

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "The hour of 9:00 having arrived, the House will now be in Session. Members will be in their chairs. The Chaplain for today, the Reverend Robert Broeder, Pastor of Peace United Church of Christ in Jerseyville and Fieldon United Church of Christ in Fieldon. Reverend Broeder is the guest of Representative Tom Ryder. Will the guests in the gallery please rise and join us in... for the invocation."

Reverend Broeder: "Eternal Creator, Who has given each of us the gift of life this day, we say thanks. But moreover Lord, we ask a special blessing for these men and women who have been called by the people of this state and held accountable unto Thee. Lord, as they make decisions this day and feel the pressures of many different groups, help them to be strong in doing what is best for the majority, help them to be brave in their concern for the least of our society and help them to be true to themselves that their conscience may be clear so they may continue the work of this House. Lord, we each need your strength, and may we be mindful of our abilities and of our limitations in all we do so we may glorify You and bring life to our world. And may we each pause in a moment of silence to reflect on what is really important in life. Let us then act in such a manner. In the name of my Lord and Savior, Jesus Christ, this prayer is offered for His glory. Amen."

Speaker Greiman: "Representative Ropp will lead us in the Pledge."

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

Speaker Greiman: "Roll Call for Attendance. Clerk, take the

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

134th Legislative Day

June 14, 1984

record. 114 Members having answered, we now have a quorum.

Mr... Mr. Matijevich, are there any excused absences?"

Matijevich: "Mr. Speaker, none on this side of the aisle. Thank you."

Speaker Greiman: "Mr. Piel, do you have any excused absences this morning?"

Piel: "Yes, Mr. Speaker, would the record show that Representative Neff is excused today because of illness?"

Speaker Greiman: "Let the record so show. Committee Reports."

Clerk O'Brien: "Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken June 13, 1984, reported the same back with the following recommendations: 'do pass' Senate Bills 1386, 1568, 1609 and 1610; 'do pass as amended' Senate Bill 1555. No further Committee Reports."

Speaker Greiman: "We'll stand at ease just for a few moments. On page two of the Calendar, Senate Bills Third Reading, Short Debate appears Senate Bill 1385. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1385, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, this is that good Bill that everyone of you here voted for except one which provides that... no, I'm not naming names, which provides that Social Security and railroad retirement benefits shall be not taxed under the state income tax. As we all know that starting this year some benefits will be taxed federally. Also, Representative Pierce put on a Bill because certain partnership retirements were taxed, and we took that out of the law now so that no retirement benefits are taxed. I appreciate your support. It's a

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

134th Legislative Day

June 14, 1984

good Bill."

Speaker Greiman: "The Gentleman from Lake moves for passage of Senate Bill 1385. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 1399. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1399, a Bill for an Act concerning the McHenry County Conservation District. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1399 is a piece of legislation that's required because what happened to McHenry County Conservation District in recently building a new road to one of their properties ended up having a survey that was produced for them in error. And they ended up building this road into a conservation district area on a neighbor's property. The road is already in. Nobody seemed to realize it at the time. The neighbor has said, 'Well, you know, I'll trade you some of that property if you'll trade me some of the property that you have.' It's only a matter of, I think, an acre, less than an acre on the exchange. They've reached that agreement. The Board wants it. The neighbor wants it. There's no state property, but the law prevents them from doing it without General Assembly legislation. So that's the reason for the Bill. Also, Amendment #1 was added for Representative Saltsman, which

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

134th Legislative Day

June 14, 1984

he, perhaps, can explain a little bit more, if he wants to. It's to allow the Conservation Department, I believe, in Peoria to be able to lease some properties that they own to private sector and use those funds that they would receive for the Conservation Program in his area. Again, it's a very fine piece of legislation that's added to the Bill, and I do ask for your support on Senate Bill 1399. There's... No one stands in opposition to it."

