisle might have jotted down in reference to my heritage or something like this. I think what we have to do is have a certain amount of privacy. And three times I've

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asked the question. Three times the remark was made that the Reference Bureau was the only area, as far as the General Assembly, that was exempt under this Bill. And I think there's remarks, things that can be made. Somebody might pass you a note and ask you specific questions on something to where it shouldn't have to be public record, and I would think very long and hard, Ladies and Gentlemen of this chamber, before you cast an 'aye' vote for House Bill 234."

Speaker Greiman: "For what purpose does the Gentleman from Champaign rise? Gentleman from Will, Mr. Davis."

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

Speaker Greiman: "Indicates she will."

Davis: "Representative Currie, two years ago when Representative Catania had this Bill, it fell short by six votes at the end of the Session, and it fell short because those of us... Well, for a lot of reasons. It was imperfect, at best, which I happen to believe your Bill may be, but I'll speak to that in a moment. One of the primary reasons I voted against it, if not the primary reason, was because I represent a district that has three prisons in it, two of them maximum security and, albeit, my district now only has one maximum security prison; that is, Stateville, and I'm quite concerned about that. Now I know you've made an attempt, as Representative Catania was trying to make an attempt, to resolve the problems of the Department of Corrections. I would like to ask you a couple of questions about those pieces of information that you may find available - and you can get your notes out and be ready to answer these - that might be available to the general public that might cause a public safety concern in Will County and, yes, indeed in all the six northeast counties and perhaps all of Illinois. Do you address transportation

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procedures as being available under your Information Freedom Bill? In other words, when prisoner movements occur outside of the walls of the institution, and there are a variety of reasons for doing that, they are usually known well in advance, in particular, reference to medical furloughs, transfers to other institutions, appearance by inmates on other motions and other indictments and writs of one form or another in various different jurisdictions. Does the Freedom of Information Act that you present to us now address the confidentiality of those movements?"

Currie: "Let me refer you, Representative Davis, to Section 7 of the Bill, paragraph (C) and (D). My understanding is that we are protecting the life and the physical health and safety of any corrections institution, personnel or inmates. And I would think that under that language, your transportation issue probably already is covered. Let me repeat that in House Committee the Department of Corrections did testify against the Bill. I pointed out to them, as I do to you on the floor, nearly a page of specific exemptions concerning corrections and law enforcement activities. I invited the Department of Corrections to propose additional Amendments if these were inadequate to meet their concerns. They have not done so."

Davis: "Could you address, on page 7 once more, the language and perhaps even read it to me, as my glasses are not..."

Currie: "Well, I'll read it all to you."

Davis: "I don't want you to read it all. Just read the part I'm discussing. Page seven and what was the line?"

Currie: "Page seven... Section... I'm sorry. Page seven, Section 7. Actually, if you go on to page eight under Section 7, paragraph (D), 'records maintained by any corrections institution, if the disclosure of such would endanger the life or physical safety of corrections personnel or

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inmates'."

Davis: "Well, let me further then..."

Currie: "Pardon me. 'And facilitate the escape of inmates'."

Davis: "Well, let me further suggest to you that... that you say  
'endanger the life or physical safety'."

Currie: "Or... or 'facilitate the escape of inmate'."

Davis: "Well, okay. But you have another 'or' in Section (I) of  
that particular line to which you directed me that does  
not address the issue of the public safety when  
transportation.. when transportation of prisoners outside  
the walls. We're talking about outside the walls would be  
endangered. We're not talking... We're not talking about  
the escape of the inmate or the security personnel..."

Currie: "But, Representative Davis, I don't understand how we're  
not talking about escape if you're talking about something  
that happens outside the wall. That, to me, is escape, and  
I think your concern is well addressed by Section 7,  
subparagraph (d), item 3."

Davis: "Well, it's very simple. Perhaps you don't understand my  
question. I can come back to that when I close on the  
Bill. What about when the Department of Corrections is -  
and they are frequently in some four or five hundred cases  
a year - haled into federal court and begin to prepare a  
brief on one subject or another that has been brought in  
litigation by an inmate of a correctional institution or  
are preparing a consent decree for some purpose or another?  
I think you referred a while ago that snitches were taken  
care of. But when preparing information for litigation in  
federal court, the Department of Corrections, as the  
plaintiff in those situations, normally refers to their  
snitches where they receive the information in preparation  
for a plaintiff's defense in a federal district court. How  
do you treat that? Is that confidential? Are those



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records of the... or the briefs and the files, are those confidential from disclosure to any person in preparation for litigation in federal court?"

Currie: "Actually, under litigation, discovery rules that information is already available to them. The confidentiality of the individual named 'snitch' is protected by the provisions of House Bill 234."

Davis: "Well, it's not to a citizen. It's to the opposing counsel. Is that correct that anybody else can walk in and get that? You protected opposing counsel; but, if I chose to go in and ask for that information on that litigation, find out the names of those snitches, if you will, that were involved in that investigative activity that was in preparation for a brief in federal court, could I get it?"

Currie: "The name of the snitch? Absolutely not. Nobody can."

Davis: "Why is that?"

Currie: "Because it's protected under the Article we've just been describing."

Davis: "So, in other words, every investigation would have to block out the name of that person who was indeed a snitch. Is that right?"

Currie: "If that's the way they wish to deal with this provision, absolutely. If they want to protect the confidentiality for continuing investigative or enforcement purposes, then that's exactly what they would do."

Davis: "Is the host... Are the hostage plans covered in correctional institutions by your provisions in your Bill?"

Currie: "Yes."

Davis: "No information can be released regarding hostage plans. Is that correct?"

Currie: "That's my understanding of the draft that is House Bill 234."

Davis: "Could you refer me to that Section?"

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Currie: "Same Section I think I just read you. Should I read it again, Representative Davis?"

Davis: "If you would just cite it for me. I can read it."

Currie: "Section 7, paragraph (D), items 1, 2 and 3."

Davis: "Alright. Well, Larry is yelling, 'Time'. To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Davis: "My questions have not been answered satisfactorily for me. I think that, despite the Sponsor's good intentions to clean up the misguided activity of the former Sponsor of this Bill, she still brings to us a Bill that is severely flawed. Despite her interpretation, her interpretation of Section 7... or on page seven, whatever the Section she quoted, (D), (I) or 1, 2 and 3. It still appears to me that we have a serious problem in movement of prisoners outside the walls of institutions. It still seems to me this Bill is tragically flawed, as it was before for the health and the safety and the welfare of the citizens of Will County, certainly and, yes, indeed, of all the rest of Illinois. And for that reason, I intend to vote 'no'. There are a multitude of other reasons why you probably should vote 'no'; but, if you have a prison in your area, I certainly recommend that you vote 'no'."

Speaker Greiman: "Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "She indicates that she will, Sir."

Hawkinson: "Representative, as I understand your Bill, it would provide an exemption in law enforcement for pending investigations or pending criminal cases. My question is, once the case is concluded either with a conviction or an acquittal, will third parties have access to the criminal history records, police reports in either the law enforcement files or the prosecutors' files?"

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Currie: "As long as that is not investigative material, I would think, under these provisions, the answer is yes."

Hawkinson: "Thank you. Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed."

Hawkinson: "I think we need a Freedom of Information Act in Illinois. I think most of this Bill is a good Bill. I voted for it in Subcommittee with the proviso that the problems of correction and law enforcement and others be amended. Some of those amendments have been made. Others have not. I voted for the Bill in Committee when it was rushed through on the same proviso that this Bill would be amended on the floor to take care of corrections and law enforcement and others. The Sponsor has already acknowledged that the problems with the not-for-profit agencies, many of whom are... which are concerned, have not yet been solved and are going to be amended in the Senate. As I understand it, corrections and law enforcement may also get amended in the Senate. If they do, when the Bill comes back, I'd be happy to vote 'yes', but right now this Bill has been rushed through. It is not in the shape for which we ought to be voting 'yes', because there are too many problems. Law enforcement - her Bill would allow a nose neighbor, after a conviction, to come in and see the police report on a neighbor who's been raped or otherwise attacked. I think, for this reason, it's not yet ready, and I intend to vote 'no'."

Speaker Greiman: "Gentleman from Macon, Mr. Tate."

Tate: "I move the previous question."

Speaker Greiman: "Gentleman moves the previous question. The question is, 'Shall this previous question be put?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Motion is adopted. Now, Mr. Hallock, for what purpose do you seek recognition?"

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Hallock: "Point of order, Mr. Speaker."

Speaker Greiman: "Proceed, Sir, on your point of order."

Hallock: "Yes, as a Cosponsor of this Bill, I would appreciate it if the Chair could indicate whether the State Mandates Act applies to this Bill."

Speaker Greiman: "In one second, Mr. Hallock. The Parliamentarian will provide us with a statement with respect to that application, Sir."

Parliamentarian Getty: "On behalf of the Speaker, the Chair would rule that notwithstanding the Department of Commerce and Community Affairs' characterization of House Bill 234 as creating a service mandate, the Chair rules that House Bill 234, the Freedom of Information Act, would create a nonreimbursable due process mandate under Section 3 (D) of the Act, since it is designed for the protection of the public from malfeasance, misfeasance or nonfeasance by local government officials. The fact that this Bill creates a due process mandate, as opposed to a service mandate, is further reinforced by the facts that since both the state and local units of government are already bound by the terms of the State Records Act and the Local Records Act respectively, no unique or extraordinary extra burdens would be placed upon public bodies. Secondly, the Bill does not require that public bodies always provide copies of materials to those seeking the materials. Providing access or allowing the person to make his own copies will suffice. Finally, the United State's Supreme Court, in interpreting the Federal Freedom of Information Act upon which House Bill 234 is modeled, has stated that the basic purpose of the Freedom of Information Act is to open agency action to the light of public scrutiny. The Department of Air Force versus Rose cites and approves this. The articulated purpose of consistent... consistent with

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protecting and protecting the public from malfeasance, misfeasance and nonfeasance by local government officials is contained herein. Thus, no companion appropriation nor exclusion clause under Section (F) of the Act is necessary in order to bind units of local government to the provisions of this Act."

Speaker Greiman: "Thank you, Parliamentarian. Now to close, the Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, I rise in support of the passage of House Bill 234. This Bill would provide for Freedom of Information in Illinois. Today, Illinois is the only state in the nation that does not statutorily provide for Freedom of Information. I think that the time has come for this Legislature to enact a law that would provide that the citizens of this state would have access to the governmental records and files of all governments, local and state, provided that there would be adequate protection for governments against those who might wish to harass the governments. I think that this Bill does provide that access to records at the same time that it provides protections against undue harassment of those governmental functions. I would recommend an 'aye' vote."

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

Stuffle: "Mr. Speaker, I just want on the record that I had some questions about this, I think, that are pertinent to it, some real concerns we could not address and did not address that related to the issue of whether or not this Bill would exempt or provide coverage for those situations where a person might indeed be going in to a state agency, the Treasurer's Office, the toll way, what have you, requesting

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information about the movement of revenues, the movement of securities to banks, financial institutions, whether or not that would be covered. We've already had one example in this state of, if you will, knocking over a toll way truck, robbing that truck. I think this Bill, unless there are exemptions - I don't find them - with regard to securities and money, we have some real problems similar to those raised, and I don't think were answered with regard to the movement of prisoners. I'm very concerned about that. I can't put an 'aye' vote on this, because I don't know those answers. They haven't been supplied, and I don't think they were adequately addressed on this floor."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson. No? Mr. Olson. Alright. Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In explaining my 'aye' vote, I would like to clear up some misunderstandings regarding the General Assembly and application of this legislation to it. I think Mr. Hawkinson used an improper example, because all investigatory records are exempt under this Act. So, the records of the General Assembly in that regard would also be exempt under the more general provision. And Representative Fiel asked a very general question and then interpreted it very narrowly. Party caucuses, of course, are meetings, and they are exempt from the Open Meetings Act and are not relevant to this legislation."

Speaker Greiman: "Bring your remarks to a close. You have one minute to explain your vote, Sir."

Bowman: "Our own personal correspondence is precisely that. It is our personal correspondence. They are not the General Assembly records. And preliminary notes and other memoranda are exempt under the provisions of this Bill. Period."

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Speaker Greiman: "Thank you. For what purpose does the Gentleman from Knox rise?"

Hawkinson: "Personal privilege, Mr. Speaker."

Speaker Greiman: "No, he didn't... He didn't speak derogatorily of you, Mr. Hawkinson. He just commented on what you had said. That's all. Now, have all voted who wish? Mr. Clerk take the record. On this Bill there are 88... 87... 88 voting 'aye', 18 voting 'no', 7 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. And on the Order of House Bills, Special Order of Business - State and Local Administration appears House Bill 557. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 557, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels. Is... is somebody going to take Mr. Daniels' Bill? Mr. Vinson."

Vinson: "Mr. Speaker, can we take this out of the record for a minute and come back to it."

Speaker Greiman: "Sure. Absolutely. Sure. We'll... we'll go out... with your kind permission, we'll go on to the next Bill. On the Order of House Bills, Special Order of Business - State and Local Government Administration appears House Bill 821. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 821, a Bill for an Act to amend Sections of an Act to create Sanitary Districts and remove obstructions from the Des Plaines and Illinois Rivers. Third Reading of the Bill."

Speaker Greiman: "Take that out of the record. Nine... On the Order of House Bills, Special Order of Business - State and Local Government appears House Bill 995. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 995, a Bill for an Act to amend

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Sections of the Open Space Lands Acquisition Act. Third Reading of the Bill."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. House Bill 995 amends the Open Space Land Acquisition Act. It permits the Department of Conservation to make grants to local governments with monies appropriated from the Capital Development Board Fund for development of open space lands for park, recreation, or conservation purposes. I move for the passage of the Bill."

Speaker Greiman: "The Gentleman moves for passage of House Bill 995. 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 '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 107... 108 voting 'aye', none voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on the Order of House Bills, Special Order of Business - State and Local Government appears House Bill 1137. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1137, a Bill for an Act to amend Sections of an Act relating to certain investments of public funds by public agencies. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1137 amends an Act relating to certain investments by public agencies and credit unions. And as background to House Bill 1137, I should indicate to the House that in 1979 we recodified the Illinois Credit Union Act. And we gave credit unions the authority to act as a depository or



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a fiscal agent for various local governments in the State of Illinois. And what has happened, since that time, is that a number of public agencies have indicated that, or have come to the conclusion that although credit unions can accept those deposits, that the law is unclear as to whether those public agencies are allowed, in fact, to release those monies to the... to deposit such funds with the credit unions. House Bill 1137 does, in fact, do that. It does allow the credit unions to, or the local governments to deposit those funds, as well as to have the credit unions accept them. We also, in House Bill 1137, provide that the funds may be deposited in accounts up to a hundred thousand dollars, as insured by the National Credit Union Administration. We also indicate that these credit unions, acting as depositories, would have to have their principle office in the State of Illinois. They would have to comply with all the pertinent laws of the state, as well as the rules and regulations of the Department of Financial Institutions and the National Credit Union Administration. This Bill is supported by the Department of Financial Institutions, by the Credit Union League. In addition to that, although there was some initial opposition by the savings and loan Association, they withdrew their opposition based on discussions that we had with them. And certain fears that they had simply were not included in the Bill, and I would ask for the support of the House in House Bill 1137."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1137. On that, is there any discussion? The Lady from Kane, Ms. Zwick."

Zwick: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 1137, as one of the lead Sponsors of it. I think if you look at the wide range, the very

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diverse Sponsors on this Bill, it will display for you the... the broad support for this measure. It's pretty noncontroversial. It simply allows for another option for municipal government to invest their money and to make as much money as we can for our local governments, in a favorable way. So, I would ask for your support on this measure. Thank you. All accounts are, of course, insured."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't know if Jill sort of faded away on the exact last remark of her statement. All accounts in these... that... or all deposits in these accounts are fully insured. This Bill was passed out of Committee 14 to nothing. There were no... there were no opposition votes in Committee, and I think it's something that could definitely be of an asset to the State of Illinois. I think what we're doing, we're creating more competition in the market place. It's a situation that, you know, the state will be able to shop around a little bit more for their deposits, for the best rate, and one thing and another. And I would say it's a very good Bill. I think it's a very advantageous Bill for the State of Illinois. A lot of people look at credit unions saying, you know, because they're smaller than the banks or the savings and loans in Illinois, that it's not as trustworthy. This is a complete fallacy. These funds are insured. They will be covered under regulations and one thing and another, and I would ask for passage of House Bill 1137."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Take, Mr. Clerk, take the record. On this Bill, there are

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110 voting 'aye', 2 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Order of Business - State and Local Administration appears House Bill 1330. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1330, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, thank you, Mr. Speaker, Members of the House. This Bill revises the assessment notice that either goes individually to the taxpayer when property was... is reassessed or the assessment notice that goes into the newspaper pursuant to reassessment of real estate tax values. It provides notice to the taxpayer that the taxpayer is entitled to have his property assessed at the median level of assessment for that assessment district. It provides for a method of determining what the median level of assessment is, and that if the taxpayer is over assessed or under assessed, as a result of going through that calculation, he may appeal his assessment to the Board of Review in the manner described elsewhere in the notice, that otherwise goes to the taxpayer. The significance of this legislation is that, currently, at least in... in downstate, with regard to nonfarm real estate, the taxpayer gets an assessment notice that pursuant to law, their property has been assessed at thirty-three and a third percent. If they are in a... in a district such as Effingham County, where the assessments are very low, the median level of assessment is approximately fifteen percent, they get a notice that indicates their property has been assessed at thirty-three and a third percent. They do a quick calculation with regard to their property,

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find out that actually, according to their prop... calculation, their property is assessed at twenty percent. They think they're getting a bargain, when in fact, they should be assessed at fifteen percent, if that is, in fact, the median level of assessment. Only after the multiplier arrives and only after their tax bills arrive do they realize that, in fact, at that time, they have been assessed too high, and at that time there's nothing more they can do about it. This is a... a good Bill, and it will give better information to the taxpayer with regard to equitable assessment, and I would urge an 'aye' vote on this."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1330. 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 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 Third Reading... On the Order of House Bills Third Reading, Special Order of Business - State and Local Government appears House Bill 557. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 557, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "The other Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I'd like leave to take House Bill 557 back to Second Reading for the purpose of an Amendment."

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Speaker Greiman: "The Gentleman requests leave to return House Bill 557 to the Order of Second Reading. Does the Gentleman have leave? The Gentleman has leave. Leave is hereby granted, and the Bill is on Second Reading. Mr. Clerk, an..."

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

Speaker Greiman: "Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is added to clarify the fact that taxing power will be provided for the municipalities which are involved in the water commission, in DuPage Water Commission, and it provides for a referendum for the purpose of paying the principle and interest on general obligation bonds. As I indicated to you, it requires a referendum before any tax can be levied or bonds can be issued, and I would ask for your support in the endorsement of Amendment #2."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #2 to House Bill 557. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by... by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. For what purpose does the Gentleman from DuPage, Mr. Hoffman, rise?"

Hoffman: "Thank you very much, Mr. Speaker. I would like to request of the Body leave to consider House Bill 557 as amended at this time."

Speaker Greiman: "The Gentleman asks leave to suspend the appropriate rule for the immediate hearing of House Bill 557 on the Order of Third Reading. Does the Gentleman have leave? The Gentleman has leave. Leave is hereby granted."

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Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 557, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "That you very much, Mr. Speaker, Ladies and Gentleman of the House. This Bill amends the Municipal Code to provide that municipalities may issue, subject to a front door referendum, general obligation bonds for the specific purpose of providing funds for a water commission, and I would ask your endorsement of House Bill 557."

Speaker Greiman: "The Gentleman moves for passage of House Bill 557. 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 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Order of Business - State and Local Government Administration appears House Bill 1466. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1466, a Bill for an Act to amend Sections of the Court of Claims Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz. Mr. Leverenz on 1466. Out of the record. On the Order of House Bills Third Reading, Special Order of Business - State and Local Government Administration appears House Bill 1486. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1486, a Bill for an Act to amend Sections of the Illinois Highway Code. Third Reading of

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the Bill."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. House Bill 1486 would permit an increase in the maximum allowable tax rate for road districts to be voted on at an annual town meetings or a special town meeting as well as by referendum. In order to have this on a referendum, which they should have, must have, they would have to have ten percent of the registered voters in the road district to put it on the ballot. I would be glad to answer any questions."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1486. On that, is there any discussion? The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I really did not understand the... the Sponsor's explanation with regard to this. Could you go through that briefly again?"