Speaker Greiman: "The Gentleman from McHenry has moved for the passage of Senate Bill 1399. Does anyone stand in opposition? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Page two of the Calendar, Short... Senate Bills Third Reading Short Debate appears Senate Bill 1401. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1401, a Bill for an Act to amend an Act to regulate the practice of podiatry in the State of Illinois and an Act in relationship to state finance. Third Reading of the Bill."

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

Stuffle: "Mr. Speaker, Members of the House, this Bill simply provides for the creation of a fund to handle the fees that are placed there by the podiatrists in the state to regulate the practice of podiatry and to prevent those people who are... who ought not to be practicing in the state from doing so. This fund is an extension of last year's legislation, and I would ask for an affirmative vote on it. There is no opposition to this particular Bill."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "The Gentleman from Vermilion moves for the passage of Senate Bill 1401, and on that, does anyone stand in opposition? The Gentleman from Cook, Mr. Levin. Apparently... There being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1448. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1448, a Bill for an Act to amend Sections of an Act in relationship to the establishment, maintenance and operation of county law libraries. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, Senate Bill 1448 amends the County Law Library Act and raises the maximum costs county law libraries fees which may be authorized permissibly by county boards from four to six dollars. At the present time counties maintain law libraries, and they provide an excellent service, especially for the attorneys just starting out, not... doesn't know how to charge a correct fees and has problems with... And, you know, in as much as we provide them with a courthouse to practice in, the courts, sheriffs, bailiffs, court summons and so on, we do kind of help these poor... this class. As a class, we must help them out, so I urge your support of this Bill."

Speaker Greiman: "Speaker Greiman: "The Gentleman from Winnebago moves for the passage of Senate Bill 1448. Does anyone stand in opposition? The Gentleman from Livingston, Mr.

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

134th Legislative Day

June 14, 1984

Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen, I'd like to ask a question. What..."

Speaker Greiman: "Proceed."

Ewing: "In what way are you going to help out the young lawyers, Zeke?"

Giorgi: "Well, you know, just... mostly we are getting new corridors up and down the length and breadth of Illinois, beautiful edifices, lovely air conditioned law libraries..."

Ewing: "We're talking about the libraries."

Giorgi: "We're talking about the law libraries."

Ewing: "Yes."

Giorgi: "A lot of attorneys, when they first start out, don't catch on to how to charge fees. They can't afford to buy the law books. They go in this law library, and this thing is all laid out for them. And if they want..."

Ewing: "Does this... Does this provide some type of a fee that's tacked on to filing fees? You pay for..."

Giorgi: "Yes, that's another one. That's another thing. We get the poor citizen that has to have a lawyer, goes into court on a charge, and you tack another fee on it because you can't afford to pay the first fee. But then really, it's like the doctors. They don't... They don't pay to practice in hospitals. Lawyers don't pay to practice in courthouses. But we have to do this little thing for them. I urge your support of this Bill."

Speaker Greiman: "Further discussion?"

Ewing: "Mr. Speaker, Ladies and Gentlemen, I don't think the Sponsor understands the Bill. He gave the same mishmash when he... when he explained it. And when I asked the question, he skirts the question. I think we ought to have a chance before you whip this through to look at our

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

134th Legislative Day

June 14, 1984

analysis or something."

Speaker Greiman: "Well, if... Mr. Giorgi."

Giorgi: "The Constitution demands that all of our laws be written in the American venacular. If he has trouble with the American venacular, I'll help him."

Speaker Greiman: "Mr. Ewing, I will speak very slowly and give you an opportunity to read it. We certainly don't want to have anything whip through here. Yes, Mr. Ewing."

Ewing: "Yes, I'm just a poor ignorant lawyer. I have to have things explained in English."

Giorgi: "I haven't met a poor ignorant lawyer yet. Anybody that can't fleece you..."

Speaker Greiman: "We don't grant continuance this early in the morning."