Speaker Greiman: "Proceed Mr. McMaster."

McMaster: "The purpose of the Bill, Rich, is to allow the voters to vote on this at a referendum at the regular or special town meeting, Rich, by a referendum of ten percent of the registered voters calling for it to be voted on in a referendum at the town meeting."

Brummer: "The... the referendum is going to be at the town meeting?"

McMaster: "Yes."

Brummer: "So, I mean, town meetings are generally meetings that aren't attended by anyone."

McMaster: "The purpose of this, of course, includes, Rich, full notice, by notification, before it could be held on the referendum. It's not the intent to try to slip anything by anyone."

Brummer: "Is there... is there notice in advance with regard to this?"

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McMaster: "Yes. Yeah."

Brummer: "What type of notice is required here?"

McMaster: "Ten days notice, I believe, does it... by newspaper and by posting of notices."

Brummer: "And where is the notice to be given?"

McMaster: "I think I just said, either by... both by posting within the township and by notice in the newspaper that is circulated within the township."

Brummer: "Okay. This would then increase the tax rates, or would potentially authorize increase of those tax rates."

McMaster: "By referendum. The voters' choice. You're for the voters' choice, Rich."

Brummer: "Yeah, I, you know, when we say referendum, I think in all candor, and I'm not suggesting, I guess, that the Sponsor is being less than candid, but to me, when we use the term referendum on this House floor, we're generally taking about a vote that takes place at the polling place where you get a written ballot, and... and you either vote 'yes' or 'no' on a bond increase, or a tax increase, or something of this nature. You are talking about a vote taken at the annual town meeting at which, generally, very few people attend. If you want to call that a referendum, that's fine. I don't quarrel with your choice of terms. I do think that that's not generally what is meant by referendum on this House floor, and I think that everybody ought to be aware of... of exactly what is being provided for in this Bill. Thank you."

McMaster: "Rich, that is by ballot."

Brummer: "That was not a question."

McMaster: "I am making a statement on the Bill."

Speaker Greiman: "Well, we'll give you an opportunity to close Tom, Tom. Is there any further discussion? There being none, Representative McMaster to close."



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McMaster: "Thank you, Mr. Speaker. It is not our intent to try to slip anything past anyone. We are requiring a referendum. It will be by secret ballot at a township, regular township meeting or special township meeting. I don't know how else you could be more fair than to put it on a ballot basis at a referendum. I think it is much more likely to get the attent... attention of the voters within that township, or road district, if it is done in this way. If it is held at a, for instance, a gubernatorial election or presidential election, then I think the voters lose all track of what they are doing in regard to the road fund ballot, and I think this gives them the opportunity to direct their attention upon that, and to vote on it, and get the proper consensus of opinion of the people who are involved in the payment of these road fund taxes. I urge a 'yes' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 75 voting 'aye', 35 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading, Special Order of Business - State and Local Government appears House Bill 1549. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1549, a Bill for an Act to amend Sections of an Act in relation to Cook County Police and Corrections Merit Board. Third Reading of the Bill."

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

Jaffe: "Yes, Mr. Speaker and Members of the House, this is a Bill that was introduced at the request of Sheriff 'Elrod' of Cook County. And what it does, is it amends the Cook

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County Police and Correction Board to place county police department and county corrections department employees, and full-time deputies under the jurisdiction of the Merit Board. It changes the name of the Cook County Police and Corrections Merit Board to the Sheriff's Merit Board, and basically what this Bill does is, it places all the deputy sheriffs in Cook County, who are full-time, under the supervision of the Merit Board. I know of no opposition to it, and I would be happy to answer any questions."

Speaker Greiman: "The Gentleman moves passage of House Bill 1549.

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 in now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there 112 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We'll back up just for a moment. On the Order of House Bills Third Reading, Special Order of Business - State and Local Government Administration appears House Bill 1466. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1466, a Bill for an Act to amend Sections of the Court of Claims Act. Third Reading of the Bill."

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

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1466 would refine the process within the Court of Claims. Currently there is a statute of limitations that can run out before you exhaust all of the possibilities of getting paid. This would provide that first, your time limitation would not start until you have exhausted all of the administrative possibilities of getting paid. When you were finally turned down, then the

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clock would start to run, and I understand you would have six months from that point, so that you could file. Currently you can actually run out of time to file, before you have exhausted all of your ability administratively to be paid, and I would ask that we have an "aye" vote for House Bill 1466."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1466. 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 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills, Third Reading Special Order Debate... Special Order - State and Local Government Administration appears House Bill 1549. Mr. Clerk, read the Bill. No, I'm s... 1549 has already been done. 16... appears House Bill 1603. We... we... we've already done 1602. It's already been passed. 1603, Mr. Clerk."

Clerk O'Brien: "House Bill 1603, a Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Third Reading of the Bill."

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

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1603 is a companion Bill to 1602 which passed a couple of days ago by a vote of 98 to 6. It was amended in Committee. 1603 was amended in Committee, and the Bill is now permissive. It provides that a county, upon written request of a community and television system, may permit the construction, installation, operation, maintenance, or improvement in the system within the

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county. The television system must pay all the cost incurred by the county, if the county decides to exercise its right. Mr. Speaker, I ask for adoption of House Bill 1603."

Speaker Greiman: "The Lady from Lake moves for the passage of House Bill 1603. On that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

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

Speaker Greiman: "She indicates she will."

John Dunn: "How do you solve the problem if a municipality within the borders, all inside the borders of a county, already has a cable television franchise in place? Would this allow the county to go into competition with the city and condemn right of way and put its own cable TV system in place, right along side the city franchise and system?"

Frederick: "Representative, it's my understanding that the county would only apply to the unincorporated area."

John Dunn: "Well, I... I... quick reading of the Bill, I don't see that. Is that in the Bill some place?"

Frederick: "Well, I... just a minute. Well, it says that the county board may franchise a business operating a community antenna system within the county and outside of a municipality."

John Dunn: "Where... where are you reading from?"

Frederick: "That's line nine, ten and eleven on page one, Section 2540."

John Dunn: "Oh, all right. Okay. That's existing law then apparently. I didn't see that. Thank you very much."

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

Steczko: "Thank you, Mr. Speaker. I rise in support of House Bill 1603 and just wanted to reiterate the answer given by the Sponsor to the previous questioner, that current law, I believe, says the - and differentiates between municipal

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franchises and county franchises, and indicates that the county has the authority to franchise only in the unincorporated areas."

Speaker Greiman: "The Lady moves for passage... 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? Mr. Clerk, take the record. On this Bill, there are 101 voting 'aye', 6 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Order, State and Local Administration appears House Bill 1638. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1638, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

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

Karpziel: "Yes, thank you, Mr. Speaker. In the... House Bill 1638 addresses a problem that's an inconsistency in the statute. In the present township statutes dealing with general assistance levies, there is language which provides that only in townships lying within a county, having a population of not less than six hundred thousand and not more than one million, the maximum general assistance levy shall be seven and a half cents, as opposed to every other county in the State of Illinois which has a ten cents maximum levy. House Bill 1638 simply deletes that language which would make all counties in the state equal. Amendment 1 on this Bill changes the makeup of a township committee on youth board from eleven members to not less than five, and allows committees on youth to provide programs to combat and prevent juvenile delinquency, and I would appreciate an 'aye' vote."

Speaker Greiman: "Is... is there any discussion? Yes, the

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Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "She indicates that she'll yield for a question."

Cullerton: "Is this increased tax for DuPage County for the purpose of buying electronic voting machines for each precinct?"

Karpiel: "No, Representative, but I think that after yesterday's Bill that went out of here, we're going to have to have one."

Cullerton: "Well, that's not... that's still on Third Reading, so you'll have chance to vote for it. Thank you."

Speaker Greiman: "Mr. Bowman."

Bowman: "Question of the Sponsor?"

Speaker Greiman: "Indicates that he'll yield... she'll yield."

Bowman: "Now, as I understand it, the... the basic Bill is unaffected by the Amendment. It just adds something else to the Bill, right?"

Karpiel: "Yes."

Bowman: "Okay. And the Bill provides for an increase in the property tax levy from .07 to .12?"

Karpiel: ".075 to .010 (sic - .10)."

Bowman: ".10. Okay. And this is without a referendum, right?"

Karpiel: "Yes."

Bowman: "Okay. Well, I'm... Mr. Speaker, to the Bill. I just want to commiserate with the Sponsor here. I think she has a fine piece of legislation, but I... I'm very unhappy at the prospect that everybody on her side of the aisle is going to abandon her, because we're talking about a tax increase without a referendum here of twenty-five percent, no, thirty-three percent from .75 to... .075 to .1. Now I had a Bill on the floor not too long ago that was related to a similar matter, and I don't think I got any votes on

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your side of the aisle, and so, Representative, I just want to commiserate with you at the prospect of being abandoned by your colleagues on a tax increase without a referendum."

Speaker Greiman: "The... yes, Mrs. Karpziel. The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. This is merely a Bill to reinstate DuPage County as an equal county among the one hundred two in the State of Illinois. Prior to the last General Assembly, every township in the State of Illinois was authorized to levy up to .10 cents for the purpose of general assistance. Through some quirk in the law, it was changed at the last Session to require that only DuPage County have this lesser authority. This is for general assistance. This is for something that the other side of the aisle feels is underfunded and long overdue. I ask for your favorable vote. This is not an increase without a referendum. This is merely a case of fairness and equity. DuPage County needs to be returned to the status of all other counties in the state. In the last Session, it was changed to our detriment. All we're asking is that we can treat our poor people fairly and equitably. Please vote for this Bill. It is not an increase without referendum."

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

Hannig: "Yes, Mr... Mr. Speaker, would the Sponsor yield, please?"

Speaker Greiman: "Yes, indicates she will."

Hannig: "Why is it that DuPage County finds itself in the unique position of having this rate less than the rest of the one hundred and one counties?"

Karpziel: "Well, Representative, first of all, it's a... it's a

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long story. Part of it is due to... it's due to an internal division of... internal problem within DuPage at the time. The... that's... that's really all that it was, and as you saw yesterday, there seems to be a proclivity in this General Assembly to like to single out DuPage County for special kinds of legislation, and this is just one of those instances where DuPage was singled out for special type of legislation. Every other county, as Representative McMaster said, I mean McCracken said, every other county in the State of Illinois has a ten cent maximum General Assembly levy, and all we're asking in DuPage is to allow us to have the same maximum levy as everyone else. We're not talking about raising any taxes."

Hannig: "I know that there is legislation in the law that allows taxpayer groups to lower certain rates. Would it be that this rate was lowered because of a referendum by a taxpayers group, or is that not correct?"

Karpiel: "No. It was not."

Hannig: "It was not."

Karpiel: "No referendum."

Hannig: "Okay. Thank you."

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

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

Speaker Greiman: "The Gentleman moves that the previous question... The question is, 'Shall the previous question be put?' All in favor signify by saying 'aye', those opposed 'no'. I think the 'ayes' have it. Mrs. Karpiel to close."

Karpiel: "Thank you, Mr. Speaker. I think that there is a great deal of misconceptions about House Bill 1638. The townships in the coun... in DuPage County do an excellent job of administering general assistance, and while none of the townships in DuPage County are anywhere near the



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maximum, they feel that they should be able to have the same maximum tax levy as every other county in the state. Now, it's not hardly a tax increase if you're not using the money or raising the taxes, and it isn't any different than any other county in the state. If we do not have new revenues in the state, and if the townships might be taking back AMI and the 'MANG' programs, and some of these other general assistance programs, it is absolutely necessary to allow our townships to have their maximum levying power... power. We're just allowing DuPage County to have the same maximum levy as any other county in the state, and I'd for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the... Mr. Clerk, take the record. The Lady from DuPage asks for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees."

Speaker Greiman: "Mr. Bowman 'yes'. Mr. Farley."

Farley: "Mr. Speaker, could I be recorded 'aye'?"

Speaker Greiman: "Mr. Far... how is Mr. Farley recorded?"

Clerk Leone: "Representative Farley is not recorded as voting."

Speaker Greiman: "Record him as 'aye'. Mr. Laurino. Record Mr. Laurino as 'aye'. Mr. Panayotovich. Record him as 'aye'. Mr. Keane. Record Mr. Keane as 'aye'. Mr. Davis. Record Mr. Davis as 'aye'. Mr. Marzuki. Repor... record Mr. Marzuki as 'aye'. Record Mr. LeFlore as 'aye'. Record Mr. White as 'aye'. Ms. Karpiel, all you friends are on this side of the room. Is there... who else? Do we have anybody here? Mr. Clerk, do you have a count? Mr. Dunn 'aye'. John Dunn. Mr. Berrios 'aye'. Did you get Mr. Berrios?"

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Clerk Leone: "Representative Berrios switches from 'no' to 'aye'."

Speaker Greiman: "Mr. Brookins. Mr. Brookins votes 'aye'. Mr. McGann votes 'aye'. Ms. Ereslin votes 'aye'. Mr. Doyle votes 'aye'. I think we'll dump the Roll Call. I... I don't want to have any imperfect Roll Calls. I've been there before, you know. All right. Let's dump the Roll Call. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Yes, the Gentleman from Cook, Mr. Cullerton, to explain his vote."

Cullerton: "Well, Mr. Speaker, not really. I just wanted to remind you that the lunch that arrived at one o'clock is still on your desk, and the fettuccine is being to move."

Speaker Greiman: "Ask it to move up to the podium. I'll be with you in a minute. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 68 voting 'aye', 29 voting 'no', 9 voting 'present'. This Bill, having received a Constitutional Majority, is hereby de... passed. On the Order of House Bills Third Reading, Special Order - State and Local Government Administration appears House Bill 1725. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1725, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

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

Karpziel: "Thank you, Mr. Speaker. I want to thank you for the last vote, and now I have a good Bill for you to vote on."

Speaker Greiman: "Be wary. Proceed, Ma'am."

Karpziel: "I have a feeling something is up here. House Bill 1725 is a Bill which will allow municipalities under five hundred thousand in counties of under a million from the

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indebtedness limit for their bonds for the purpose of pumping Lake Michigan water, obtaining lake Michigan water and paying off the debt on the Lake Michigan water. And it is only with a front door referendum. I want to make that very clear, and I ask for an 'aye' vote."

Greiman: "The Lady from Dupage moves for passage of House Bill 1725, and on that is there any debate? The Gentleman from Cook, Mr. O'Connell."

O'Connell: "Representative Karpiel, question of the Sponsor."

Speaker Greiman: "She indicates that she'll yield for a question."

O'Connell: "Was this Bill before the Cities and Villages and voted down the first time?"

Karpiel: "Yes, sir."

O'Connell: "Okay, then this is the Bill that...for Dupage County, exclusively, eliminates the current debt ceiling and raises that to what level?"

Karpiel: "Just takes off the debt ceiling for the purposes of Lake Michigan water only."

O'Connell: "But there is no limitation at all, there's no cap?"

Karpiel: "No, not for that purpose."

O'Connell: "May I speak to the Bill?"

Speaker Greiman: "Proceed."

O'Connell: "Thank you, Mr. Speaker. This issue is very sensitive. The County of Dupage is...it is in very good position to obtain Lake Michigan water, which they well deserve and which there are ways to deliver without going the general obligation bond route. The matter had been pursued over the last five or six years, and it's my understanding, and I addressed the...the issue to Representative Karpiel in the Committee, that the reason why the Dupage County Water Commission opted to go a revenue bond route was because of the lack of desire on the

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part of the residents of Dupage County to accept a general obligation bond and hence, a real estate tax increase. I would caution Members of this Body, even though they are not residents of Dupage County, there seems to be, and I'll allow a rebuttal if I'm wrong, a general attitude, desire on the part of the residents, a majority of the residents of Dupage County not to want to have their real estate taxes increased for the purposes of receiving Lake Michigan water. This is...while there is a definite desire, I'm sure, on the part of those residents to obtain Lake Michigan water, the...the option available of going the revenue bond route is, to my understanding, still available. I would only caution Members that there seems to have been an attitude expressed that this...this type of legislative involvement on our part is...would not be welcome and I'd...I'd welcome a rebuttal to that if I'm wrong."

Speaker Greiman: "Is there further discussion? The Gentleman from Dupage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. In support of this Bill and in response to the previous speaker, I would make one major observation and that is that this requires a referendum. This is not an open-ended...open-ended program, and it's a...it's a choice for providing an option for the municipalities in the county to go this route and ties in with 557 which we passed previously. The point I would make is that this does include a referendum. We are, as a legislative Body, merely providing an option because ultimately it will be up to the people to make the decision about whether they want to go this particular route or some others, and so, on that basis, Ladies and Gentlemen, I rise to ask that you support us and give us this opportunity to have this as an option

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in Dupage County to address the water needs that we're certainly going to have in the not too distant future."

Speaker Greiman: "Is there further discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "She indicates she will."

Cullerton: "Representative Karpziel, could you just explain in general terms what would happen to a village or municipality that is partly in Cook and partly in Dupage? Will they have to pay twice?"

Karpziel: "I would think that it would be depending on the...the method by which the residents of the Cook County portion of the village would be paying for their Lake Michigan water because they have a different method...they are in a different group, so to speak, that they would be charged based on whatever their method is and the Dupage portion would be charged on their method."

Cullerton: "Well, if a community has their own levy for water and it's in Dupage County, and then this cap is removed and a referendum passes, would they have to pay twice? That's really what I'm asking. Would they be automatically be opted out if they have their own levy?"

Karpziel: "I'm going to defer to one of our mayors. I don't think they would have to pay twice, but I'll defer to Representative Barger."

Cullerton: "Is this one of the mayors that voted 'no' on the last Bill?"

Speaker Greiman: "Well, we'll turn on Mayor Barger for a moment."

Barger: "Thank you, Mr. Speaker. I thought that maybe it would be easier for me to answer these questions because I was on the Water Commission in Dupage County. The water allotment goes to cities..."

Speaker Greiman: "Well, for the form of it, we'll allow the Lady

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from Dupage to yield momentarily for the Gentleman from Dupage for the response to the...question. Gentleman...former Gentleman from Dupage."

Barger: "Thank you. Let's see, where were we? Would you ask your question again. The Chair has confused me."

Cullerton: "Well, let's stay with...let's...we'll take a town like Burr Ridge, I think. It is partly in Cook and partly in Dupage."

Barger: "Alright, the allocation of water..."

Cullerton: "They have their own levy right now for water, to pay for water?"

Barger: "Right. Are they getting water from Chicago now, from Lake Michigan?"

Cullerton: "Yes."

Barger: "Then they are already covered. They wouldn't be part of this. There are communities like Itasca, I think, that extends over from one County to the other and the whole city would have the whole...the same taxing rate on the water. There are several cities that do lap over from one county to another, some go into Will County, Naperville and the likes."

Cullerton: "Fine, thank you, Mr. Speaker. I'm satisfied with the answer given by Mayor Barger, and I hope that he would support this fine Bill to raise the taxes in Dupage County."

Speaker Greiman: "Ms. Karpel? Gentleman from Perry, Mr. Dunn."

Dunn: "Thank you. A matter of personal...who do you refer to, Mr. Speaker, as a former Gentleman in this Body. I didn't quite understand it."

Speaker Greiman: "That's right. I meant the Gentleman formerly of Dupage. Mr. Cullerton was raised in Dupage County, and has risen above his environment."

Dunn: "I knew you weren't addressing it to me because I've never

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been a resident."

Speaker Greiman: "Proceed. Proceed. No, the Gentleman from Champaign, Mr. Johnson."

Johnson: "I would move the previous question."

Speaker Greiman: "Be with you in a moment. We're checking the machine out. No one is now seeking recognition, so Mrs. Karpiel to close. Mrs. Karpiel, proceed."

Karpiel: "Yes, thank you, Mr. Speaker. This Bill really is not...this Bill really is not anything too much different than the Bill that we just passed out of here, House Bill 557, I believe. That allowed the Dupage County Water Commission to...to issue GO bonds. This simply allows the municipalities in the county to raise their debt limitation in order to pay for the bonds for pumping Lake Michigan water, if it is passed with a front door referendum. Now, some of the previous speakers spoke about raising the taxes and we shouldn't do that to the people of Dupage County, et cetera, et cetera. Nothing is going to be done to those municipalities unless they, in fact, vote for a referendum to do just that. And I would ask for an 'aye' vote and leave you with...with this comment. The alchemists of old were always trying to find a way of turning water into gold, and it seems to me the City of Chicago has done just that, and Dupage County is merely looking for a way to pay for it. Thank you."

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. Hastert, is your vote...is your switch okay? Is it working alright? Thank you, just wanted to check that it was. Mr. Clerk, take the record. Yes, the Gentleman from Champaign, Mr. Johnson. Alright, how is Mr. Johnson, Gentleman from Champaign, recorded?"

Clerk Leone: "Gentleman is recorded as voting 'no'."

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Speaker Greiman: "Change the Gentleman to 'aye'. On this Bill, there are 103...104 voting 'aye', 4 voting 'no', 2 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Now, we'll just stand at ease for a moment and be back with you until that machine clears up. Senate Bills First Reading."

Clerk Leone: "Senate Bills First Reading. Senate Bill 49, Nash, a Bill for an Act to amend an Act to regulate solicitation and collection of funds for charitable purposes providing for violation thereof and making appropriation therefor. First Reading of the Bill. Senate Bill 239, Brunsvold-Cullerton, a Bill for an Act concerning the regulation of shorthand reporting. First Reading of the Bill. Senate Bill 289, Bowman, a Bill for an Act to amend Sections of an Act relating to certain investments of public funds by public agencies. First Reading of the Bill. Senate Bill 301, DiPrima-Nash, a Bill for an Act making appropriations to the State Treasurer. First Reading of the Bill. Senate Bill 314, Slape, a Bill for an Act to amend an Act to revise the law in relationship to coroners. First Reading of the Bill. Senate Bill 315, Deuchler, a Bill for an Act to revise the law in relationship to recorders. First Reading of the Bill. Senate Bill 333, Keane, a Bill for an Act to amend an Act in...relationship to chattel. First Reading of the Bill. Senate Bill 336, Bullock, a Bill for an Act in relationship to collective bargaining. First Reading of the Bill. Senate Bill 358, Richmond, a Bill for an Act in relationship to commercial dealerships. First Reading of the Bill. Senate Bill 340, Levin, a Bill for an Act to amend an Act in relationship to public utilities and environment. First Reading of the Bill. Senate Bill 364, Neff-Wolf, a Bill for an Act to amend the Illinois Vehicle



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Code. First Reading of the Bill. Senate Bill 370, Keane, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. Senate Bill 402, Braun, a Bill for an Act to amend the Northeastern Illinois Planning Act. First Reading of the Bill. Senate Bill 476, Bowman, a Bill for an Act to amend the Coin Operated Amusement Device Tax Act. First Reading of the Bill. Senate Bill 489, Nash, a Bill for an Act to amend an Act concerning public utilities. First Reading of the Bill. Senate Bill 503, Keane, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. First Reading of the Bill. Senate Bill 517, Hannig, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 518, Terzich, a Bill for an Act to amend the State Employees' Group Insurance Act. First Reading of the Bill. Senate Bill 520, Terzich, a Bill for an Act to amend the Illinois Abortion Law. First Reading of the Bill. Senate Bill 521, O'Connell, a Bill for an Act to amend the Illinois Abortion Law. First Reading of the Bill. Senate Bill 531, Taylor-LeFlore, a Bill for an Act to amend the minimum wage law. First Reading of the Bill. Senate Bill 537, Giorgi, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 551, Nash, a Bill for an Act to amend the Illinois Vehicle Retail Installment Sales Act. First Reading of the Bill. Senate Bill 573, Terzich, a Bill for an Act to amend an Act to create sanitary districts and to remove obstructions from the Des Plaines and Illinois Rivers. First Reading of the Bill. Senate Bill 574, Slape, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 576, Ieverenz, a Bill for an Act to revise the law in relationship to the practice of veterinary medicine and surgery in Illinois. First Reading

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of the Bill. Senate Bill 578, Hannig, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 588, Alexander, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. First Reading of the Bill. Senate Bill 589, Turner, A Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 607, Slape-Keane, a Bill for an Act to amend an Act to revise the law in relationship to coroners. First Reading of the Bill. Senate Bill 608, Keane, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 826, Bowman, a Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 962, Pierce, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 1063, Giorgi, a Bill for an Act to amend the Illinois Highway Code. First Reading of the Bill. Senate Bill 1135, Deuchler-Klemm, a Bill for an Act to amend the Public Aid Code. First Reading of the Bill."

Speaker Greiman: "Message from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary.

"Mr. Speaker, I am directed to inform the House of Representative the Senate has passed Bills of the following titles, and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 591, 599, 616, 618, 619, 631 and 632 passed by the Senate May 25, 1983. Kenneth Wright, Secretary."

Speaker Greiman: "On the Order of...Ladies and Gentlemen, let's go back into Session on the Order of House Bills Special Order of Business Third Reading, Subject Matter - State and Local Government Administration, appears House Bill 1780. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1780, a Bill for an Act relating to the

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Chicago Park District amending certain Acts herein named.  
Third Reading of the Bill."

Speaker Greiman: "Mr. Farley, the Gentleman from Cook."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1780 does three things. It...absolves the Chicago Park District from passive negligence, which is accident situations caused by individuals that might then, in fact, sue the Chicago Park District where they are, in fact, not responsible. It also increases the working cash fund of the Chicago Park District. It also allows the Chicago Park District to issue general obligation bonds which will permit the park district to a limited maintenance and operation project cost designated by the Public Building Commissions. I think this is a very necessary Bill, Mr. Speaker, and I would move for a 'yes' vote on House Bill 1780."

Speaker Greiman: "Gentleman moves for passage of House Bill 1780. On that, is there any discussion? 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. DiPrima, is your switch not working? Okay. Ms Nelson, are you okay? Alright. Have all voted who wish? The Gentleman from Champaign, Mr. Johnson, to explain his vote. No. Now, have all voted who wish? Vote me 'present' would you? Have all voted who wish? Have all voted who wish? Yes, the Gentleman from...from Cook, Mr. Harris, yes. Have all voted who wish? Take the record. On this Bill, there are 76 voting 'aye', 33 voting 'no', 4 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Special Order of Business - State and Local Government Administration appears Ecuse Bill 1781. Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 1781, a Bill for an Act to amend Sections of the Illinois Lottery Law. Third Reading of the Bill."

Speaker Greiman: "Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 1781 is asking for the unclaimed lottery money to be deposited in a fund that would be for the park districts of the State of Illinois. Presently, there is approximately \$5,000,000 that is in...that is unclaimed. What we are asking for here is for this money to be deposited in a fund which is going to be established with House Bill 2149, which is later on in the call, to be distributed to the park districts for recreational purposes. I know that another Member passed a Bill for the same monies for purposes of education. I think that his Bill is certainly important. I think this is just as important. I have no problem with working out something with the other Representative and the Members that voted for that Bill to have a portion of this or half of this money go to education, but I would like to see at least half or all of this to go to park districts. So I would just move for the favorable Roll Call on House Bill 1781."

Speaker Greiman: "Gentleman from Cook has moved for passage of House Bill 1781. On that, is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "The Gentleman yield?"

Speaker Greiman: "He indicates he'll yield for question."

Johnson: "First, Representative Farley, is there anything in the Bill that would designate how the park, recreation and open space distribution was to be allocated downstate versus Cook County and so forth? Is there anything in the Bill?"

Farley: "Yes, Representative Johnson. That is in House Bill

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2149. What happened here...it is...with the local government distribution formula. This Bill...if this Bill passes, it won't mean anything until House Bill 2149 passes. This is just getting the money to be put into the fund that is in 2149, but, yes, there is a formula."

Johnson: "Okay, you...you've indicated that you were amenable to half of the money, all of which...let me ask first, all of this money now, and our Fiscal Note indicates that for Fiscal Year 1982, the unclaimed lottery prize money is almost 2.5 million dollars. All that money now is deposited in the General Revenue Funds, is that right?"

Farley: "That is correct, sir."

Johnson: "You...you have indicated that you would be amenable to...to dividing this half and half between the GRF and this special fund. Is there anything in this Bill or any accompanying Bill that designates that 50-50 division?"

Farley: "No, sir, there isn't, but as I said in my statements, we know that education is very important. I certainly agree with that. Representative Pangle passed a Bill that asked for this unclaimed money to go to education, and what I am saying is that, hopefully, we can work out and I have no problem with working out somehow, somewhere, in the Senate, if that's where we have to do it, to give education half of the money and the park districts half of the money. Whatever we get for education or park districts is...is a plus, so this is why I'm saying that, and this is what we are trying to accomplish."

Johnson: "To the Bill then, Mr. Speaker and Members of the House. With all respect to the Sponsor who I know is well-intended in this regard, the fact of the matter is, we're in the middle and I guess we have almost gotten to the place where it's trite to repeat this on Bill after Bill, there is certainly at most uncertainty about what is going to happen

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to the fiscal future of Illinois, what's going to happen with respect to future revenues, and I think it's an understatement to say that the State of Illinois, with respect to General Revenue Funds, is facing a fiscal crisis. What we are doing by this Bill is taking almost two and a half million dollars from the General Revenue Fund and be dedicated to education, to mental health, to whatever other areas of spending the General Revenue Fund feeds into and setting up a new fund. Now, I agree that park, recreation and open space ought to be a priority, but when we are facing the fiscal crises that we are and when we are operating in the red to the extent that we are, to drain two and a half million dollars from General Revenue Funds just doesn't make sense. And, again, with respect to the Sponsor, who I know is sincere and well-intended, and really, I think a good many Members of this Chamber who believe that the priorities are or ought to be trending that way, we just can't do it this year. It's not realistic. We know that if it gets out of here, the Governor is not going to sign it anyway, so why do we have to exercise or go through this exercise in futility by approving a Bill that is not going to make it in any event."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 1781, and, perhaps, can shed some light on the recent exchange between the previous questioner and the Sponsor of the Bill. It's my understanding from looking at the synopsis that House Bill 662, which we passed earlier in the Session would have directed lottery proceeds to be directed toward education. House Bill 1781 is a measure which would direct unclaimed lottery winnings into the Open Space Land Acquisition Fund

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that we are seeking to create. We, in the General Assembly, will not be the final...the final...will not make the final decision as to what happens or what the final disposition is on House Bill 1781. That will come during the course of the summer, should this very needed Bill pass. However, I think everybody would agree that open space is very, very important. Recreational activities are very, very important, and right now, it's practically impossible for those recreational activities or for those open spaces to be provided without some additional revenues being provided by the state. Should other revenues be provided in other areas, this Bill or the...things that we are attempting to do in this Bill may, in fact, be very, very desirable. I would think that since everybody does see it as a priority, and it is a very, very needed program, and something that is very desirable through park districts, conservation districts, forest preserve districts throughout the State of Illinois that the House should overwhelmingly approve this Bill. It does not, I don't think, come into conflict with the Bill that we passed earlier in...earlier this year, and I would encourage a 'yes' vote on House Bill 1781."

Speaker Greiman: "Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, I have two problems with this Bill. One is I'm philosophically opposed to earmarking because I think that's the function of the Legislature, to appropriate money out of the treasury and out of the revenue to various causes, and the other problem I have is that the Department of Conservation is already curtailing activities in our existing state parks because of lack of funds, so I think when you start taking money out of General Revenue and earmarking it for other things, as worthy as this cause is, I think we need

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the money in existing operations instead of earmarking it for other things."

Speaker Greiman: "The Lady from Cook, Miss Eraun."

Braun: "I have a question of the Sponsor."

Speaker Greiman: "Indicates he will."

Braun: "Representative Farley, I read the synopsis on this Bill and I haven't looked at the actual lines in the Bill, but as I understand it, this Bill alone would put the unclaimed lottery prizes into the parks as opposed...and not into education, is that correct?"

Farley: "Yes."

Braun: "Alright. In that case, Mr. Speaker, I'm going to have to rise in opposition to the Bill. One of the questions..."

Speaker Greiman: "Proceed, ma'am."

Braun: "...that we hear whenever we go out into the community and talk to people about education funding, one of the first questions they ask is, 'we thought the money, the lottery money was supposed to go into the schools', and I have not been able to provide my constituents with an answer why the lottery money isn't going into the schools, and this Bill, apparently, says that it's not to go into the schools, but it's to go into the parks. Now, I've always supported park funding, but at the same time, I think we would be remiss to direct these funds to recreation when we can't even educate our young people."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Hastert: "Mr. Sponsor, tell me how many parks or recreation areas or park boards, whatever, this covers here would...would qualify specifically for Park, Recreation and Open Space Distribution Funds. How many?"

Farley: "I don't have the exact number, Representative, but..."



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Hastert: "Do you have an approximate number?"

Farley: "I won't even give you an approximate number because I have no idea. Even if...this is...this is for downstate. This is for every park district in the State of Illinois. It also includes Chicago, I'm not misrepresenting anything here, but the majority of it, this money, this is going to downstate park districts."

Hastert: "You mentioned money. How many dollars...are you talking about three million, approximately?"

Farley: "Well, it's...I have a figure here that says two million some hundred...just a minute. Alright, the first quarter of 1983, there's \$2,755,223 unclaimed."

Hastert: "Oh, that's the first...the first quarter?"

Farley: "That's the first quarter. Of last year, '82, there's \$2,473,901, so if you take those, you're...if you take those two, we're talking approximately \$5,000,000, and also we are talking about unclaimed money, not proceeds of the lottery."

Hastert: "So...alright, so it could be a variable amount. Alright. I understand that, Representative. So you're saying it could be around 5...you're talking about a ballpark figure here."

Farley: "Yes."

Hastert: "Five million dollars. I have information from the park people themselves that this would go into approximately 13 to 14 park areas. Do you have information to that effect or not?"

Farley: "No, I don't have that information, Representative."

Hastert: "Alright. Then I have one other question, and it deals directly with this Bill, but you also introduced House Bill 2149, is that correct?"

Farley: "That is correct, sir."

Hastert: "And also in that Bill, you are taking one forty-eighth

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of all the revenue sharing funds and putting it in the park district, is that correct?"

Farley: "That is correct, sir."

Hastert: "And that's in addition to this, Representative?"

Farley: "Yes, sir."

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

Speaker Greiman: "Proceed, sir."

Hastert: "Well, I think what this legislation does is really create quite a windfall for park districts through the...throughout the state, and very specifically to a very limited number of park district, park districts who are involved in the Open Space Distribution Fund, and we are talking about five million dollars a year going to ten to fifteen park districts. That adds up to a...really a lot of money. Plus the fact, if Mr. Farley's or Representative Farley's next piece of legislation goes through, 2149, which takes one forty-eighth of all the revenue sharing money in the state and puts that to parks too, I think we are really taking an effort here and bypassing the legislative process, the appropriation process, and really, I think we have to take a look at the distribution of funds. I think it's an unequitable distribution, and I urge a vote 'no'...a 'no' vote."

Speaker Greiman: "There being no further discussion, Mr. Farley to close."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to Representative Braun's question, inquiry and comments, the educators themselves violently opposed the money coming out of the lottery fund. And what we are doing here is trying to establish money, earmark money, and we are the legislative process. We're doing it right now. We are trying to establish funds for recreation, for open space. 2149, yes, there is a program

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there too, but I think it's time that we earmark money for education. I think it's time we earmark money for recreation and park districts. The General Revenue Fund is like a big pool. We put that money in and that money is spent at the discretion of the second floor in most cases. What I want to do is, I want us to stand here as Members, as Legislators and earmark money for the people that use the parks and open spaces in the State of Illinois. So, in closing, Mr. Speaker, I think that it's time that we did earmark the money. I think it's time that we vote 'yes' for parks in the State of Illinois, for recreation and open spaces, and I would encourage an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. Ms Braun, would you come to the podium, please? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, Mr. Clerk, take the...take the record. Mr. Farley. On this Bill, there are 35 voting 'aye', 68 voting 'no', 8 voting 'present', and this Bill...having failed to receive a Constitutional Majority, is hereby declared lost. On the Order of House Bills Special Order of Business - State and Local Government Administration appears House Bill 1796. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1796, a Bill for an Act to amend Sections of the Personnel Code. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1796 is a simple Bill. It amends Public Act 81-102...1002 and extends the sunset date on it by two years. Now, so that people can have a more lucid explanation on the subject, Public Act 81-1002 was a Bill

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that amended the Personnel Code several years ago to create a term appointment process for high level policy making bureaucrats in the State of Illinois subject to the Personnel Code. It reduced them to a series of four year term appointments on a rotating basis. That Bill was tied up in constitutional litigation for several years after this General Assembly passed it and the Governor signed it. It subsequently, was declared constitutional by the Illinois Supreme Court. The problem that we now face is that we put a sunset clause into the Bill so that after four years of operation, the General Assembly could review whether it was operating properly and whether it was a good change in the Personnel Code. However, we have only had two years of operation because of the constitutional litigation and the injunction that...that ensued during that litigation. Consequently, in order to have a four year period to test the Bill, we need to extend the sunset clause by two years and that's what this Bill would do and I would move for favorable action on House Bill 1796."

Speaker Greiman: Gentleman moves for passage of House Bill 1796, and on that, is there any discussion? The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, would the Sponsor yield to a question?"

Speaker Greiman: "He indicates he will."

Stuffle: "Representative Vinson, let me ask you the same question I asked you when you passed this Bill the first time. How come we don't go about creating term appointments for people at the other end of the civil service spectrum that aren't highly skilled for those old jobs where we used to put people on the highway in patronage positions instead of going this direction at the upper level of the grade system and putting career people in term appointments?"

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Vinson: "Well, I think there are two points to that. Number one, there is a substantial problem with a man called Shackman, and number two, Shackman and the United State Supreme Court do recognize the constitutional validity of this process. If we could find a way to remove that man called Shackman or to change the mind of the U. S. Supreme Court, I would certainly support a Bill by you to do the later."

Stuffle: "Why...why can't we do this...Why can't we have term appointments for the...for the guys on the little orange trucks? If the term appointments can apply at grade 12 and above, why can't they apply to the little guys on the orange trucks?"

Vinson: "The United States Supreme Court has differentiated between policy making people and non-policy making people."

Stuffle: "So, you're saying Shackman and those other cases have said that those people who aren't in a position of authority, in effect, policy - making people, aren't able to be removed under Shackman, but others may be, in effect, removed by way of term appointments?"

Vinson: "Shackman and cases that have been decided since then too, that's correct."

Stuffle: "Thank you."

Speaker Greiman: "Is there 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? Mr. Johnson, the Gentleman from Champaign, to explain his vote. Apparently not. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 91 voting 'aye', 16 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Braun in the Chair."

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Speaker Braun: "Appearing on the Calendar, page 5, Special Order of Business, Subject Matter - State and Local Government Administration, appears House Bill 1830. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1830, a Bill for an Act to amend Sections of the Open Space Lands Acquisition Act. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook, Representative Fiel, is recognized."

Fiel: "I would ask that we waive Rule 65E, while the present Speaker is in the Chair, please."

Speaker Braun: "Thank you. Does the Gentleman have leave? No objection. Leave is granted. Thank you, Representative. House Bill 1830, Representative Steczo. Mr..."

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 1830 amends the Open Space Land Acquisition Act, and it's similar to House Bill 995, which was passed overwhelmingly by the House earlier this afternoon. And what House Bill 1830 does is it expands the purview of the Open Space Land Acquisitions Act to provide for capital development as well as open space. What this Bill is intended to do, as House Bill 995, is to assist those local governments which are landlocked and basically have no open space land to acquire to help promote recreational activities within those communities. It provides for grants...the present law provides for grants on a 50-50 matching basis. That would be the same as those grants for capital development and in addition, House Bill 1830 would require that a local government seeking this type of funding would have to identify a continuous source of funding before being considered as a grant recipient. I would answer any questions and would ask the House to approve House Bill 1830."