Giorgi: "Roll Call."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', 1 voting 'no', 4 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1462. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1462, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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

Ewing: "Well, I just want to tell you that, you know, it's a good Bill... everybody up there pass it."

Speaker Greiman: "I believe that the Gentleman from... I think that the Gentleman from Livingston has moved for the passage of Senate Bill 1462. Does anyone... Mr. Ewing, I

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

134th Legislative Day

June 14, 1984

think you'd want to explain your... explain the Bill. The Gentleman from Livingston, Mr. Ewing."

Ewing: "No, I think this is much too important a Bill to have a explanation like that. This is the farmland assessment Bill passed in the Senate. Provides for the limitation of either an increase or decrease in farmland assessment in the aggregate in any county of not more than 10% in a year. The Bill has been amended two ways. One, that the... since it does provide for certain protection of local governments as well as any possible loss, the Mandates Act does not apply; and number two, the Bill does not apply to Cook County. And I would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Livingston has moved for the passage of Senate Bill 1462. Is there any discussion? The Gentleman from Lake, Mr. Pierce."

Pierce: "Will the Gentleman from Livingston respond to a question?"

Speaker Greiman: "Yes."

Pierce: "Gentleman from Livingston."

Ewing: "Yes."

Pierce: "Is this exactly the same Bill as passed the House last month?"

Ewing: "It is exactly except for the two Amendments that I indicated; one, that they took Cook County out of... out of it in regard to... the state can withhold the multiplier from any county who doesn't comply with farmland assessment law. That will not be the case with Cook County. And that's by agreement. And number two, this Bill now says, (this Bill out now says that) because there's a possibility of helping local governments from loss of revenue as well as the possible loss of revenue that the Mandates Act is a trade-off, and the Mandates Act doesn't apply. Otherwise, the Bill's the same."

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

134th Legislative Day

June 14, 1984

Pierce: "Mr. Speaker, when the House Bill was up, I suggested an Amendment that was not put on the Bill to limit this needed legislation to 1984 and 1985 assessment years, hoping that after that farmlands would increase in value and we'd want to build up again those tax basis for the rural school districts and local government units. That wasn't adopted. I am convinced of the necessity of this legislation because farmland values have been falling, especially when we look at the past years that we use. And the only way to protect the schools in the rural areas and local government units in the rural areas is to put this 10% floor on reduction in assessed valuation. Four or five years from now, when hopefully farm values are booming again in Illinois and zooming up, some future Legislators may want to remove the 10% limitation in order to get back their assessed valuation in their school districts and their local government units. And I'll leave that up to those future generations to remove this cap on the upside when they... when values go up and they're restoring their assessed valuation. As of now, I'm convinced it's needed legislation. It protects the school children of the state in our rural areas. It protects local government units in our rural areas from erosion of their tax base, and it minimizes the extreme effects that the farm land assessment Bill has had on reduced assessments due to the loss of productivity on our farms. So with that, I will now support the Bill and vote for it."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', none voting 'no',

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

134th Legislative Day

June 14, 1984

none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1519. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1519, a Bill for an Act to regulate solicitation and collection of funds for charitable purposes. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Joint Committee on Administrative Rules recommendation based on their five year review on financial institutions. Basically what we have here, Section 12 of the Illinois Solicitation Act currently requires that Attorney General cancel the registration of any charitable organization or fund raiser which advertises the fact of its registration as part of its solicitation activities. However, the Attorney General's rules give the Attorney General discretion as to whether to cancel the registration for the violation of Section 12. We're seeking to put these in the same context. This is supported by the Attorney General. Offered in the Senate by Senator Berman, a Member of JCAB, and I move for passage of Senate Bill 1519."

Speaker Greiman: "The Gentleman from Lee has moved for the passage of Senate Bill 1519. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of

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

134th Legislative Day

June 14, 1984

Senate Bills Third Reading, Short Debate, appears Senate Bill 1618. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1618, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, this is the trapping Bill supported by the Department of Conservation, trapping organizations and the Farm Bureau. It would require that trappers below the age of 18 years have a certificate of competency in trapping techniques and ethical trapping behavior. The Department of Conservation will offer an eight hour course on this. The people that had licenses before January 1 '85 will be grandfathered in."