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Speaker Braun: "Is there any discussion? There being none, the question is, 'Shall House Bill 1830 pass?' All in favor...Chair recognizes the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madam Speaker. Would the Sponsor please yield for a question?"

Speaker Braun: "He indicates he will."

Koehler: "Representative Steczo, I was wondering what was the effect of Amendment #12"

Steczko: "Amendment #1 made some technical changes in the Bill and it indicated too that the Department of Conservation would be the agency that would administer these particular grants. They would not be able to receive and use any of the funds themselves, but simply would administer and grant the funds to units of local government. That was...that was the only change that was made."

Koehler: "Well, thank you, and what would the cost of this program be?"

Steczko: "Actually, whatever the General Assembly decided to appropriate. I believe funding for this program right now is minimal. If it's minimal, and if we do not approve any funding for it, then there will be no grants available. However, should there be, we would like to have this capital development provision placed in the law."

Koehler: "Alright, well, then there is no money in the current budget appropriated for this, or will this be taken out of the Department of Conservation's current budget?"

Steczko: "No, it's a separate line item. If there is no money appropriated for it, then there simply would be no matching grants available. However, at some time in the future should there be, again, we would like to have the increased provision included in the statutes. Right now, there is an Open Space Land Acquisition Act that...that

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includes the ability to provide grants to purchase open space properties. All we're doing in this Bill is...is amending that statute to include capital development as well, and that's the only change being made, and at such time as that there's funds available, then those are the two things that any funds appropriated will be used for."

Koehler: "Well, do you have a companion appropriation Bill with this?"

Steczo: "No, we do not because we're just...the park districts and local governments that are seeking House Bill 1830 are willing to abide by whatever...whatever decisions are made by the General Assembly in terms of funding and are willing to say that at some point, if there is funding available, we would just like to have this additional thing to be able to be considered, the capital development aspect considered at some point in the future."

Koehler: "So you are adding an...the additional ability to add grants to the bonding ability, is that correct?"

Steczo: "No, Representative Koehler, as I mentioned, the ability right now or the Open Space Land Acquisition Act is currently part of the law. The Department of Conservation currently can provide grants to local governments to do that. All House Bill 1830 does is to add one other item to that and so, if a local government wants to provide recreational activities right now, they can apply for a grant to the Department of Conservation for open spaces. We are simply allowing by House Bill 1830 to allow them to apply for open spaces and for capital development too, if they can come up with the...with the matching money and also provide a continuing source of funds."

Koehler: "Thank you very much."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Huff."



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Huff: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Braun: "He indicates he will."

Huff: "Representative Steczo, as I read the Amendment 1, specifies that local governments...that these grants will be conditioned upon the local governments being able to identify a source of continuing funding. Can you give me an example of what that continuing funding would be?"

Steczko: "Representative Huff, I would presume that in...in terms of being provided a grant by the Department of Conservation, who would ever do that, that they would have to provide proof to the Department of Conservation that...that at some point they would be able to have all the monies necessary to not only provide monies for the project, but for upkeep and other...other things too."

Huff: "Alright, then it also stipulates that the local governments would have to provide a certain percentage of the cost. Do you know what that percentage would be?"

Steczko: "For the land acquisition, the amount of the grant would be a 70-30 match, and for capital development, 50-50."

Huff: "Okay, thank you."

Braun: "Is there further discussion? There being no further discussion, the Chair recognizes the Sponsor, Representative Steczo, to close."

Steczko: "Thank you, Madam Speaker, Members of the House. I appreciate the questions that the Members brought to light on House Bill 1830. As I indicated, all we are doing is making one change and that change is simply to add one other item to the list that local governments can apply for when making application for ...for possible grants to the Department of Conservation. It is the one thing that will help them provide recreational activities. It is one, as I said, that has a safeguard because they do have to identify additional sources of funding or continuous

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sources of funding, and it's one that will promote the recreational interests in various parts of the State of Illinois, and also is similar to House Bill 995, which the House passed overwhelmingly earlier today, and I would appreciate the support of the House in...in the passage of House Bill 1830."

Speaker Braun: "The question is, 'Shall House Bill 1830 pass?' All in favor vote 'aye'. Opposed, vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Calendar, on the Special Order of Business - State and Local Government Administration appears on page 21, House Bill 1831. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1831, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Braun: "Chair recognizes Representative Brummer."

Brummer: "Yes, thank you, Madam Speaker, Members of the Assembly. This Bill addresses a matter that was brought to the attention of Representative Dwight Friedrich and myself dealing with the assessment separately of oil and gas interest. I suppose it was brought to our attention because we were primarily in the oil and gas geographic area of the state, although there are certain other areas of the state as well. Does one item, very simply. It allows the separate assessment and separate billing of mineral interest from the surface, even if those are owned by the same person. That has been the practice for many years. There was apparently a Circuit Court decision, I think, in Washington County that indicated that that was not proper under existing law. This Bill will legitimize

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that practice. It does not change the amount of the assessment of either farmland or oil and gas. It simply allows the creation of two separate bills with regard to those and I would ask for a favorable vote."

Speaker Braun: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor, vote 'aye'. Opposed, vote... 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 106 voting 'aye', 1 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Calendar on page 22, on the Special Order of Business State and Local Government Administration appears House Bill 1862. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1862, a Bill for an Act to provide for the uniform regulation of condominiums. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes Mr. Cullerton."

Cullerton: "Yes, on Amendment #1..."

Speaker Braun: "The Gentleman asks leave to..."

Cullerton: "I'm sorry, it's on Third. I would ask leave to bring the Bill back to Second Reading for purposes of an Amendment."

Speaker Braun: "Is there leave? Leave is granted. Are there any Amendments?"

Clerk Leone: "Amendment #1, Madigan-Cullerton, amends House Bill 1862 on page 7 and so forth."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. The Bill deals with the Illinois Uniform Condominium Act. Amendment #1 deals with the issue of preemption. We have preemption in the Bill with two exceptions and these two exceptions are contained in

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Amendment #1. It will provide that any municipal or county ordinance enacted on or before July 1st, 1984, may continue to apply only to condominiums created prior to July 1st, 1984. In other words, the municipalities and the counties will have some lead time until July 1st of 1984 to enact any ordinance that they wish concerning condominiums and they would be entitled to remain. It also amends the preemption Section of the Bill to specifically authorize home rule municipalities and counties to establish requirements relating to the maintenance of escrow deposits by the developer. These escrow deposits may not exceed one percent of the purchase price of each unit and shall be retained only for the purpose of carrying express or implied warranty violations affecting the common elements. It also requires that such escrow deposits be refunded to the developer one year from the date of the transfer of title, unless, of course, prior to such date suit has been filed alleging such breach of warranty. Be happy to answer any questions, and move for the adoption of Amendment #1."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Members of the House. I believe that this Amendment is, as Representative Cullerton has so ably represented it to be, and I would urge its adoption."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Greiman. Representative Greiman."

Greiman: "I'm sorry. Did you call on me, ma'am? You did...well..."

Speaker Braun: "Did you want to be called, Representative Greiman?"

Greiman: "Yes, I did, not quite as prematurely as that."

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Speaker Greiman: "Then the Chair recognizes..."

Greiman: "I wanted, first on a matter, a personal matter. My fettucini has been stolen from my desk, and no, not up there, but that's neither here nor there."

Speaker Braun: "Will whoever has Representative Greiman's fettucini return it?"

Greiman: "I...I do think you...don't have to return it. On the Amendment, however, I have...I have a dilemma. I'm not sure what to do. Frankly, I think the Amendment is short of what I would have liked to have seen provided for consumers in condominium conversions. My own community essentially is the first community that began the escrow deposits. We deposit escrows in Skokie on condominium conversions for common elements, for real estate tax, second installment, which is one of the famous ways that condominium developers kind of run away with the money and don't give you the second installment credit, for things to be done to individual units. This Bill, now there was attempts to make agreements. This Amendment goes only a little down the road and does have a...a Amendment...a provision for escrow. It's a small provision. It's one percent of the purchase price, not very significant. It deals only with the common elements. Now, maybe you could tie up the money for a year, but you would have to do it, and...and if your own unit was not being...having it's warranties fulfilled, you'd have to go to Court and claim, in order to tie up the money, that somehow the common elements warranties were not being done, and there is no reason why you should have to do that. This Amendment, if we defeat this Amendment, the Bill will not be in any condition to be passed. I think there are 19 communities that have their own Condominium Acts. 19 communities all over the state, not just in Cook County. Communities like

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Woodridge. Communities like DeKalb, and they should...their Representatives should be up on their feet because they have...I see Mr. Ebbesen is up on his feet. Thank you, Mr. Ebbesen, you may sit down...and Mr. McCracken is on his feet, wonderful. So, the point is that we should defeat this Amendment so the Bill will not be in a condition...to pass, and so that the people who...who are the real Sponsors, and I don't mean that in a perjorative way, but people who are...have sought uniformity over the years will have to provide us with these minimal, minimal consumer protection things for when the housing stock of a community is converted into...into condominiums, and Ms. Braun, I would hope that we could record this forever with a Roll Call vote, and I am going to vote against this for the sole purpose of keeping this Bill on Second Reading so that we can continue to discuss the merits of uniformity in condominium development in Illinois. Thank you, ma'am."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes the Sponsor, Representative Cullerton, to close."

Cullerton: "Yes, first of all, with respect to the previous speaker, after four hours I believe the fettucini got up and walked away. Number two, with respect to the issue of the escrow deposit, we are saying that there shall be an escrow deposit. The local municipality can enact ordinances that allow for an escrow deposit. We do put a one percent cap on it and we say it shall be only affecting the implied warranties for the common elements. Now, it's a...it's an escrow account. It doesn't mean that if you sued the developer for a breach of a warranty that you couldn't recover your damages. You can still do that. This is just an escrow account. It's an added protection for the...the consumer, and I think that it's possible that

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some municipalities might have such an unreasonably high amount for the escrow deposit, that it would make condominiums not even feasible. So that's the reason for the one percent. It's a reasonable figure, and it doesn't in any way limit the person's ability to sue on a breach of warranty and recover their complete and full damages. So, I would be happy to join with Representative Greiman in asking for a record Roll Call and I would ask each and every one of you to support this Amendment. This Amendment is a result of a...of negotiations, compromise by all interested affected parties. I recognize the fact that Representative Greiman does have a particular village in his district that he has to speak for and he has done that eloquently, but I would certainly want to have the Amendment adopted, so I would ask for the adoption of Amendment #1."

Speaker Braun: "The question is, 'Shall Amendment 1 to House Bill 1862 pass?' All in favor, vote 'aye'. Opposed, vote 'no'. All voted who wish? The Clerk will take the...have all voted who wish? The Clerk will take the record. On this Amendment, there are 98 voting 'aye', 9 voting 'no', 3 voting 'present'. This Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton-Madigan, amends House Bill 1862 by deleting lines 29 through 35."

Speaker Braun: "The Chair recognizes Representative Cullerton on Amendment #2."

Cullerton: "Yes, thank you, Madam Speaker. Madam Speaker, there was a House Bill that we have already passed out of the House, House Bill 84, which was an excellent Bill that was sponsored by Representative Braun, I believe, and what this Amendment does is to readopt and reaffirm that fine Bill, which has to do with double taxation, and I'm sure the

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Chair is well familiar with that. The House did pass that Bill and we do want that provision to be included in the Uniform Condominium Act. It also deals with the issue of open meetings and basically, this also incorporates a Bill that we have approved in this House dealing with the meetings of the executive board. It does have, of course, appropriate exemptions from the Open Meetings Act, but it does also say that the meetings of the executive board would be...come under the purview of the Open Meetings Act. So I would move for the adoption of Amendment #2."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I rise in support of the adoption of Amendment #2, a primary thrust of which is to avoid double taxation on common elements. For those reasons, I would urge its adoption."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes the Sponsor, Representative Cullerton, to close."

Cullerton: "I would just simply indicate that these are two provisions which are designed to protect the consumer and to protect the condominium owners and I would ask for the adoption of Amendment #2."

Speaker Braun: "On Amendment #2 to House Bill 1862, the question is, 'Shall this Amendment pass...be adopted?' All in favor, vote 'aye'. All opposed, vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 104 voting 'aye', 1 voting 'no', 3 voting 'present'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. Appearing on the Calendar on page 22 on the Special Order of Business - State and Local



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Government Administration appears House Bill 1873. Chair recognizes Representative Deuchler."

Clerk Leone: "House Bill 1873, a Bill for an Act in relationship to the adoption of foster family homes. Third Reading of the Bill."

Speaker Braun: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House, House Bill 1873 amends the Child Care Act, permits the Director of the Department of Children and Family Services to waive the limit of eight unrelated children in a foster family for good cause and to facilitate adoptive placement and other technical changes."

Speaker Braun: "Is there any discussion? There being none, the Sponsor to close, Representative Deuchler."

Deuchler: "I move the adoption of House Bill 1873."

Speaker Braun: "The question is, 'Shall House Bill 1873 pass?' All in favor vote 'aye'. Opposed, vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 108 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar appearing on page 5 is House Bill 1887. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1887, a Bill for an Act to amend Sections of an Act to regulate the storage, transportation, sale and use of liquified petroleum gases. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes Representative Friedrich."

Frederick: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1887 amends the Liquified Petroleum Gas Act to provide that the Office of the State Fire Marshal, rather than the Department of Law Enforcement shall

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promulgate and enforce rules and regulations governing the storage, transportation and use of liquified petroleum gas.

I move adoption of the House Bill 1887."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Lady yield?"

Speaker Braun: "She indicates she will."

Cullerton: "Now, as I understand this Bill, the Fire Marshal, rather than the Department of Law Enforcement shall enforce regulations regarding liquified petroleum gas. Is that the purpose of the Bill?"

Frederick: "Yes."

Cullerton: "Now, what is the position of the Fire Marshal, and what is the position of the Department of Law Enforcement with respect to the Bill?"

Frederick: "Well, I understand they agree with the Bill because as the result of the passage of this Bill, this brings our rules and regulations in conformity with the published standards of the National Fire Protection Association for the storage and handling of liquified petroleum gas."

Cullerton: "Well, I'm sorry. Is the Fire Marshal in favor of the Bill?"

Frederick: "I'm assuming he is. I have not heard that."

Cullerton: "You're not...you're not sure, and you don't know if the Department of Law Enforcement is willing to give up this authority?"

Frederick: "I am not sure, but I can tell you, Representative, this is the very first Bill that I have ever had in four years here that someone hasn't come to me and said this is a bad Bill, so I'm just assuming they agree. I'm sure I would have heard from them."

Cullerton: "I think this is a bad Bill. The Department of Law Enforcement has...and I'm just reading from our Bill

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analysis because we've got an excellent lady, Julie Sullivan who wrote this analysis. Department of Law Enforcement has, within the Division of State Police, a unit assigned to enforcement of regulations relating to the transportation of materials on highways. Okay? The agency that you are shifting it to, the Fire Marshal, has no such responsibility. They don't possess the ability to enforce the rules and regulations and, therefore, the Bill would be illogical."

Frederick: "Thank you, but on my analysis, the two proponents are the Office of the Fire Marshal and the Department of Law Enforcement."

Cullerton: "Well, okay, that's what my first question was and now you are giving me the answer to that. Now, I'm asking you why would the Department of Law Enforcement be in favor of giving up this authority and giving it to the Fire Marshal when the Fire Marshal doesn't possess the ability to even enforce these rules?"

Frederick: "I am not sure why, except that it does bring us in conformity with federal regulations. I'm not sure about that, sir."

Cullerton: "Well, I would suggest, perhaps...I'm just going to vote 'no', and...unless you want to take it out of the record, so we can maybe answer the questions. We'll just see...we'll just see...you can do whatever you want, but I'm just indicating that I think it's...it's illogical on its face."

Speaker Braun: "Is there further discussion? Chair recognizes the Lady from Marshal, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of Representative Frederick's Bill. An example of the need for consolidating both the rules and the enforcement under one umbrella happened when

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I was driving down to Springfield for this Session. I stopped at the local gasoline station in order to fill my tank with gasoline, and I happened to overhear a conversation between the service station attendant and a farmer who was filling his gas cans. There...and the gasoline station attendant was quoting a letter from the State Fire Marshal to the farmer saying that the...that he could not fill his gas cans. Well, the problem is, upon checking into this, that many people are confused as to the authority surrounding this particular situation. Therefore, I think Representative Frederick's proposal will solve the current problem that we are having with the enforcement and the rules regarding filling of gas cans and the filling of tanks that might not be attached to particular vehicles. So I would rise in support of Representative Frederick's Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I think the intent of this Bill is well-meaning, but as I read the Bill, it does provide that the State Fire Marshal would take over the enforcement of rules and regulations regarding the transportation of liquified petroleum gases which, of course, can be considered a hazardous material. Back five or six years ago, we passed legislation in this General Assembly of which I was the Chief Legislative Sponsor, which provided for the regulation of hazardous materials transported by highway. Senator Sam Maragos, then Senator Sam Maragos and I sponsored that legislation, and that legislation adopts verbatim, word for word, the federal Department of Transportation regulations so that the State of Illinois will not have to impose upon itself any undue or additional

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bureaucracy to carry out the duties that it ought to carry out to protect the citizens of this state as hazardous materials are transported up and down our highways. In conjunction with that legislation, the representation was made that...to the business community, because they were concerned at that time about what would happen to them if...if people who had little or no training in the...in the...in this area would be out stopping trucks as they drive down the highway and pulling them over and giving them tickets when they didn't know what they were doing. The representation was made that only those who were adequately and properly trained in this area would be allowed to make the inspections and do the enforcing, and everyone on the staff of the state police at this time, who is involved in this function, has been trained at the national level in Washington with regard to the federal regulations in exactly the same fashion as anyone in federal government who enforces these regulations. We have had no complaints from the business community since the time of that...the implementation of that legislation. We have a good thing going now at the present time. We're doing our best to protect the citizens of this state up and down our highways without unduly burdening the business community. To tinker with that formula at this time, I think, would be a mistake, and I would urge that either this Bill be defeated or that it be pulled back for an Amendment to remove the language about transportation of hazardous materials, namely liquified petroleum gas. The keeping and storage may be something else, but transporting should...should actually be taken out of this legislation."

Speaker Braun: "Is there further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker and Ladies and Gentlemen of the

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House. I really think this is a good Bill because if we look back, 1977, when the duties were transferred from the Department of Law Enforcement to the State Fire Marshal, this part of it was omitted inadvertently and the State Fire Marshal's Office has suggested this legislation and the Department of Law Enforcement has agreed that this is the proper place for it. It seems to keep this under the Department of Law Enforcement, who really doesn't have that type of expertise, is ridiculous and foolish. The State Fire Marshal's Office, it seems to me, it was created and established for this very reason, and because it's a technical change of taking what we already gave to the State Fire Marshal and including this makes good sense to me, and I think it's a good Bill to make this technical change and I think we should support it. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I think that this is good legislation. We have the continued ongoing safeguard when we have rules and regulations promulgated in this state through our administrative procedure. There isn't any problem with the Department making these rules and regulations, and I would ask for an 'aye' vote on this Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Claire, Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Braun: "The previous question having been moved...the question is, 'Shall the main question be put?' All those in favor, say 'aye'. Opposed, 'nay'. The 'ayes' have it. The Chair recognizes the Sponsor, Representative Frederick

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to close."

Frederick: "Thank you, Madam Speaker. I guess I have to say I don't agree with some of the previous speakers regarding defects in this Bill. It really is a cleanup Bill, and it makes technical changes and corrects an oversight that occurred in 1977 when they reorganized and created the Office of the Fire Marshal. For that reason, I ask for an 'aye' vote on House Bill 1887."

Speaker Braun: "The question is, 'Shall House Bill 1887 pass?' All in favor, vote 'aye'. All opposed, vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 80 voting 'yes', 23 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business on page 5 appears House Bill 1978. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1978, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes Representative Vinson."

Vinson: "Madam Speaker, take this Bill out of the record, please."

Speaker Braun: "Out of the record. On the Special Order of Business - State and Local Government Administration on page 6, appears House Bill 2004. Mr. Clerk, read the Bill. Out of the record. On page 23 of the Calendar appears House Bill...on the Special Order of Business, on page 23, appears House Bill 2031. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2031, a Bill for an Act in relationship to infancy mortality and to provide grants in relation hereto. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes Representative Bullock."

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Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 2031 is a Bill that is intended to address the subject of infant mortality in the State of Illinois. This legislation would create an Infant Mortality Reduction Act and would concurrently establish a grant program. The Bill, quite frankly, does essentially two things. It would establish a grant program that would target funds directly to those areas of the state where the infant mortality rate is the highest. Under the grant program established we would develop two tiers for funding. 50% of the funds appropriated would be distributed to organizations based on a formula contained in the legislation which would consider many factors, one of which would be the number of birth rates in a designated or particular county, the infant mortality rate within that particular county, and the per capita income level of the service county, and other factors determined by the Department of Public Health. The additional 50% of the funds in this program would be appropriated, to distributed to eligible organizations whose infant mortality rate is above the median. That is to say, the upper one half of the state infant mortality rate of all counties. This was adopted by Amendment #1 and this distribution pattern was further refined so that in determining the priority for funding, counties above the median based upon the number of infant deaths actually recorded. This change will greatly serve to target resources where they are needed. The fact of the matter is, infant mortality in the State of Illinois is at a crisis proportion. The media accounts are legend with regards to the infant mortality in our state. Particularly highest infant mortality rates are among teenagers, teenage mothers, babies having babies, so to speak, and, of course, the statistics are equally alarming



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in urban areas. For example, on the Near South Side of Chicago, which is my district, we have an infant mortality rate that approaches 34 per 1000. That would make it probably higher than most of the Third World developing nations. Only Washington and New Cleans have a higher infant death rate than the City of Chicago. The national infant mortality rate is about 11%. We have places in 'Avalon' Park and Burnham and 'Pullman' in Chicago where the infant mortality rate approaches 49.4 percent, or 41.4 percent. There's a problem in our state. There's a crisis in our state, and the problem is that we are not giving the yet unborn an equal chance at living and functioning in our environment. I would certainly urge an 'aye' vote on this measure and, Madam Speaker, I'd be glad to answer any questions that might arise."

Speaker Braun: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Topinka."

Topinka: "Yes, Representative Bullock, if I may just ask you a few questions. First of all, how does your program differ with what is currently going on now, you know, as far as the administration of this program?"

Speaker Braun: "Representative Bullock."

Bullock: "Thank you, Speaker. Representative Topinka, the Department of Public Health has indicated on many occasions that the reducing the infant mortality rate was one of their highest priorities. Unfortunately, they have not put forth the necessary funds to really substantiate that claim. The distinction with 2031 is that it contains specific and expressive legislative directive, as it relates to the targeting of funds, according to the distribution patterns which I have previously enunciated, and which are presently contained in 2031. Thereby, we are setting a minimum limitation on the Department's current

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discretion to distribute MCH block grant funds."

Topinka: "I'm still not quite certain. For instance, now I know that, for instance, the Department expends money on high infant...the rate on high rates of teenage pregnancy, concentrations of low income families, medically underserved areas and areas that might have some success as far as maybe cutting this back if they had more money. How would this change under your Bill from what is currently going on? Again, I repeat my question."

Bullock: "Well, I thought I answered it at first. Maybe not with the answer that you wanted, but I'll repeat it, and perhaps this time you might understand it. The state's prior award of 12.5 million dollars in block grants is not affected by this legislation. That is already in place and presently is being effectuated. What we are concerned about here is that under the current federal legislation, Illinois has been awarded 4.2 million dollars in MCH block grant. We intend, with this legislation, to allocate those funds to the Department of Public Health, for purposes that I have delineated, our attacking infant mortality rate on a priority basis, and we are merely expressing with 2031 a specific distribution of these funds."

Topinka: "Is...are the funds going to be distributed fairly equally, for instance, between downstate and Chicago, or is Chicago going to get the majority?"

Bullock: "Yes, ma'am. Matter of fact, well, we don't want to resurrect the Chicago issue. The infant mortality rate is highest, perhaps, in places like Springfield and Decatur, so this is definitely not totally benefiting the City of Chicago. For example, under the current criteria of the Bill, before the Amendment, Chicago ranked about 40th. We have counties such as Sangamon with 19.2 infant mortality

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rate, Alexander County, about 20.3 percent infant mortality rate. We've got Morgan, Platt, Union. We've got counties in the southern part of this state, infant mortality rate is about 27.2 percent. This legislation would, in fact, target areas such as those who are in dire need of these funds."

Topinka: "Well, this is coming...this money is coming from the Jobs Bill money, right, that we are talking about?"

Bullock: "Just a portion of the emergency Job Bill, yes."

Topinka: "Alright now, that's roughly around \$4,000,000 and yet..."

Bullock: "Four point two million dollars. Right."

Topinka: "Right. Roughly about one million five is already kind of earmarked, of that money, for Chicago. That would seem to be kind of a little disproportionate to the rest of Illinois. No?"

Bullock: "Well, the Congress passed that particular Act, Representative. I didn't."

Topinka: "But those are funds you're seeking to earmark for infant mortality. Let... let me just go on and just ask, you know, one other question, if I might. How would this make the... excuse me. Oh, how would this... do you feel that your program here would make this more effective, or could you... would you expand on it into the sixteen million dollars that the... the Department of Public Health now has to administer this program? Could this enter into that, where now you would be able to earmark any part of that or all of that sixteen million...?"

Bullock: "Well, as I said previously, Representative, maybe it's a little loud, Madam Speaker. You could sort of get us some order. Madam Speaker. Madam Speaker. Madam Speaker. Could you give us a little order? Representative Topinka has difficulty hearing my explanation, and perhaps, if you

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could give us some order, she might be able to hear my response. Representative Topinka, the state's 12.5 million dollar block grant funds are not affected by this legislation. They are not affected by House Bill 2031. Repr...

Topinka: "The Bill, you see..."

Bullock: "The Bill that we're..."

Topinka: "The Bill would seem to leave it open in future years. That's why I asked. You know, where you could expand upon it. That's why I'm asking."

Bullock: "Well, as you know, in future years there would be specific appropriations to appropriate the monies in the State of Illinois, in future years. Yes, Ma'am."

Topinka: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Franklin, Representative Rea."

Rea: "Yes, Madam Speaker and Members of the House, will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Rea: "This... this Bill then is intended to give Chicago more money for infant mortality. Is this correct?"

Bullock: "Well, Representative Rea, I mentioned to Representative Topinka, and perhaps you weren't listening either, this Bill is not intended to give Chicago more money."

Rea: "Well, I was listening, but I'm not... I'm not clear as to the affect that it would have on the rest of the state. Will they end up receiving more monies in the other counties, in the rest of the state as a result of this proposal?"

Bullock: "Those counties, Representative Rea, that have the highest incidence of reported infant mortality rates would receive additional money under my calculation of the

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formula. Winnebago, Kane, Sangamon, those counties would be at the top. Peoria and counties like that would also be in the top five."

Rea: "I heard you mention Cairo County or was it Alexander, but anyhow, I'm... I'm concerned about some of these other counties that do have a high infant mortality but may not fit under these guidelines."

Bullock: "Well, the intent of this legislation is to target high incidence of infant mortality, Representative Rea, and it's our belief that with 2031 we can start to reduce the incidence of death in those counties where the problem is most severe, at this point. I think you concur with us in that regard. We're saying that these organizations who receive funds, hopefully, will establish sound and solid prenatal services and para-natal services, and more specifically, try and do some follow up work for the adolescents, many of whom are teenagers who are having children and, unfortunately, the children are... are dying. And I want to target that and sort of develop a strategy for reducing it where it's most severe. That's what the intent of the legislation is."

Rea: "Madam Speaker, if I may speak to the Bill now. The... I.... I agree that this is a high priority in terms of infant mortality, and I agree with the... what you're attempting to do with this Bill. My only concern, and that's the reason I raised those questions, is that I am concerned about those counties that may not fit into this particular formula that may still have a rather high percentage of infant mortality. And I certainly would not want to see those areas receive less monies either immediately or in the future, because I know that even at the present time that they do not have enough funds to do the job properly, and I hope that, you know, this... this

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Bill would not do that."

Speaker Braun: "The Chair... is there further discussion? The Chair recognizes the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. (sic - Mrs.) Speaker. Would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Ropp: "Representative Bullock, just a few questions. In regards to this situation, in setting up the formula, what is the final usage of the dollars that will go to these particular counties that are dealing with birth con... with infant mortality?"

Bullock: "Well, I just mentioned, Representative Ropp, and it is rather noisy, I just indicated that the types of programs are as follows."

Speaker Braun: "Can we give the Gentleman some order, please? Please."

Bullock: "Prenatal services, para-natal services, infant follow up services in the first year of life, and adolescents, I just mentioned that."

Ropp: "Well, in other words, it is kind of a educational program?"

Bullock: "Yes, predominately for those teenagers, but it's programs that deal with... with nutrition, for it is usually undernourishment and lack of nutrition that cause so many deaths at the early stage for the teenagers having children. Yes."

Ropp: "I'm delighted to have you mention that, because I understand that you were going to vote 'no' on a House Bill 825 that attempted to increase the nutritional value of nature's most perfect food, milk. And many of those young people are consumers of skim and low fat milk, because they're both trying to stay skinny, thin at the same time

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they're trying to nourish an embryo that's trying to grow within them. And I would think..."

Speaker Braun: "Would the Gentleman confine his remarks to the Bill, please? Please."

Ropp: "Well, nutrition is one of the primary concerns of this Bill to which the grants would be directed, and I'm certainly saying that, if you're very sincere in attempting to deal with child mor... infant mortality, then the crux of the matter really deals with nutrition and education; and therefore, I strongly think that you ought to reconsider areas for spending money. And that we can really deal with the problem by going at the very crux of the situation, rather than to wait and let these young people be born, and then try to educate them. We can do it with proper nutrition, and I hope that you might give reconsideration when the time arises."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to oppose the Gentleman's Bill. It is certainly a desirable thing to give priority to those areas that have high infant mortality rates, and that is certainly a problem in Illinois, but let me tell you the counties in Illinois that have a higher rate than the City of Chicago. Those would include Ford, Crawford, Jersey, Sangamon, where we stand, Alexander, Union, Piatt, and the highest in the state is Morgan, my county. Out of the present program, the City of Chicago gets ten out of sixteen million dollars, and out of the jobs money that we're talking about here, and that we're trying to prioritize, one point three million right off the top goes to the University of Illinois Division of Crippled Children

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in Chicago, one point five million then would go to Chicago, and that leave one point two million out of the whole four million for the entire rest of the state, and yet the Gentleman somehow wants to increase the amount that's going to the City. I have no quarrel with the fact that the City has a problem, so do a lot of counties, mine having a considerably greater one, percentage wise, than the City of Chicago. The Bill is simply a misguided attempt, I think, to do... it's not even clear what the Bill does. The Department already distributes the money on the basis of primarily where the highest infant mortality rates are. To put this into statute when we don't even know what it does and when, if it does anything, it would distort the present system, I think would be a serious mistake, and the Bill should be defeated."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Huff."

Huff: "Thank you, Madam Speaker. I move the previous question."

Speaker Braun: "The previous question having been moved, all in favor say 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Cook to close, Representative Bullock."

Bullock: "Thank you, Madam Chairman. Let me briefly respond to... to two previous statements. First of all, Representative Ropp, I certainly will reconsider my position on that. You know I have a new daughter and she drinks Similac, and I'm sure she'd be part of your network in lobbying me for that. And you probably have a good chance of getting my vote, assuming you vote right on this Bill. Secondly, Representative Reilly indicated the money that goes to the Crippled Childrens Hospital University of Illinois, even though that facility is located in Chicago, I'm sure the Gentleman knows that University of Illinois Hospital doesn't just treat kids from Chicago. It treats



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kids from all over metropolitan Chicago and the State of Illinois. The Department of Public Health, which Representative Reilly was speaking on behalf of, really estimates the operating cost of this program not be as high as was previously indicated in the fiscal note. In the conversations with our staff, the director has said that the actual cost for implementing the program will be minimal, so those fiscal conservatives, there's not a tremendous cost associated with implementing the program. In closing, I'd just like to say that the Chicago Sun-Times and The Chicago Tribune perhaps stated very eloquently, in their editorials, the one entitled, 'Why Babies Dies', and the other one entitled, 'Doing Better for Babies', and in both of these articles they call to the attention of this Legislative Body that Chicago has already experienced many highly skilled neonatal intensive care units that can help these endangered infants. And it also indicates in this same article that much of the explanation for low weight and birth rates can be linked to poverty, poor nutrition, and teenage pregnancies. We do not intend, with the passage of this Bill, to solve the total problem of infant deaths and infant mortalities. What we purpose to do with the passage of this Bill is to go on record in establishing as a priority for this state the targeting of programs to help reduce the infant mortality rate in the State of Illinois, and especially in those areas that have high rates of deaths per thousand. This is a Bill that will benefit the entire state. It's not a regional conflict. It's not a regional problem. It's basically a human problem, and I suggest this Body would go well to express a positive vote and vote green for the passage of House Bill 2031."

Speaker Braun: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'nay'. Voting is open.

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Have all voted who wish? Have all voted who wish? In explanation of vote, the Chair recognizes the Gentleman from Cook, Representative Brookins."

Brookins: "Thank you, Madam Chairman. I raise in support of this Bill to let you know a dead baby is a dead baby whether it's in the northern part of the state or the southern part of the state. I did vote to enhance the milk situation, because I recognize that pregnant mothers and young folks drink milk, and they need a nutritious milk. But to... but to penalize parents and to penalize babies because they're born in the northern part of the state and in the part of the state which Chicago lies should be a sin, and I raise in support of this. Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Birk... Birkinbine."

Birkinbine: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I vote 'no' on this Bill, because frankly, the Bill is redundant and unnecessary because the Department of Public Health is not only... not only has such a program underway now, but is increasing funding for next year. But I would also bring the Sponsor's attention to his comments in what guided him in introducing this Bill, that he was concerned about protecting the life of the unborn. Those are very good sentiments, and I hope he remembers them in other Bills that come before this House. Thank you."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this Bill, there are 68 voting 'yes', 36 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. This Order of Business, by Motion previously adopted, is continued until 5 p.m. tomorrow. Appearing on page four, on the Order of Second Reading is House Bill 2040. The Chair recognizes Representative Younge. Read the Bill, Mr.

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Clerk."

Clerk Leone: "House Bill 2040, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Are there further Amendments?"

Clerk Leone: "No Motions filed in respect to Amendment #1. Floor Amendment #2, Younge, amends House Bill 2040 on page one and so forth."

Speaker Braun: "Representative Younge."

Younge: "Yes, Madam Speaker. I move for the adoption of Amendment #2 which would insert a provision in the Bill that it would not affect counties... it would only be affective in counties of less than a half a million. I move for the adoption of the Amendment."

Speaker Braun: "For what purpose does Representative Cullerton rise?"

Cullerton: "Yes, I think Amendment #2 is out of order, and that she should adopt Amendment #3 which says the same thing as Amendment #2, but it's in proper order."

Speaker Braun: "Representative Younge."

Younge: "Could you... could you take it out of the record momentarily, please?"

Cullerton: "Well, I think, Madam Speaker, we... all she has to do is withdraw Amendment #2 and go with Amendment #3. Amendment #3 does the same thing as Amendment #2, but it's... it's underlined. The problem with Amendment #2 is that it's not underlined. That's all."

Speaker Braun: "It's the Sponsor's pleasure."

Younge: "I'm going to table Amendment #3. I wanted to proceed with Amendment #2, if it's out of order, then I'd like it taken momentarily out the record, I suppose."

Speaker Braun: "This Bill is out of the record. Appearing on the Calendar page five is House Bill 2234. The Chair

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recognizes Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Amendment 1 to 2234 establishes... tightens up the language originally in the Bill. I'm sorry, it's Amendment #2. We've already... we adopted Amendment #1 in Committee. This is companion legislation to the Mid-west... Mid-west Interstate Compact on low-level radioactive waste, and we have also added certain items that we think it's important to include in this Bill. For example, that a commissioner should..."

Speaker Braun: "Representative Cler... Currie, the Clerk has to read the Bill first."

Clerk Leone: "House Bill 2234, a Bill for an Act in relationship to the management of low-level radioactive waste. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Further Amendments?"

Clerk Leone: "Floor Amendment #2, Van Dwyne - Mautino - Homer, amends House Bill 2234 as amended."

Speaker Braun: "Representative Currie."

Currie: "Thank you. I think I was explaining part of what the Amendment is. In addition, we require that should the State of Illinois join the Interstate Compact that confirmation will be required of the Governor's appointment to that Compact. We have established strong long-term liability. This is Amendment 2. I'm sorry. I thought we were already on 3."

Speaker Braun: "The Chair recognizes Representative Van Dwyne on Amendment #2."

Van Dwyne: "Thank you, Madam Speaker. This is the same Amendment that I tried to put on 2106, and I was told by my learned

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colleagues that it really belonged on this Bill. And quite simply stated, it gives the General Assembly a chance to review what has been negotiated for the state in terms of the selection of... of... when we are joining the Compact. And it only applies if Illinois is selected as a host state. As you know, we... we only have ninety days within which to make our decision whether to stay in the Compact or whether to get out of the Compact, and this simply just states that we should have a House and joint... House Joint Senate Resolution to effect this agreement. That's all it is, and I think that in something as serious as this that we should have some kind of review over what the Nuclear Regulations Association, whoever's going to do the negotiation for us, has negotiated. I think it's very important, and I think we should have the last say and I move for adoption of Amendment #2."

Speaker Braun: "Is there any discussion? There being none, the... the Chair recognizes the Lady from Cook, Representative Currie. There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', oppos... opposed say 'nay'. The 'ayes' have it? The Chair recognizes the Lady from Marshall, Representative Koehler."

Koehler: "Madam Speakress and Ladies and Gentlemen of the House, I would rise in opposition to Amendment #2 to the... to House Bill 2234. This is not... what this Amendment does, it provides that the selection of Illinois as a host state to a site for a low-level radioactive waste facility shall not be affected unless such selection is specifically approved by... by Resolution by the General Assembly with the ninety day period allowed a host state to withdraw from the Compact. I would... I would say that this Amendment is not necessary and should be rejected. Thank you."

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Speaker Braun: "Is... is there further discussion? The Chair... the Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Madam Speaker, you opened up a hornets nest, didn't you? I stand in support of the Amendment, because I think that every Member of this General Assembly should have the opportunity to evaluate where Illinois is going with the Multi-State Compact. I find it very difficult to accept the position of the last speaker that the General Assembly should have no input into that determination. I would think that every Member of this House, representing the people of the state, would want to have a good clear evaluation of the Compact and vote on the acceptance, or the rejections, or the removal by the state. It's a good Amendment. I recommend an 'aye' vote... on a voice vote."

Speaker Braun: "All right. Is there further discussion? There being none... there being none, all those in favor say 'aye', opposed say 'no'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Currie - Nelson, amends House Bill 2234 as amended."

Speaker Braun: "Representative Currie, you're back on track."

Currie: "Thank you very much, Madam Speaker, Members of the House. Amendment 3 is exactly what I described, thinking it was Amendment 1. It tightens up some of the provisions in the Bill, as originally amended in Committee. It changes a few dates to make them more realistic. In addition, provides that no low-level radioactive waste disposal facility should be located within a mile and a half of municipal boundaries without approval by the Corporate Authorities. Establishes a... a strong provision regarding long-term liability, shared state liability should Illinois decide to be a member of the Mid-West

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Regional Compact, and assures Senate confirmation of anyone the Governor would choose to appoint as a commissioner, if indeed, Illinois does join that Compact. I urge adoption of Amendment 3."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Bureau again, Representative Mautino."

Mautino: "For a question, please, will the Sponser yield?"

Speaker Braun: "She indicates she will."

Mautino: "Representative Currie, I just don't happen to have the Amendment in front of me, but it seems to me like you're striking the enacting clause and rewriting the legislation. Representative Currie. Turn her on."