Speaker Greiman: "The Lady from Sangamon moves for the passage of Senate Bill 1618. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1791. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1791, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

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

Keane: "Mr. Speaker, Senate Bill 1791 amends the tax... income tax regarding unitary taxation of business. It does three things. Permits unitary business group members to elect a

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

134th Legislative Day

June 14, 1984

file on a combined return in order to pay tax liability of all group members. And second, it permits offsets of tax over payments against liabilities among members of the unitary business groups for the same year. And finally, it authorizes the Department of Revenue to promulgate necessary rules and regulations pertaining to the above provisions. Be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of Senate Bill 1791. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Representative, will there be a revenue loss as a result of this Bill passing?"

Keane: "There could be. Presently if members of a unitary... a unitary taxing body, if one has a profit and the other has a loss that might be a wash. Where the losses exceed the profits, it's possible to carry forward losses into future years and write them off at that point. But Economic and Fiscal said that they thought there would be a minor loss but they couldn't determine how much it was."

Cullerton: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 102 voting 'aye', none voting 'no', 6 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1870. Mr. Clerk, read

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

134th Legislative Day

June 14, 1984

the Bill."

Clerk Leone: "Senate Bill 1870, a Bill for an Act to release highway easements and to restore access rights to certain described... described lands. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1870 authorizes the Illinois Department of Transportation to release highway easements and restores access rights to 36.64 acres of land in Bond, Livingston, Massac, Fayette, Cumberland, Jackson, Coles, Bureau, Franklin, Kendall, McLean and Clark Counties. And all this land has been appraised, and I would ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook has moved for the passage of Senate Bill 1870, and on that, does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On Senate Bill... On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1878. Mr. Clerk. Is Mr... Mr. Mays in the chamber? Mr. Ropp will do it. Alright. Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1878, a Bill for an Act to create the Child Support Enforcement Trust Fund. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1878 does amend the Public Aid Code and creates the

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

134th Legislative Day

June 14, 1984

Child Support Enforcement Trust Fund. Currently the Department of Public Aid collects child support which is owed to public aid recipients. Funding for the program is currently from the General Revenue Fund which is reimbursed 70% by the Federal Government. The intent here is to establish this fund so that we can attempt to go out and get either fathers or mothers who are negligent in paying child support, and by doing that, we will receive more money into this fund which then will be redeposited into the General Revenue Fund. We are attempting to eradicate the abuse and the neglect of payment by parents who owe child support. I urge your favorable support."

Speaker Greiman: "The Gentleman from McLean has moved for passage of Senate Bill 1878. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1879. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1879, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson. That's out of the record on 1879? Alright. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1928. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1928, a Bill for an Act relating to indemnification of certain public employees in certain civil law suits. Third Reading of the Bill."

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

134th Legislative Day

June 14, 1984

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

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill seeks to make changes of procedure only in the payment of judgments pursuant to the Indemnification Act for state employees. That change would place the authority, therefore, in the Department of Central Management Services which would pay out of its current appropriation. This would result in the payment more quickly of judgments against the employees of the state resulting in smaller judgments because of post judgment interest which runs thereon. The judgments and the payment, therefore, would have to be certified both by the Attorney General and the head of the agency in question. The indemnification appropriation would be a separate line item in the budget of Central Management Services subject to review each budget year by the General Assembly. There are certain other minor provisions which the Attorney General requested. One is to authorize the indemnification of persons who perform volunteer services with the state but only pursuant to written contract. There's also a clause which allows in its discretion counties to indemnify regional board of trustees. The matter is agreed between the Governor's Office and the Attorney General, and I move for its adoption."