Currie: "You're right, Representative Mautino."

Mautino: "Does that include the last Amendment that was just adopted by this House?"

Currie: "Representative Mautino, this Amendment deletes everything after the enacting clause."

Mautino: "Oh, very interesting. That sounds like very interesting kind of situation, one I have some concerns about. Thank you."

Speaker Braun: "The Chair recognizes... is there further discussion? The Chair recognizes the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Madam Speaker, Members of the House. Amendment #3 is a very good Amendment. Much time has been spent on the companion legislation to the Mid-West Interstate Compact on low-level nuclear waste. This Amendment, which becomes the Bill, will protect Illinois if we are designated the host state. I would urge everyone to carefully consider the protections that are offered in it. Definitions are in here for haulers of low-level nuclear waste, for site operators. Criteria are set forth for the site that may be built someday in Illinois. No low-level

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waste facilities shall be located within one and a half miles of the boundary of any municipality that does not want it, and there is a three-tiered protection of liability. I would urge adoption of Amendment #3 to House Bill 2234."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Would either one of the Sponsors yield?"

Speaker Braun: "She indicates she will."

Leverenz: "Why... I didn't understand, and how you were recorded on the immediate previous Amendment. Were you for that Amendment?"

Currie: "It was a voice vote, Representative Leverenz. I think we're on Amendment 3 to House Bill 2234, and I think the Chair ordinarily instructs the Members to confine remarks to the business before us."

Leverenz: "Then... well, I'm probably out of order, but I'll ask now, does Amendment 4 really remove Amendment 3? Or, I'm sorry. Does Amendment 3 do away with the General Assembly's involvement in siting as we adopted in Amendment 2."

Currie: "I believe that I've already answered the question that Amendment 3 deletes everything after the enacting clause."

Leverenz: "I think my question could have been answered by a 'yes' or a 'no'. Is it 'yes' or 'no'?"

Currie: "The answer is 'yes'."

Leverenz: "Wou... do... would you consider holding this until we would prepare another Amendment providing that the General Assembly would have an opportunity to be involved and have a review of any siting, as contained in this Bill?"

Currie: "Let me point out, Representative Leverenz, and to the Members of the House, this Amendment has been on



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everybody's desks since last evening. If anyone were concerned about Amendments that might follow upon the adoption of Amendment 3, if this House chooses to adopt it, they had plenty of opportunity to do something within the last twenty-four hours. This Bill is on... needs to be considered. We're all under tight time lines, tight deadlines, and I would hope that we could get on with the business of the House. Adopt this Amendment or reject it, if it is the House's will, and move the agenda."

Leverenz: "Then, to the Amendment. I think that if we are going to have the people that sit in this chamber and the one across the rotunda be involved, to know what's happening, to represent the districts that we come from, that we should soundly defeat Amendment #3. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman from Will, Representative Van Dyne."

Van Dyne: "Yes, Madam Speaker, I would request when we get to the Roll Call a verif... I mean an electronic Roll Call on this. But I would... I don't like to get caustic or any way deviate from good conduct, but Representative Currie has been fighting this all along. She never gave anybody any indication she was going to file this Amendment. Not only that, none of the staff has given us even any notice that this Amendment was going to be filed, deleting everything after the enacting clause. And, I've had this Bill filed. Now, I'm taking it a little bit as an insult to me, personal, if I could put it that way, that she does this, and all I'm asking is that she take this Bill out of the record until I can get Amendment #4 filed. It's being redrafted right now from Amendment #2. And if she wants to try to defeat the Bill, I mean the Amendment, she has every right to do that, but at least, I think, I sho... deserve the right to have it filed and have my chance at getting it

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adopted. There's been many comments made here as to whether or not the General Assembly should have something to say as to our protection of this, and I... and I really think it's an important thing. And I would ask her, just a simple courtesy, to wait til I get this Amendment, and if she wants to try to defeat it, it's fine."

Speaker Braun: "Is there further discussion? Representative Currie."

Currie: "Well, just... if that was a question, the answer meaning absolutely no disrespect to my colleague Representative Van Dyne, whom I hold in the highest esteem, there... there was no intention to scuttle the work that he intended to do. The form of this Amendment required deleting everything after the enacting clause. It was not intended as a slight at him or at any other Member of the Assembly. Because of press of time, it does not make sense to take this Bill out of the record and to hold it up. We're under very tight time lines, as he knows."

Speaker Braun: "Representative Currie, did you say that you were taking the Bill out of the record?"

Currie: "No, I said... I said I was not taking the Bill out of the record."

Speaker Braun: "All right. Is there further discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I move the previous question."

Speaker Braun: "The previous question having been moved, the question is, 'Shall the main question be put?' All in favor say 'aye', opposed... The 'ayes' have it. The Lady from Cook to close, Representative Currie."

Currie: "I would appreciate your support for Amendment 3 to House Bill 2234."

Speaker Braun: "Hold your horses. The question is, 'Shall

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Amendment #3 to House Bill 2234 be adopted?' All in favor vote 'aye', opposed vote 'no'. The Gentleman from Will County, Representative Van Duynes, to explain his vote."

Van Duynes: "Yes, thank you, Madam Speaker. In... in explanation of my 'no' vote, I think it's only fair that we've asked Representative Currie to take it out of the record for just a little while, so we can file that other Amendment, and if she... if she doesn't feel like doing that then the only thing we can do, in order to protect my Amendment #2, is to... to ask the Members of the House to defeat #3, so that we can protect that Amendment, so that we can have something to say about how this thing's going to be adopted, if we are the host state. So I plead with all the Members to... to give us a little..., and I'd like to verify this, if it passes."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Well, he got his whole speech done. I notice that he spoke in debate, and so he was a little bit out of order."

Speaker Braun: "The Chair recognizes the Lady... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 57 voting 'aye', 40 voting 'no', 6 voting 'present'. The Gentleman from Bureau, Representative Mautino."

Mautino: "Inquiry of the Chair, Madam Speaker."

Speaker Braun: "State your inquiry."

Mautino: "Was there a request for a fiscal note?"

Speaker Braun: "Mr. Clerk, was there a request for a fiscal note?"

Clerk Leone: "There is a request for a fiscal note pursuant to House Rule 34. 'I hereby request that a fiscal note be supplied for House Bill 2234'. Signed by Representative Mautino."

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Speaker Braun: "Representative from Du... the Chair recognizes the Lady from DuFage, Representative Nelson."

Nelson: "Madam Speaker, Members of the House, I would like to move that the fiscal note, excuse me, does not apply. The reason for that is very clear. Both in House Bill 2234 and in House Bill 2106 very specific language is included that explains that a fee structure is a part of any host state's powers, and that fee structure not only can include all the costs of doing business, but also give the state a profit; therefore, the fiscal note is not applicable in this case, and I would so move."

Speaker Braun: "The Lady has moved that the Fiscal Note Act does not apply. Is there any discussion on the Motion? The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "First of all, I respectfully disagree, because I don't believe it was in writing. But more importantly, on page fourteen of Amendment #3, you will find that the Governor is su... is listed on line twenty-five and I quote, 'The Governor shall approve no more than one million dollars to any single person without appropriation by the General Assembly.' That is included in this Amendment; therefore, there is a fiscal..., a fiscal impact, and I respectfully request my Motion to be addressed."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Inquiry of the Chair. Is the Lady's Motion in writing?"

Speaker Braun: "Mr. Clerk, is the Motion..."

Leverenz: "She can go home and get it."

Speaker Braun: "... is the Motion in writing?"

Leverenz: "Madam Chairperson?"

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Speaker Braun: "Yes."

Leverenz: "Is the Lady's Motion is writing?"

Speaker Braun: "It's my understanding that it is being reduced to writing at this very moment, Representative."

Leverenz: "It... is it on the Clerk's desk yet? Eoy, is she fast. Could the Clerk read the Motion."

Clerk Leone: "I move that the fiscal note to House Bill 2234 does not apply. Representative Nelson."

Leverenz: "Further inquiry of the Chair."

Speaker Braun: "Yes, Representative Leverenz."

Leverenz: "Is her Motion appropriate?"

Speaker Braun: "The Lady has so moved that the Fiscal Note Act does not apply."

Leverenz: "Is the Motion... Where is the authority for the Motion... in the rules? Could the Parliamentarian assist me this time? And I have a further inquiry."

Speaker Braun: "Representative, the Parliamentarian will respond to your question in a moment. If you'd like to make your further inquiry at this time, you'll be entertained."

Leverenz: "Well, my further inquiry is, if it, in fact, is a proper Motion, must it appear on the Calendar?"

Parliamentarian Getty: "On behalf of the Speaker, the statute on fiscal notes provides that, 'Whenever the Sponsor of any measure is of the opinion that no fiscal note is necessary, any Member of either House may thereafter request that a note be obtained and in such case the matter shall be decide... that no note need be obtained and in such case the matter shall be decided by a majority vote of those present and voting in the House of which he is a Member.'"

Speaker Braun: "The Chair recognizes... Representative Leverenz, are you continuing your inquiry or...?"

Leverenz: "No, I got only one trick left, and I'm going to hold it in the bag."

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Speaker Braun: "In that case, the Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson: "Parliamen... parliamentary in... all right. I move the previous question."

Speaker Braun: "The previous question being moved, the question is, 'Shall the main question be cook... put?' All those in favor say 'aye', all opposed say 'nc'. The 'ayes' have it. The question is, 'Does the Fiscal Note Act apply?' The Lady has moved that... the Lady has moved that the Fiscal Note Act does not apply, and on that question, the Gentlemen... all those in favor say 'aye', all those in favor vote 'aye'... The Motion is that the Fiscal Note Act does not apply. The previous question having been moved, the question is, 'Shall this Motion pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'yes', 42 voting 'no', 4 voting 'present'. The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Chairman. I intend to verify the green votes. Before that, I did not get a response to my inquiry on line twenty-five of page fourteen, as it pertains to the original inquiry, from the Parliamentarian. I would appreciate your comment on the million dollars that can be expended by the Governor without appropriation and authority by the General Assembly. They changed the title as well."

Speaker Braun: "Representative Mautino, the Lady... the subject of this Motion is the response to your question. The Lady has moved that the Fiscal Note Act does not apply. That is her statutory right."

Leverenz: "And how many... how many votes does it take to... to

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adopt that Motion?"

Speaker Braun: "The statute says that a majority of those voting."

Leverenz: "I have one other question after I verify this Roll. I believe the Amendment amended the title, and I would have that question addressed, as well, through a parliamentary inquiry of the Parliamentarian."

Speaker Braun: "Does the Gentleman wish to verify this Roll Call? And then we will raise additional... we will entertain your additional questions. Okay. Mr. Clerk, Representative Nelson requests a Poll of Absen... the Absentees. Representative Mautino requests a verification of the affirmative vote."

Clerk Leone: "Poll of the Absentees. Bullock, Capparelli, Christensen, Krska, Kulas."

Speaker Braun: "The Chair recognizes Representative Reilly."

Reilly: "Thank you, Madam Speaker. Could I have leave to be verified? Will somebody over there shake their head? Thank you."

Speaker Braun: "Leave is granted. Continue Mr. Clerk."

Clerk Leone: "Continuing... continuing with the Poll of the Absentees. Ehem, Rice, Taylor, Terzich, Younge, and Mr. Speaker."

Speaker Braun: "The affirmative, Mr. Clerk. One second, Mr. Clerk. The Chair recog... for what purpose does the Gentleman from DeKalb, Representative Ebbesen rise?"

Ebbesen: "May I have leave to be verified?"

Speaker Braun: "Leave is granted. Continue with the verification Mr. Clerk."

Clerk Leone: "Continuing with the Poll of the Affirmative. Alexander, Barger, Barnes, Birkinline, Bowman, Brookins, Cowlshaw, Cullerton, Currie, Daniels, Deuchler, Didrickson, DiPrima, Ralph Dunn, Ebbesen, Ewing, Virginia

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Frederick, Giorgi, Greiman, Hallock, Hastert, Hawkinson, Hensel, Hoffman, Huff, Jaffe, Johnson, Karpiel, Kirkland, Klemm, Koehler, Matijevich, Mays, McAuliffe, McMaster, McPike, Neff, Nelson, Oblinger, Olson, Bernard Federsen, William Peterson, Piel, Pierce, Preston, Pullen, Reilly, Ropp, Satterthwaite, Steczo, Tate, Topinka, Tuerk, Turner, Vinson, Wait, White..."

Speaker Braun: "Excuse me, Mr. Clerk. For what purpose does the Gentleman from Bureau, Representative Mautino, rise?"

Mautino: "Representative Currie has now agreed to accept Amendment #4 which was identical to Amendment #2 presented by Representative Van Duynes. It has been printed. The Amendment is #4. It does exactly what Amendment #2, by Van Duynes, did. If that is the case, and this Body would give us leave to accept that Amendment #2 (sic - #4), I would then withdraw the request for a verification."

Speaker Braun: "Do you mean, Represen... Representative, Amendment #4? It's not printed and distributed yet?"

Mautino: "No, it is printed. She has a copy of it, and it's being distributed."

Speaker Braun: "Representative Currie."

Currie: "Thank you, Madam... Madam Speaker, Members of the House. The whole problem here is that we want to move the agenda, and obviously, whatever happened between Amendment 2 and #3 prevented us from moving very quickly. Amendment 4 is printed. It is not distributed. It is precisely the same as Amendment 2, and I would, in order to move the agenda, be willing to urge all of us to adopt Amendment #4 at this time, so that we can get on with the business. That was the original problem, and let's... let's... let's adopt it. It... it is printed. It may not be distributed and on everybody's desks, but it's exactly the same as Amendment #2. So, I would urge us to stop the verification and..."



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and do this."

Speaker Braun: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Yes, with all due respect, I would ask that the Parliamentarian look at that as Amendment #4 and say that it is in proper form to be adopted, since we adopted Amendment #3."

Speaker Braun: "The Chair recognizes the Lady from Cook, Representative Alexander."

Alexander: "Madam Chair, would you change my vote to 'no' please?"

Speaker Braun: "Continuing with the Poll of the Affirmative."

Clerk Leone: "Continuing with the Poll of the Affirmative. Topinka, Tuerk, Turner, Vinson, Wait, White, Wojcik, Woodyard, Yourell, and Zwick. No further."

Speaker Braun: "Does the Gentleman have any questions? Representative Mautino, have you any questions? Mr. Clerk... Representative Mautino, can you hold that for a second? The Chair recognizes Representative Bullock. Representative Bullock votes 'aye'. Representative Mautino."

Mautino: "Yes, Madam Chairman, Amendment #4 is on the Members' desk. In that regard, and with the support of Sponsor Currie of Amendment #3... that... Amendment #4 is acceptable to both Members, I will then withdraw the verification and respectfully ask that we go to Amendment #4."

Speaker Braun: "Alexander votes 'no'. The verification is withdrawn. And now, Mr. Clerk, what is the record? 61 voting 'aye', 43 voting 'no', the Motion is defeated. Any further Motions? I mean... the Motion is adopted. Sorry. Any further Motions?"

Clerk Leone: "No further Motions?"

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Speaker Braun: "Any further Amendments?"

Clerk Leone: "Floor Amendment #4, Van Dwyne, amends House Bill 2234 as amended."

Speaker Braun: "Representative Van Dwyne, you're on."

Van Dwyne: "Thank... thank you. Excuse me. Thank you, Madam Speaker. This is the same as Amendment #2, and it's, as I said, it simply comes back to us before this pact is adopted by a Joint Resolution of the... ge... Illinois General Assembly within a ninety day period allowing a host state to withdraw. So I just move, once more, for Amendment #4 to be adopted."

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

Clerk Leone: "No further Amendments."

Speaker Braun: "Any further Motions? Third Reading. All right. On the Calendar... On the Calendar, page three, appears House Bill 5... 572. Representative Cullerton. Representative Cullerton. Representative Hutchins. Representative Cullerton is in his chair."

Clerk Leone: "House Bill 572..."

Speaker Braun: "Clerk, read the Bill."

Clerk Leone: "... a Bill for an Act to amend the Criminal Code. Has been read a second time previously. Amendment #1 and 3 have been adopted. Amendment #2 was tabled, and Amendment #5 lost."

Speaker Braun: "The Chair recognizes the Gentleman from Cook... any further Amendments?"

Clerk Leone: "Floor Amendment #6, Hutchins - Cullerton, amends House Bill 572 as amended."

Speaker Braun: "On that Amendment, the Chair recognizes the Gentleman from Cook, Representative Cullerton."

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Cullerton: "Yes, if I could ask the Clerk, is there Amendment #7 that's been filed?"

Clerk Leone: "Amendment #7 has been filed."

Cullerton: "Yes. I would ask to withdraw Amendment #6."

Speaker Braun: "Amendment #6 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #7, Hutchins - Cullerton, amends House Bill 572 as amended."

Speaker Braun: "On Amendment #7, Representative Hutchins. Representative Hutchins."

Hutchins: "Madam Speaker, Members of the House, Amendment 6... Amendment 7 amends the Criminal Code of 197... 1961, 'An Act in relation to the possession and transfer of firearms and fire ammunition. Provided that a person commits unlawful sales of firearms when selling or giving any firearms to a convicted felon. Prohibits persons convicted of a felony from possessing firearms or acquiring firearms ownership identification card, unless granted release... relief by the Director of Law Enforcement.' I would like a favorable vote on this."

Speaker Braun: "Thank you. Is there any discussion? The Gentleman from Marion, Representative Friedrich."

Friedrich: "An inquiry of the Chair. How did we get these last two Bills? They're not on the Special Order of Business, and there are a lot of other Bills on Second Reading that we'd like to have moved. Now, I thought we were on... we're going to stay of the Special Order of Business, but neither this Bill or the one prior to it are on the Special Order. So how did we get there?"

Speaker Braun: "Representative, we continued pursuant to a Motion earlier filed. We moved from the Special Order of Business to the Order of Second Reading about an hour ago."

Friedrich: "May I assume then that we're going to stay on the Order of Second Order... Reading so we can all get a chance

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at it?"

Speaker Braun: "We will stay on the Order of Second Reading until the Adjournment Motion is made, which will probably be in about forty-five minutes, and not a minute too soon. Is there further discussion? The Gentleman from Effingham, Representative Brummer. No further discussion? There being no further discussion, the question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed... The 'ayes' have it. Amendment 7 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar... on page twenty-five of the Calendar appears House Bill 2171. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2171, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Braun: "On that, Representative from Fulton County, Representative Holt... Homer."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. I would ask leave at this time to return House Bill 2171 to the Order of Second Reading for the purpose of an Amendment."

Speaker Braun: "Is leave granted? Okay. Representative Hallock, for what purpose do you rise?"

Hallock: "In response to Representative Friedrich's question, you said that we were going to stay on the Order of the Second until 7:30. Could you now tell us where you are and what you're doing?"

Speaker Braun: "These are Bills that are... that are on the Special Order, but are being dealt with on Second Reading because they needed an Amendment of some sort."

Hallock: "And... that... that's not Second Reading, but what you're saying is that you are going to stay on the Order of Special Order and... and bring Bills back to Second for

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Amendments, or... or what?"

Speaker Braun: "Representative Hallock, these Bills have been cleared with... with your side of the aisle for purposes of finishing Second Reading today."

Hallock: "I understand that, but all our Members would like to know is basically where we are and where we're going to go next and so on, and I think in response to Representative Friedrich's question, you said we were going to stay on Second until we adjourned, and then the next Bill came up and we were not on that Order. So I just want to know where we're going from this point on."

Speaker Braun: "Representative, you are correct. This Bill, however, has just been moved back to Second. I may have been premature as to this one; however, it is our intention to stay... to consider Bills on Second Reading between now and the time of the Adjournment Motion."

Hallock: "Thank you."

Speaker Braun: "Or Bills that are on Third Reading that need Amendments. So it will only be the Second, the amendatory process until the conclusion of the Session today."

Hallock: "Or whatever else."

Speaker Braun: "Representative, flexibility is often called for in this job."

Hallock: "Thank you."

Speaker Braun: "Representative Homer. Representative Homer."

Homer: "Thank you, Madam Speaker. I would move for the adoption of Amendment 7."