Speaker Greiman: "The Gentleman from DuPage moves for the passage of Senate Bill 1928. On that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Greiman: "He'll yield for a question."

Cullerton: "Representative McCracken, could you tell me what Amendment #2 does?"

McCracken: "Amendment #2 is the Attorney General Amendment which

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

134th Legislative Day

June 14, 1984

authorizes the indemnification for persons who perform volunteer services for the state."

Cullerton: "What is the current law with regard to that indemnification?"

McCracken: "I believe it is that volunteer persons are not covered under the Indemnification Act."

Cullerton: "So this Amendment would say that all volunteers who might provide services to any department in the state are all of a sudden going to be indemnified?"

McCracken: "The provision is limited to volunteers who perform services pursuant to written contract."

Cullerton: "Okay. And what does it mean to be indemnified?"

McCracken: "It means that if a judgment is entered against that person in his representative capacity for acts committed in the course of his employment with the state that the state will pay that cost of the judgment."

Cullerton: "And do you have any idea how many volunteers would qualify for such free legal services and free payment by the state for their wrongful acts?"

McCracken: "No. I don't know."

Cullerton: "Has there been a fiscal note filed with regard to this Bill?"

McCracken: "No, there has not."

Cullerton: "And who did you say supports this Amendment?"

McCracken: "This Amendment was requested by the Attorney General. There was another Bill which came out of the Senate, Senate Bill 1645, which was the Attorney General's Bill. He and the Governor's Office got together and amended the provisions of that onto this Bill."

Cullerton: "Is this Amendment the same as Senate Bill 1645 or is it different?"

McCracken: "Not entirely, but that was the only provision of 1645 which the Attorney General wanted to amend onto this Bill."

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

134th Legislative Day

June 14, 1984

Cullerton: "Well, maybe you could explain to me what the theory is behind providing such services."

McCracken: "Apparently the Governor is expanding the use of volunteer services in the prosecution of his official duties, and apparently a problem has arisen wherein volunteers are fearful of judgments being entered against them."

Cullerton: "Okay. Thank you."

Speaker Greiman: "Have you concluded, Mr. Cullerton? Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 99 voting 'aye', 1 voting 'present'... I'm sorry, 99 voting 'aye', 1 voting 'no', 8 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1929. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1929, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has two provisions in it. One, it would change the law regarding the identification of beneficiaries or other persons entitled to the proceeds of insurance contracts which have been abandoned and subject to escheat to the state. The current law is that the amount of the contracts worth and the identification of the beneficiary be included in those reports subject to publication or discovery. It is felt that this would... to

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

134th Legislative Day

June 14, 1984

include the amount of the contract value would unnecessarily induce professional finders activity and that other provisions of the law, namely the sentence proceeding that which will be stricken under this Bill, already protects beneficiaries in that their names and addresses must be subject of the report. The second provision was discussed yesterday as an Amendment, a Second Reading Amendment. This is HB 395, and this holds that where time deposits are at issue, that is where extensions of maturity dates are available pursuant to the contract whether they are executed or unexecuted, that the seven year period necessary to abandonment does not run until the expiration of all possible extensions thereof. I move for its passage."

Speaker Greiman: "The Gentleman from DuPage moves for the passage of Senate Bill 1929. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 102 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1936. Mr. Terzich. Out of the record. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1949. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1949, a Bill for an Act to amend the Hazardous Waste Technology Exchange Service Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Senate Bill 1949 was the same as House Bill 3041 we passed out a couple of weeks ago. It

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

134th Legislative Day

June 14, 1984

creates the Hazardous Waste Technology Service Act and sets up hazardous waste technology exchange program within the Department of Energy and Natural Resources. As I said, the Bill passed out of here as House Bill 3041, and I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook moves for the passage of Senate Bill 1949. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1951. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1951, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Senate Bill 1951 amends the Environmental Protection Act. It's the same as House Bill 3180 that we passed out of here as part of the Hazardous Waste Task Force Group. It requires the Department of Energy and Natural Resources to complete a study of nonhazardous special waste to determine whether we should have more than one category of special wastes or whether we should even... not even regulate them. It also provides the Pollution Control Board to hold public hearings after the study is completed to look over the recommendations and determine whether there should be a change. Be happy to answer any questions and would ask for a favorable Roll Call."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "The Gentleman from Cook moves for passage of Senate Bill 1951. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1957. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1957, a Bill for an Act in relationship to obsolete and duplicative provisions. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, I'm sorry. I had an agreement with Representative Cullerton to take this out... that this would not be called on Third. They're reviewing those Amendments. I'm sorry I did not..."

Speaker Greiman: "Alright. It will be out of the record."

Friedrich: "Thank you, Sir. I'm sorry I didn't catch that."

Speaker Greiman: "On page 14 of the Calendar, on the Order of Consent Calendar Third Reading the Chair recognizes the Lady from DuPage, Ms. Karpziel."

Karpziel: "Thank you, Mr. Speaker. I would like to ask leave of the House to take Senate Bill 1866 out of the record... I mean take it back to Second for the purposes of an Amendment."

Speaker Greiman: "Well, alright. We must do this in its correct order."

Karpziel: "Take it off of Consent."

Speaker Greiman: "First, you are within your right without leave of the House to remove the Bill from the Order of the

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

134th Legislative Day

June 14, 1984

Consent Calendar. The Bill is removed now from the Order of Consent Calendar to the Order of Short Debate Calendar."

Karpiel: "Short Debate? Alright. Thank you, Mr. Speaker."

Speaker Greiman: "Yes. Now, Ms. Karpiel."

Karpiel: "Now, I would like to ask leave to take it back to the Order of Second Reading for the purpose of an Amendment."

Speaker Greiman: "Miss Karpiel asks leave to suspend the rules to return the Bill to the Order of Second Reading for the purpose of Amendment. Does she have leave? Leave is hereby granted. Mr. Clerk."

Clerk Leone: "Amendment #2, Karpiel, amends Senate Bill 1866."

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

Karpiel: "First of all, though, Mr. Speaker, I would like to table Amendment #1."

Speaker Greiman: "The Lady moves to table... The Lady from DuPage moves to table Amendment #1 to Senate Bill 1866. All in... Is there any discussion? There being none... Yes, Mr. Brunsvold, the Gentleman from Rock Island."

Brunsvold: "Thank you, Mr. Speaker. Would the Lady explain Amendment #1?"

Karpiel: "Well, Amendment #1 is really the Bill, but it's technically incorrect. So I prefer, if you don't mind, to just go to Amendment #2."

Brunsvold: "Thank you."

Speaker Greiman: "Further discussion? There being none, 'Shall this Amendment... Shall Amendment #1 be tabled?' All in favor signify by... by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 to House... to Senate Bill 1866 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Karpiel, amends Senate Bill 1866."

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

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

134th Legislative Day

June 14, 1984

Karpiel: "Alright. Amendment #2 actually is a technical Amendment because the first Amendment was incorrectly drawn. It left a line out of the Bill and had a few other technical changes. Now, if there is a question on what the Amendment does..."

Speaker Greiman: "The Lady from DuPage moves for the adoption of Amendment 2 to Senate Bill 1866. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading."

Karpiel: "Alright, Mr. Speaker, may I now ask leave of the House to place Senate Bill 1866 back on the Order of the Consent Calendar Third Reading?"

Speaker Greiman: "The Lady from DuPage asks leave of the House to return Senate Bill 1866 to the Order of Consent Calendar Third Reading. Does the Lady have leave? The Lady has leave, and leave is granted."

Karpiel: "And Mr. Speaker, may I further ask leave of the House to have the 1866 heard at this time with the rest of the Consent Calendar?"

Speaker Greiman: "Well, it's on Consent Calendar. It goes with the Consent Calendar."