Speaker Braun: "Are there... are there any Amendments?"

Clerk Leone: "Amendment #7, Homer, amends House Bill 2171 as amended."

Speaker Braun: "Representative Homer."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. Amendment 7 is a technical Amendment. It cures a technical

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error that was in Amendment 5, which was adopted previously. It's simply to renumber Sections. I would move for favorable adoption of this Amendment."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #7 to House Bill 2171. All in favor say 'aye', opposed... The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill... what page... on the Calendar on page twelve appears House Bill 1009. Representative... Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1009, a Bill for an Act relating to investments in the Illinois Community Development Finance Corporations. Second (sic - Third) Reading of the Bill. Amendment #1 was adopted previously."

Speaker Braun: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Representative Younger."

Younger: "Madam Speaker, I... I... I would like to withdraw Amendment #2."

Speaker Braun: "Would you like to move the Bill back to Second Reading first?"

Younger: "Yes. I so move."

Speaker Braun: "The Lady has moved to move House Bill 1009 to the Order of Second Reading. All in favor 'aye'... say 'aye', opposed... The Bill is now on Second Reading. Further Motions?"

Clerk Leone: "Amendment #2, Younger, amends House Bill 1009 as amended."

Younger: "I ask leave to withdraw Amendment #2."

Speaker Braun: "The Lady has asked for leave to withdraw Amendment #2. All in favor say 'aye', opposed... Then the Motion... the Amendment is withdrawn. Any further

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Amendments?"

Clerk Leone: "Floor Amendment #3, Younge amends House Bill 1009 as amended."

Speaker Braun: "On that, on Floor Amendment #3, Representative Younge."

Younge: "Yes, I move for the adoption of Amendment #3 which would change the tax credit from a thirty percent tax credit to a fifteen percent tax credit, and I move for the adoption of the Amendment."

Speaker Braun: "All right. Is there any discussion on Amendment #3? The La... the Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "I would request that the Representative take this out of the record at this time for a few minutes."

Speaker Braun: "The Lady is in agreement. The Bill will be taken out of the record. On the Calendar appears House Bill 2171. Mr. Clerk, read the Bill. On the Calendar appears House Bill 1108. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1108, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Braun: "Representative Giglio. Is Representative Giglio or... on the floor? Representative Doyle? Representative Leverenz? Representative Leverenz on 1108."

Leverenz: "Yes, we would wish to move that back to Second for purpose of Amendment."

Speaker Braun: "The Gentleman has moved..."

Leverenz: "Is that what I'm supposed to do?"

Speaker Braun: "... that House Bill 1108 be returned to the Order of Second Reading for purposes of an Amendment. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Bill will be heard on Second Reading... returned to Second Reading. Are there any Motions?"

Clerk Leone: "No Motions. Amendment #3, Giglio, amends House

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Bill 1108 as amended."

Speaker Braun: "On Amendment #3, Representative Leverenz."

Leverenz: "On the Amendment, I would move for the adoption of Amendment #3. It clarifies a technical screw up that came out of LRB."

Speaker Braun: "All right. Any discussion? Representative... there's apparently no discussion. The Gentleman has moved for the adoption of Amendment #3. All in favor say 'aye', opposed... The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. All right. We will return to House Bill 1003... 1009. Representative Younger."

Younger: "I move for the adoption of Amendment #3, which corrects a technical error making the tax credit fifteen percent, rather than thirty percent."

Speaker Braun: "The Lady has moved for the adoption of Amendment #3 to House Bill 1009. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Just on the face, I notice that this is not just a merely Amendment. Would the Sponsor, first of all, start out by explaining a little bit in further detail what this Amendment does, and what the fiscal impact is to the State of Illinois, please?"

Younger: "This is an Amendment which would make available a fifteen percent tax credit for purchasers of the stock of the Community Development Finance Corporation. The Amendment would limit the amount of credits made available for the first year to five hundred thousand dollars for 1984 and one million dollars for 19... taxable year 1985. The subject matter of this Amendment is stock of a new state corporation that will be made available for sale, and this is a very small tax credit that would be made



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available to purchase... purchasers of the stock, and the funds would be used to make loans to small businesses."

Piel: "Second question. You just mentioned, let me clear this up. You mentioned a fifteen percent tax credit. Correct?"

Younge: "That's correct."

Piel: "Are you talking about on the dividends from the stock or a fifteen percent tax credit on their entire tax?"

Younge: "Fifteen percent tax credit for the purchase of a... amount of stock of a corporation. If a person..."

Piel: "Fifteen percent tax credit on what?"

Younge: "Of the purchase... on the income tax liability of a purchaser of the stock of the corporation."

Piel: "You still haven't gotten my point. What is the tax credit on?"

Younge: "It is on..."

Piel: "If I'm getting a tax credit, I'm getting a tax credit on either my taxes when I'm filing them or on a specific area of my taxes, and that's why I want to know it. Fifteen percent tax credit on what?"

Younge: "On the... on the income tax liability of the purchaser of the stock of the corporation."

Piel: "In other words, what you're talking about on the entire tax that the person files, they have a fifteen percent tax credit?"

Younge: "A fifteen percent of the amount of stock that they purchase. If they purchased a hundred dollars worth of stock, they would be entitled to a fifteen percent tax credit."

Piel: "I don't mean to be dilatory, Madam Speaker. All I'm trying to do is find out the question. She keeps on giving me the same answer. She has yet to answer the question that I've asked."

Younge: "Well, I've given you the only answer that I can give

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you, and that is if a person purchased stock in the Community Development Finance Corporation, they would be entitled to a fifteen percent tax credit for the amount of stock that they purchased, up to a half million dollars for the first year. If a person purchased a hundred dollars worth of stock of this corporation, they would be entitled to a fifteen percent tax credit. That's all I... on their income tax."

Piel: "I give up."

Younger: "I move for the adoption of the Amendment."

Speaker Braun: "Is there further discussion? There being none, the Lady has moved for the adoption of Amendment #3. All in favor say 'aye', opposed... The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar appears House Bill 1455. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1455, a Bill for an Act to amend the Election Code. It's been read a second time previously. Amendments #1 and 2 were adopted. Amendment #3 lost."

Speaker Braun: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Amendments?"

Clerk Leone: "Floor Amendment #4, Yourell, amends House Bill 1455 as amended."

Speaker Braun: "On Amendment #4, Representative Nash."

Nash: "Madam Speaker, Ladies and Gentlemen of the House, before we get to Amendment #4, I want to move to table Amendment #2 and then table #4 and 5, and just go with Amendment #1 that was adopted."

Speaker Braun: "The Gentleman has moved to table Amendment #2. Is there leave? Leave is granted. Amendment #2 is tabled. Any further Motions?"

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Clerk Leone: "No further Motions."

Speaker Braun: "Further Amendments?"

Clerk Leone: "Floor Amendment #4, Yourell, amends House Bill 1455 as amended."

Speaker Braun: "On Floor Amendment #4, Representative Nash."

Nash: "Madam Speaker, Ladies and Gentlemen of the House, I have spoken with Representative Yourell, and I move to table Amendment #4."

Speaker Braun: "The Gentleman has moved to withdraw Amendment #4. Is there leave? Leave being granted, Amendment #4 is withdrawn. Further Motions?"

Clerk Leone: "Amendment #5, Olson, amends House Bill 1455 as amended."

Speaker Braun: "On Amendment #5, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We move to withdraw Amendment #5 to House Bill 1455."

Speaker Braun: "The Gentleman has moved to withdraw Amendment #5 to House Bill 1455. Is there leave? Leave being granted, Amendment #5 is withdrawn. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar on page twenty-seven appears House Bill 2287. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2287, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Braun: "Representative Neff."

Neff: "Madam Speaker, I would like permission to move this legislation back to Second Reading for the purpose of an Amendment."

Speaker Braun: "The Gentleman has moved to move this Bill... return this Bill to Second... to the Order of Second Reading. Is there leave? Leave being granted, the Bill is

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returned to the Order of Second Reading. Any Motions, Mr. Clerk?"

Clerk Leone: "No Motions. Amendment #2, Berrios - Neff, amends House Bill 2287 as amended."

Speaker Braun: "On Amendment #2, Representative Berrios."

Berrios: "All this Amendment... all this Amendment does is provides that no person drawing blood or urine from the subject at the request of a police officer shall be civilly or criminally liable for such action unless a gro... unless they... gross negligence, and I ask for the adoption of the Bill."

Speaker Braun: "On Amendment #2, is there any discussion? There being none, the Gentleman has moved for the adoption of Amendment #2 to House Bill 2287. All in favor say 'aye', opposed say 'nay'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. On the Order of Second Reading, page two of the Calendar, appears Ecuse Bill 16. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 16, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any further... any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Topinka, amends House Bill 16 on page three and so forth."

Speaker Braun: "Representative Topinka."

Topinka: "Yes, Madam Chairman, Ladies and Gentlemen of the House, House Bill... I mean Amendment #3, for all intents and purposes, now becomes the Bill. It is the result of the action of numerous legal minds here in the House, as well

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as trying to be in some kind of conformity with the Senate Judiciary Committee. What it does is that, it makes any person who is the owner of the premises and knowingly allows anyone under the age of 18 to possess or consume alcohol, or any underage individual to leave the premises intoxicated, that that owner of those premises would be guilty of a petty offense, which is a fine only. This, of course, keeps the Bill intact though, as far as any type of..."

Speaker Braun: "Representative Topinka..."

Topinka: "What?"

Speaker Braun: "Would you like to withdraw Amendment #2 first?"

Topinka: "I would like to withdraw Amendment #2. Yes."

Speaker Braun: "Okay. And now we're on Amendment #3."

Clerk Leone: "Further Amendments. Amendment #3, Topinka, amends House Bill 16 as follows."

Topinka: "I would also like to table Amendment #1."

Speaker Braun: "The Lady has moved to table Amendment #1, to withdraw Amendment #2. Is there leave? Leave being granted, on Amendment #3, Representative Topinka."

Clerk Leone: "Amendment #3, Topinka, amends House Bill 16 as follows."

Topinka: "We just did it."

Speaker Braun: "All right. The Lady has moved for the adoption of Amendment #3. Is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I have a question. Would the Sponsor yield?"

Speaker Braun: "She indicates that she will."

Cullerton: "On page one of Amendment #3, Subsection C(1), you say the person owning or occupying the premises knows or should have known. Does that mean if a tenant knew or should have known, but the landlord didn't, that the landlord could still be liable?"

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Popinka: "No."

Cullerton: "And why not?"

Popinka: "The person in control would be responsible. It should be construed as that."

Cullerton: "Okay. Well, it's still a bad Bill, but the Amendment makes the Bill a little bit better, so I guess we should try to pass it."

Popinka: "I think you'd like it better this way, Representative Cullerton."

Cullerton: "All right."

Speaker Braun: "The Lady has moved... is there further discussion? No further discussion, the Lady has moved for the adoption of Amendment #3. All in favor say 'aye', opposed... The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, page two, appears House Bill 207. Representative... Representative Currie. Mr. Clerk, read the Bill. Oh, out of the record. House Bill 275. Sorry. For what purpose does the Lady from Cook, Representative Popinka rise?"

Popinka: "You went right on to the next Bill. I was wondering if I might ask at this time if we could take this to Third Reading and consider it today. I move... I so move."

Speaker Braun: "There is an... there is an objection, Representative Popinka."

Popinka: "I withdraw."

Speaker Braun: "Repre... House Bill 275. Representative McGann. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 275, a Bill for..."

Speaker Braun: "Out of... it's out of... out of the record. Mr. Clerk, Representative McGann has requested that Bill be taken out of the record. House Bill 402. Representative

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Mautino. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 402, a Bill for an Act to amend the Illinois Plumbing License Law."

Speaker Braun: "Mr. Clerk, the Gentleman has requested that this Bill be taken out of the record. House Bill 490. Representative Stuffle. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 490, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #1."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Stuffle, amends House Bill 490 on page one and so forth."

Speaker Braun: "Representative Stuffle."

Stuffle: "Yes, withdraw the Amendment, please."

Speaker Braun: "The Gentleman has requested to withdraw Amendment #2. Is there leave? Leave being granted, Amendment #2 is withdrawn. Any further Amendments?"

Clerk Leone: "No further Amendments"

Speaker Braun: "Third Reading. House Bill 572. Representative Cullerton. Mr. Clerk... House Bill 738. Representative Barnes. Out of the record. 843. Representative Stuffle. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 843, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Amendments? Any further Amendments?"

Clerk Leone: "No Amendments. No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 942. Representative Ronan. Out of the record. House Bill... House Bill 1007.

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Out of the record. House Bill 1139. Representative Cowlshaw. Representative Cowlshaw on House Bill 1139. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1139, a Bill for an Act concerning public assistance recipients. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "Floor Amendment #1, Cowlshaw, amends House Bill 1139, by deleting the title and inserting in lieu of the following."

Speaker Braun: "Representative Cowlshaw on Amendment #1."

Cowlshaw: "Thank you, Madam Speaker, Members of the House. When this four page Amendment was originally duplicated, by some error, pages one and four were placed on the two sides of one sheet of paper and distributed. Later, that error was discovered and all four pages were duplicated, so if you have only two of the four pages of the Amendment, please discard that and regard the four complete pages as the Amendment. The Amendment becomes the Bill. What it provides for is that an exchange of information may be authorized between the Department of Public Aid and the Department of Revenue for the purposes of verifying the sources and amounts of income of public aid recipients. I move for adoption of Amendment #1."

Speaker Braun: "Is there any discussion? Rep... the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Braun: "She indicates she will."

Cullerton: "As I understand what this Bill does is to require the Department of Public Aid to give Social Security numbers of all recipients to the Department of Revenue. Is that the



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purpose of the Bill?"

Cowlshaw: "Mr. Cullerton, I am not certain whether the Social Security numbers would be necessary, but if so, yes. This would authorize the Department of Public Aid to provide to the Department of Revenue some means of identifying those persons presently receiving public aid, in order that the Department of Revenue might verify the un... in some cases, unreported income of those persons, to determine if, in fact, they are eligible for public aid."

Cullerton: "Okay."

Speaker Braun: "Is there any further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield?"

Cowlshaw: "Yes, Sir."

Speaker Braun: "She indicates she will."

Leverenz: "Can they not do this now? I mean they do this state to state."

Cowlshaw: "No, Sir. As I understood it, we... when I first introduced this Bill, and before it was heard by the Human Services Committee, I had checked with both the Department of Revenue and the Department of Public Aid, and it turned out that although the Department of Public Aid presently can get information from federal income tax returns, for some reason, which really isn't clear to me either, there has been... never been any provision for information sharing between the Department of Revenue in this state and the Department of Public Aid."

Leverenz: "Do... I understood that public aid received their information off the federal returns from State Government, because they do a tape match from the Federal Government to the State Department of Revenue."

Cowlshaw: "I believe that is so, yes."

Leverenz: "And Revenue checks state returns against federal

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returns, and the Public Aid sent their tapes over to Revenue, because they cannot release the information, and they did a tape match there. That's incorrect?"

Cowlshaw: "I'm sorry. I don't think I understand your question, Sir."

Leverenz: "Public Aid sends a tape to the Department of Revenue, because Revenue cannot release their information because of the confidentiality 'ta da, ta da'. Revenue must do the tape match and then send it back to Public Aid. But there is no working relationship between Public Aid and Revenue currently?"

Cowlshaw: "That is correct."

Leverenz: "We... we have been misled."

Cowlshaw: "Pardon me?"

Leverenz: "We have been misled by understanding that this has been going on?"

Cowlshaw: "I don't know, Sir, what your current information is."

Leverenz: "I understood that they did it with Revenue. They also did it with the unemployment insurance, Bureau of Employment Security to check and see if Public Aid recipients are also getting unemployment insurance and that they also did it with all bordering states, and once a month they would cross-match with states all the way down to Alabama, Mississippi, and back."

Cowlshaw: "As I understand it, and I'm not, as again I say, I'm not really certain that I understand your question, but it is my understanding of the information that I've been supplied by both of the concerned departments that the income of persons, who are self-employed, is presently information, which although it is possessed by the Department of Revenue, is not available to the Department of Public Aid."

Leverenz: "No, they can't give them any..."

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Cowlshaw: "That's my understanding."

Leverenz: "Department of Revenue cannot give them anything.  
Would your Amendment then allow Revenue to provide the  
Department of Public Aid with information?"

Cowlshaw: "That is correct."

Leverenz: "I only caution you that I, first I understood through  
either the Audit Commission or the appropriations process  
that they already did do this type of thing. If they  
didn't, your Amendments's the greatest thing since sliced  
bread. Secondly, you might run into a problem, and I would  
suggest you check with the Auditor General, because of the  
confidentiality on federal information. You may end up  
with a situation where the feds will cut off our Department  
of Revenue in receiving federal tax return information."

Cowlshaw: "It is my understanding that in the drafting of this  
Amendment, which, as a matter of fact, when I testified  
about this concept before the Human Services Committee, it  
was my pledge to that Committee, at that time, that this  
Amendment would not be introduced on the floor of the House  
until we had arrived at something with which both the  
Department of Revenue and the Department of Public Aid were  
totally satisfied. And it is my understanding that those  
departments have checked with the Federal Government and  
have determined that these provisions are in accord with  
whatever is required by the Federal Government, so that we  
don't get ourselves in that kind of a problem."

Leverenz: "Then, Mr. Speaker... Madam Speaker, to the Amendment.  
I would hope that everyone would simply support the  
Amendment and get it on. I think it's vital. Thank you."

Speaker Braun: "Is there any further discussion? There being  
none, the Lady is... called for the adoption of Amendment  
#1 to House Bill 1139. All in favor say 'aye', opposed...  
The 'ayes' have it. The Amendment is adopted. Any further

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Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1314. What... for what purpose does the Gentleman from Bureau, Representative Mautino, rise?"

Mautino: "Madam Speaker, a couple moments ago you called House Bill 402. I was in the middle aisle. I asked to have it withdrawn. I made a mistake. I would appreciate it if you would go back to it, just for this Second Reading, for the record, please. I have to have it read the second time."

Speaker Braun: "All right, on... Representative Piel, if you'll hold on House Bill 1314 for a moment, we're going to go back with leave of the House to House Bill 402. Is there leave? Leave being granted, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 402, a Bill for an Act to amend the Illinois Plumbing License Law. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Braun: "Any Motions?"

Clerk Leone: "No Motions."

Speaker Braun: "Representative Mautino."

Mautino: "The record, in accordance with our rules and procedures, this Bill had to be read a second time. It has been read a second time, and I would ask to hold this Bill at that posture, but it has been read the second time for the record."

Speaker Braun: "This Bill will remain on Second Reading. On the Order of Second Reading, House Bill 1314. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1314, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee. Amendment..."

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Speaker Eraun: "Any Motions?"

Clerk Leone: "#2 was... was adopted on the floor."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1414, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1414, a Bill for an Act to amend the Illinois Pension Code. It has been read a second time previously. Amendments #1 was withdrawn. Amendments #2, 3 and 4 were adopted."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1455. The pension...fiscal note...the fiscal note requested on House Bill 1414 has not been filed...has been filed. So then this Bill will go to Third Reading. House Bill 1560, Representative Younge. Mr. Clerk, read the Bill. Out of the record. House Bill 2010, on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2010, a Bill for an Act to provide for the Metropolitan Exposition Auditorium Authority. Third Reading of the Bill."

Speaker Braun: "Any Motions filed? Representative Younge."

Younge: "Madam Speaker, I ask leave to move this back to Second Reading for purposes of an Amendment."

Speaker Braun: "Is there leave? Leave being granted, this Bill is moved back to the Order of Second Reading."

Clerk Leone: "Amendment #3, Younge, amends House Bill 2010 as amended."

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Younger: "I move for the adoption of Amendment #3, which would exempt the property of the Exposition Authority from state taxation."

Speaker Braun: "Is there any discussion? There being none, the Lady has moved for the adoption of Amendment #3. All in favor say 'aye', opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, Deuchler - Hastert, amends House Bill 2010 as amended."

Speaker Braun: "On Amendment #4, Representative Deuchler. Representative Deuchler."