Karpiel: "Thank you."

Speaker Greiman: "On the Order of Senate Bills Second Reading Short Debate Calendar, on page six of the Calendar, this is Second Reading Short Debate Calendar appears Senate Bill 1374. Mr. Curran. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1384. Mr. Hastert. Mr. Clerk, read the Bill."

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

134th Legislative Day

June 14, 1984

Clerk Leone: "Senate Bill 1374... 1384, a Bill for an Act in relationship to Property Tax Appeal Board. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Ewing, amends Senate Bill 1384."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 is a very important Amendment, one which is sought after by many of our charitable and religious organizations around the State of Illinois. Currently, the Department of Revenue is administering the exemption to... the exemptions for exempt property in this state, and I am not satisfied with the way it's been done. It's been done on a very haphazard and unfair basis. If you file your form with the Department, generally you'll get your exemption denied. If you do nothing, you slide on through. I think that exemptions for charitable property, and churches and other exempt religious and educational property is much better handled at the local level where local officials will have a better idea about its real charitable, religious nature. This Amendment would do that and would make the board of appeals in each downstate county the final... the final authority on exempt property. This does not include Cook County."

Speaker Greiman: "The Gentleman from Livingston moves for the adoption of Amendment 1 to Senate Bill 1384. On that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Dunn, J.: "You indicated just a moment ago that this Amendment will make the local board of review the final authority. Will there be no appeal by anybody whatsoever from their

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

134th Legislative Day

June 14, 1984

determination?"

Ewing: "No. That... That's the end of the administrative. You can still go into the Circuit Court, I would think, John."

Speaker Greiman: "Further discussion? The Lady from Champaign, Ms. Satterthwaite."

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

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

Satterthwaite: "Representative Ewing, does this mean that in one county you might find that the YMCA, for instance, was exempt and in a neighboring county that it might not be exempt?"

Ewing: "That's... That's correct, but the law still provides the criteria for how we decide those exemptions. And if in one county they are wrongly denied an exemption or if they are incorrectly given an exemption, a cause can be brought... an action can be brought in the Circuit Court to correct that. The same process that we have now, except the decision will be made at the county level, not at the state level. If you want to see inconsistency, go and discuss it with the Department of Revenue or with those who are seeking exemptions around the state. You'll see tremendous inequities and inconsistencies with the state doing it. I think it'll be more accurate and more consistent with the counties."

Satterthwaite: "Well, I regret if the the Department of Revenue is not doing their job adequately, but it seems to me that we open the door for much more inconsistency and much more political influence in regard to whether a particular organization is well received or not well received within a local community. And I feel that we would be less apt to follow any kinds of consistent guidelines if we were leaving it at the discretion of each of the counties to make this kind of decision. I think that a more

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

134th Legislative Day

June 14, 1984

appropriate route might be for some revision within the Department of Revenue to make sure that they are more consistent or that they do their job more appropriately. But I really don't feel that a solution is to put the decision in the hands of more people so that there will be an even more diverse decision making process and result in even less consistency than we've had in the past. For that reason, I would oppose the Amendment."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, I think it would be appropriate if the Sponsor would take the Bill out of the record, and I would ask the Sponsor if he might consider doing that right now."

Ewing: "I'm not the Sponsor of the Bill. This was up yesterday and pulled off. I mean, is there somebody that wants to talk about it?"

Cullerton: "Yeah."

Ewing: "I mean, we've been trying to talk about it for some time."

Speaker Greiman: "Well, Mr. Hastert, what is your pleasure?"

Hastert: "Could we take it out temporarily and come back to the Bill?"

Speaker Greiman: "You meant temporarily, right, Mr. Cullerton?"

Cullerton: "Yes."

Speaker Greiman: "Shortly."

Cullerton: "Not forever. No."