Deuchler: "Madam Speaker, my Amendment to House Bill 2010 states that all property of the Aurora Civic Center Authority shall be exempt from taxation by the state or any taxing unit therein."

Speaker Braun: "Is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "How important is this to Aurora?"

Deuchler: "It is important. This was not language that was included in the original Act that set up the Civic Center Authority, and it is thought to be very important by our attorney."

Cullerton: "They're paying taxes now, right?"

Deuchler: "Pardon?"

Cullerton: "They are paying taxes now?"

Deuchler: "No, they're not."

Cullerton: "Oh, so this just exempts them."

Deuchler: "This clarifies the exemption, yeah."

Cullerton: "So this Amendment just removes the clarifying language then."

Deuchler: "It does not remove the clarifying language. It inserts clarification."

Cullerton: "Fine. Well, it sounds like a good Amendment then."

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Speaker Braun: "Is there further discussion? Is there further discussion? The Lady has moved for the adoption of Amendment #4 to House Bill 2010. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #5, Van Dwyne, amends House Bill 2010 as amended."

Speaker Braun: "Representative Van Dwyne on Amendment #5."

Van Dwyne: "Thank you, Madam Speaker. It merely does the same thing for Will County as the two previous Amendments did for their district. I move for adoption of Amendment #5."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #5. Is there any discussion? There being none, all in favor say 'aye', opposed say 'no'. The 'ayes' have it. Amendment #5 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 1585, Representative Ronan. Out of the record. House Bill 1624, Representative Friedrich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1624, a Bill for an Act concerning savings and loan service corporations. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Representative Friedrich."

Friedrich: "I think there's an Amendment from the floor."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Friedrich, amends House Bill 1624 by deleting the title and so on."

Friedrich: "Mr...Madam Speaker and Members of the House, the Amendment becomes the Bill. This is what we agreed on in Committee. It makes....gives the banks and savings and loan the same powers under this Bill, and that's what it does. It...with regard to building and loan taking over a bank or a bank taking over building and loan."

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Speaker Braun: "Is there any discussion? The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr...Mr....Madam Speaker. I rise in opposition to the Amendment. If it did, indeed, on an equal basis, do what it's intended to do, it might be acceptable. I have read the arguments in opposition, the arguments for, and read the Amendment, and it appears to me clearly that it does not evenhandedly address the situation...the issue of merging a failing savings and loan or bank into one of the other entities. Particularly on page three if you read the language, there's no requirement that there be an emergency situation with regard to a merger. There is no concurrent decision by the bank's commissioner and the commissioner of savings and loans that this activity take place. It does not track the federal law, the 'Garn St. Germaine Act', I do not believe, and I think that's unquestionable with regard to the provisions of that Act. And the Amendment, I think, if you look at the language on page three and page five also gives preference to savings and loans over banks, these acquisition situations, in such a manner it would give a savings and loan the ability to acquire a facility, even if a bank would bid higher for the purchase of the stock than a savings and loan did. I rise in opposition, too, because the language is not consistent on pages three and five with regard to the acquisition of a bank by a savings and loan, and not parallel with regard to the opposite situation if you look at those two pages. I repeat, if indeed, it did what it's purported to do, it might be acceptable. I think if you look at a subsequent Bill, which I have, which is supported by the banks which requires dual, dual approval by both the banks and savings and loans commissioners, has exactly parallel language; I think we can accomplish this. This admittedly is a turf



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battle between the savings and loans and the banks. But I submit to you that this Amendment does not do all that it's purported to do and is not evenhanded and is opposed by the banks, because it's not evenhanded. Clearly, the language differs in the two situations when you look at page three. There's a finding that there be a necessary situation of a problem with regard to the one acquisition and not necessarily is that the case in the other. It's not explicit. It's inconsistent. It's not an emergency power Bill at all, and I oppose the Amendment."

Speaker Braun: "Is there further discussion? The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker, Members of the House. I rise to agree with Representative Stuffle on his statement. In the Committee the day that we heard this Bill, we heard it along with 2025, I believe, which also dealt with the same issue. And we voted those both out of Committee on the agreement that we would amend them, either one or both of them, to provide complete parity. I believe that it is necessary that we do something in this area to comply with 'Garn St. Germaine' and to have something in the state laws. There are certain...certain considerations that must be taken when a troubled savings and loan or a troubled bank needs to be taken over by someone, and we have a couple of proposals in front of us, one that you will probably hear later on tonight or tomorrow morning. This one is...is unfavorably balanced towards the savings and loans. It does not even provide that a savings and loan or a bank would have to be troubled in order to be taken over by another bank or a savings and loan. This isn't what the Committee was aiming for when they voted these Bills out of Committee; and therefore, I would have to oppose this Amendment at this time. Thank you."

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Speaker Braun: "Is there further discussion? There being none, the Gentleman has moved the adoption of Amendment #1 to House Bill 1624. All in favor...for what purpose...Representative Friedrich to close."

Friedrich: "I'd like to have the opportunity to close if I may."

Speaker Braun: "Representative Friedrich to close."

Friedrich: "Thank you. Well, up to now, there has never been a case that a savings and loan had problems that it wasn't taken over by another savings and loan. The same thing is true with a bank, because both of them are insured by either the FDIC or FSLIC and so on. No...no takeover can be made in either case without the approval of the commissioner. There are plenty of safeguards in here, and it...despite what's been said, in my opinion, it is...goes equally...cuts equally both ways that a bank can take over a savings and loan or a savings and loan take over a bank. But it cannot be done without the approval of the commissioner. I don't know how familiar you are with it, but reserve requirements are always involved in these, and I can assure you that this would never happen unless the reserve requirements are adequate for the Federal FSLIC or for the Federal Deposit Insurance Corporation and the commissioners are involved. So there's plenty of safeguards in here, and we have attempted to do what we agreed to do in Committee, and that is make it equitable both ways and it can...as near as I can tell by the analysis and by the Amendment itself, we've done that. So I think we've kept our agreement, and I would appreciate the adoption of this Amendment. If you want to beat the Bill on Third Reading, that's your privilege, but I'd like to get it in the position that we think is fair."

Speaker Braun: "The Gentleman has called for the adoption of Amendment #1. All in favor say 'aye', opposed. The 'ayes'

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have it. The Amendment is adopted. Any further...any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. No...Representative McPike, for what purpose do you rise?"

McPike: "Point of order, Madam Speaker. Amendment #1 changes the title of the Bill. Under Rule 36(D), the Bill should be returned to Second Reading First Legislative Day."

Speaker Braun: "The Gentleman has...the Gentleman has that right. The Bill is still on Second Reading First Legislative...The Chair recognizes the Gentleman from Marion, Representative Friedrich."

Friedrich: "Move...then I move to suspend that rule."

Speaker Braun: "The Gentleman has moved to suspend the rule..."

Friedrich: "Did you move it to Third? Then there's no problem. Thank you."

Speaker Braun: "The Gentleman has moved to suspend the rule that this Bill be...remain on the Order of Second Reading First Legislative Day. And on that Motion, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Fiel."

Piel: "Madam Speaker, first of all I'd like to preface my remarks by saying I'm not in favor of the Bill. But, first of all, his Motion's not in order, because the Chair has already stated the Bill is on Third Reading. The Bill is on Third Reading, so the Majority (sic Minority) Leader's remarks were not timely. Yeah, and if you'd check the record, it would show it."

Speaker Braun: "Representative Piel, the Gentleman was seeking recognition, and I was distracted at the moment, and I believe the Motion...the Motion...has been..."

Piel: "I'm sorry, Madam Speaker. No, Madam Speaker. Pursuant to Rule 36(D), I believe it is, if you will check, you said

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the Bill goes to Third Reading. It's already on Third Reading. I'm sorry. The Gentleman's remarks were not timely. This has happened before. Once the Bill has gone to Third Reading..."

Speaker Braun: "Representative Piel, in terms of timeliness, Representative Friedrich has already made the Motion, and we are now on the consideration of that Motion. On that Motion, all in favor...there's no reason to yell. It's too late at night. On the Motion, Representative Friedrich. Representative Friedrich."

Friedrich: "Well, since you had ruled that it went to Third Reading, then I have no purpose for my Motion. I withdraw it."

Speaker Braun: "No, I didn't rule, Sir. The Motion..."

Friedrich: "You...you said the Bill will go to Third Reading. Now, you can't...you can't..."

Speaker Braun: "No, Sir. I rule. The question is whether this Bill remains on the Order of Second Reading First Legislative Day. That is the Motion which is being debated. That is the Motion under consideration."

Friedrich: "Madam Chairman, once you say a Bill goes to Third Reading, it takes an action to take it off of Third Reading. If this Bill is controversial, you can vote 'no' on Third Reading. I don't see what the problem is."

Speaker Braun: "Mr. Friedrich, in all fairness, that, you know, your point is, I think, inappropriate, I mean, to the extent that Mr. McPike, Representative McPike was seeking recognition. Alright? He was seeking recognition at the time that I made the statement in haste. The Motion then followed my statement. The Motion is what is pending, and that is the issue before the Body at this moment. The Chair recognizes the Gentleman from Vermilion, Representative Stuffle."

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Stuffle: "I'm going to get it over with. You did move it to Third. The turf battle is between Dwight and I, and I'd just as soon you move it to Third, take our Bill, put the Amendment on. We'll fight it out on Third Reading."

Speaker Braun: "Does the Gentleman...the Gentleman from Madison, Representative McPike, do you withdraw your request?"

McPike: "Yes."

Speaker Braun: "Alright, the Gentleman from Marion, Representative Friedrich, do you withdraw your Motion?"

Friedrich: "If the Bill is on Third Reading, I withdraw my Motion."

Speaker Braun: "Alright. Third Reading, Mr. Clerk. Now, it's going to take extraordinary patience. This has been a long day, but we have another Bill to take up. House Bill 2025, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2025, a Bill for an Act to amend an Act to avoid federal preemption of state authority. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk Leone: "No Motions filed. Floor Amendment #1, Stuffle - Flinn, amends House Bill 2025 on page two and so forth."

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

Stuffle: "Thank you, Madam Speaker, Members of the House. This is the option to the Bill that we just dealt with. This indeed is a parallel construction in a merger situation where there is a failing S and L or a failing bank. The Amendment does indeed tract the federal law, and I think if we put it on, we can deal with this on Third Reading as I indicated, fight out the battle between those who support this Bill and those who support Representative Friedrich's Bill. And I would ask for adoption of Amendment #1."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being none,

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all in favor say 'aye', opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 2040, Representative Younger."

Clerk Leone: "House Bill 2040, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any further Motions...Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2, Younger, amends House Bill 2040 on page one and so forth."

Speaker Braun: "Representative Younger on the Amendment."

Younger: "Ask leave to withdraw Amendment #2."

Speaker Braun: "The Lady has asked for leave to withdraw Amendment #2. Is leave granted? The Amendment is withdrawn. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, Younger, amends House Bill 2040 as amended."

Younger: "I ask leave to withdraw 3."

Speaker Braun: "The Lady asks leave to withdraw Amendment #3. Is leave granted? The Amendment is withdrawn. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, Younger, amends House Bill 2040 on page one and so forth."

Speaker Braun: "Representative Younger on the Amendment."

Younger: "I move for the adoption of Amendment #4, which would make this Section apply only to counties with population under 500,000."

Speaker Braun: "The Lady has moved for the adoption of Amendment #4. Is there any discussion? The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr...Madam Speaker and Ladies and Gentlemen of the House. As Representative Younger said, this

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Amendment would make the legislation apply to only counties of...of under 500,000. The legislation was one that Representative Younger worked very hard on and was a good piece of legislation that, in all probability, should be applied to the entire state, for the Amendment itself would limit the fact that landfills could not be sited near Starved Rock State Park in the downstate area, but perhaps could be sited near one of the parks in the Chicago Park District. I would...I would oppose this Amendment."

Speaker Braun: "Is there any discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "I move the previous question."

Speaker Braun: "The previous question having been moved, all in favor say 'aye', the...all opposed say 'no'. The 'ayes'...the 'ayes'...the 'ayes' have it. In the opinion of the Chair, the 'ayes' have it. Representative Younger to close."

Younger: "I move for the adoption of the Amendment."

Speaker Braun: "The Lady has moved for the adoption of Amendment #4. All in favor say 'aye', opposed. Roll Call. The voting is open. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question...for what purpose does Representative Younger rise?"

Younger: "I want a Roll of the Absentees."

Speaker Braun: "The Lady has called...called for a Roll of the Absentees. The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "I just want to let the Speaker and the chamber know that if we poll the absentees on this, and if we get a prevailing Roll Call on this, there will be a countervailing verification. And I'm asking for that in

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that event."

Speaker Braun: "The Lady has asked for a Poll...she...you withdraw your request? She has withdrawn her request. On Amendment #4, the 'ayes' are 54, the 'nays' are 55 with one voting 'present'. The Amendment is lost. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Braun: "Third Reading. For the purpose of a Motion, the Chair recognizes Representative McPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. At this point, we have a choice. We can stay in Session for about one more hour and wait for a Supplemental Calendar to be distributed that will show an Agreed or a Consent Calendar Third Reading First Legislative Day. Our second choice is to go on and adjourn now and to have the Calendar distributed tomorrow with a Consent Calendar Third Reading Second Legislative Day. It would be our intent to do that. It would be our desire to do that and to call that for a vote late in the afternoon tomorrow, so that all Members will have ample opportunity to review that Calendar and have ample opportunity to knock Bills off under the normal procedure. So rather than stay in here tonight, I would move to suspend the appropriate rules so that the Consent Calendar distributed tomorrow will show the Bills that have currently been reviewed by both the Majority and the Minority staff and Leadership. We'll show those Bills tomorrow on the Order of Third Reading Second Legislative Day, and I so move. Consent Calendar Third Reading Second Legislative Day."

Speaker Braun: "The Gentleman has moved. On that Motion, Minority Leader from DuPage, Representative Daniels."

Daniels: "Madam Speaker, we have reviewed the Consent Calendar, and that Calendar has been filed with the Clerk, will be



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read into the record in Perfunctory Session. The Calendars have been reviewed by the Minority Spokesman and the Chairman of each Committee, and on our side by two Members in Leadership and then ultimately by myself. And the Consent Calendar has been agreed to as filed. We think that there's ample enough protection to have it reviewed once again tomorrow by all Members, and it's my understanding it will not be called until the afternoon. And on that basis, I would join in the Gentleman's Motion."

Speaker Braun: "Is there leave for the Attendance Roll Call on the Motion? Leave being granted, the Calendars to be distributed will be...will appear tomorrow on the Order of Consent Calendar Third Reading Second Legislative Day. Any further Motions? Representative...Agreed...well, for what purpose does Representative Greiman rise?"

Greiman: "A lot of people have asked me about my fettuccine. I just want them know that the fettuccine was found, and it has been returned. I thought you might all want to know that."

Speaker Braun: "Dietetic fettuccine, right? Okay. Resolutions."

Clerk Leone: "Agreed Resolutions. House Joint Resolution 44, Hastert - DiPrima - Deuchler. House Joint Resolution 45, Hastert - DiPrima - Deuchler. House Resolution 306, Nelson. House Resolution 307, Stuffle - et al. House Resolution 308, Harris. House Resolution 309, McGann. House Resolution 311, Van Dyne, and House Resolution 312, Mautino."

Speaker Braun: "Death Resolutions. Oh, Agreed...the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, House Joint Resolution 44 congrat...or observes the 188th birthday of the Navy Supply Corps. House Resolution Joint 45 congratulates Richard Valerio, Sailor of the Year. House Resolution 306, Nelson,

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congratulates Howard Johnson on his retirement. House Resolution 307, Stuffle, congratulates Brotherhood of Locomotive Engineers on their 120th anniversary. House Resolution 308, Harris, proclaims June 4th as Life...Be In It Day. Thank God. House Resolution 309, McGann, congratulates Father William Murphy on his 40th year of his ordination. House Resolution 311, Van Duyne, congratulates Mildred Shoop 50th anniversary in education. House Resolution 312, Mautino, congratulates the North Central Illinois Council of Governments. I move the adoption of the Agreed Resolutions."

Speaker Braun: "The Gentleman has moved the adoption of the Agreed Resolutions. Is there leave? Alright, the Resolutions are adopted. Death Resolutions."

Clerk Leone: "House Resolution 310, Madigan - Daniels, in respect to the memory of Aaron Gold. House Resolution 313, Cowlshaw - Daniels, in respect to the memory of Judge Win Knoch...Knoch."

Speaker Braun: "Representative Cowlshaw, the Lady from DuPage, on the Death Resolution."

Cowlshaw: "Madam Chairman, Ladies and Gentlemen of the House, Judge Win G. Knoch, a retired Federal Judge, who died on Monday, was a most respected citizen of the City of Naperville, the County of DuPage, the State of Illinois and of this nation. He was a patriot in the old-fashioned, but noble, meaning of that word. He loved and served his family. His wife, Irene, who preceded him in death, their four daughters and 16 grandchildren. He served his community, Saints Peter and Paul Church and his profession with honor, compassion and good humor. Last Sunday during a reception in his home with his daughters as hostesses, he was notably gracious. Judge Knoch was the friend and advisor of United States Presidents, U.S. Senators and

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Congressmen, Illinois Governors and many Members of this House. Above all, Win Knoch was a man of worth. It is with gratitude to Judge Knoch for the example he has set for us all and with sadness at his passing, that I move for adoption of this Resolution."

Speaker Braun: "The Lady has moved for the adoption of the Death Resolution. All in favor, opposed. The 'ayes' have it. The Resolution is adopted. Representative McPike for a Motion."

McPike: "Thank you, Madam Speaker. I move, allowing the Clerk five minutes for perfunctory, the House stands adjourned until tomorrow at the hour of nine a.m."

Speaker Braun: "All in favor 'aye', the 'ayes' have it. Not a moment too soon. Thank you, Representative McPike."

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, the passage of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Bill 637, 644, 645, 665, 668, 669, 673, 674, 676, 677, 678, 680, 681, 682, 705, 713, 714, 715, 719, 726, 728, 729 and 736; passed by the Senate May 25, 1983. Kenneth Wright, Secretary.' Introductions and First Reading of Senate Bills. Senate Bill 599, Terzich, a Bill for an Act to amend Sections of an Act in relationship to fire protection districts. First Reading of the Bill. Senate Bill 631, Kulas, a Bill for an Act to add Articles to the School Code. First Reading of the Bill. Senate Bill 632, Terzich - McAuliffe, a Bill for an Act to revise the law in relationship to Casimir Pulaski's birthday. First Reading of the Bill."

Clerk O'Brien: "The following Bills will be on Consent Calendar Second Reading Second Day tomorrow. House Bill 544, House

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Bill 553, House Bill 1133, House Bill 1134, House Bill 1148, House Bill 1157, House Bill 1166, House Bill 1182, House Bill 1204, House Bill 1255, House Bill 1288, House Bill 1340, House Bill 1344, House Bill 1363, House Bill 1374, House Bill 1378, House Bill 1383, House Bill 1386, House Bill 1388, House Bill 1412, House Bill 1426, House Bill 1437, House Bill 1454, House Bill 1497, House Bill 1507, House Bill 1527, House Bill 1564, House Bill 1579, House Bill 1597, House Bill 1762, House Bill 1825, House Bill 1835, House Bill 1864, House Bill 1880, House Bill 1882, House Bill 1883, House Bill 1888, House Bill 1889, House Bill 1914, House Bill 1921, House Bill 1923, House Bill 1928, House Bill 1950, House Bill 1978, House Bill 2003, House Bill 2006, House Bill 2055, House Bill 2062, House Bill 2072, House Bill 2080, House Bill 2081, House Bill 2092, House Bill 2094, House Bill 2097, House Bill 2102, House Bill 2108, House Bill 2110, House Bill 2111, House Bill 2115, House Bill 2116, House Bill 2117, House Bill 2123, House Bill 2144, House Bill 2182, House Bill 2201, House Bill 2203, House Bill 2212, House Bill 2220, House Bill 2230, House Bill 2249, House Bill 2251, House Bill 2267, House Bill 2277, House Bill 2283, House Bill 2284. No further business, the House now stands adjourned."

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