Speaker Greiman: "Alright. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1425. Mr. Steczo, 1425. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1602. 1602, Mr. Mautino. Alright. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1602, a Bill for an Act to amend

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

134th Legislative Day

June 14, 1984

Sections of the Criminal Code. Second Reading of the Bill.

No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill 1602 on page one in line nine and so forth."

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

Cullerton: "Yes, I would ask leave to withdraw Amendment #1."

Speaker Greiman: "The Gentleman withdraws Amendment #1 to Senate Bill 1602. Further Amendment?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1602."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 is really a clarifying Amendment to insure the intent of the Bill is carried out. It deals with bad checks, the Bill does. It deals with bad checks and civil liability for people that write bad checks. In the Bill, it allows for a cause of action under this Section to be brought by a plaintiff, and it's... it says that the defendant in the case may tender to the plaintiff as satisfaction of the claim the amount owed under the check plus attorneys' fees and court costs. What the Amendment says is that if that amount is tendered, the plaintiff must accept that amount. He can't turn down the amount of the check that's offered and then try to hold out for trouble damages which is also allowed in the Bill. So this just says that... that the amount is tendered to the plaintiff that he must accept the amount. I believe it's agreed by the Sponsor of the Bill, and I would ask for its adoption."

Speaker Greiman: "The Gentleman from Cook has moved for adoption of Amendment 2 to Senate Bill 1602, and on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

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

134th Legislative Day

June 14, 1984

Mautino: "Thank you, Mr. Speaker. I'm in agreement with the Gentleman's Amendment. I recommend adoption of Amendment #2."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Alright. On the Order of... With leave for the Bill to remain on Short Debate. Leave. On the Order of Senate Bills Second Reading, Short Debate Calendar, appears Senate Bill 1607. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1735. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1781. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1781, a Bill for an Act to create the Illinois Job Training Coordinating Council. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1797. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1797, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 1876. Mr. Clerk, read the Bill."

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

134th Legislative Day

June 14, 1984

Clerk Leone: "Senate Bill 1876, a Bill for an Act to amend the Civil Administrative Code and the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Hallock, amends Senate Bill 1876 on page one and so forth."

Speaker Greiman: "Mr. Clerk, has the Amendment been printed and distributed? Alright. The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you. I would move to withdraw Amendment #1."

Speaker Greiman: "Amendment #1 is withdrawn. Mr. Hallock, Amendment #2 has not been printed and distributed."

Hallock: "Well, we can just wait until we get that done and come back to it."

Speaker Greiman: "Well, if Mr. Vinson cares to take it out of the record, we'll take it out of the record. Mr. Vinson. Alright. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1881. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1881, a Bill for an Act to amend Sections of the Illinois Purchasing Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1881 as amended."

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

Cullerton: "I would ask leave to withdraw that Amendment, please... withdraw the Amendment. I wish to withdraw the Amendment."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

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

134th Legislative Day

June 14, 1984

Clerk Leone: "Floor Amendment #3, Hensel, amends Senate Bill 1881 as amended."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hensel."

Hensel: "Thank you, Mr. Speaker. Amendment #3..."

Speaker Greiman: "Mr. Clerk, has this been... Excuse me, Mr. Hensel. Has this Amendment been printed and distributed? Alright. Mr. Hensel, the Amendment has not been printed. It has not been distributed. Out of the record."

Hensel: "Thank you."

Speaker Greiman: "On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1887. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1887, a Bill for an Act to amend certain Acts in relationship to revolving credit. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nash - Piel, amends Senate Bill 1887 on page one and so forth."

Speaker Greiman: "Mr. Clerk, has the Amendment been printed and distributed?"

Clerk Leone: "No, it has not."

Speaker Greiman: "Alright. Mr. Nash. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1911. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1911, a Bill for an Act to amend an Act in relationship to community currency exchanges and ambulatory currency exchanges. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Homer, amends Senate Bill 1911 on page two and so forth."

Speaker Greiman: "The Gentleman... The Gentleman from Fulton, Mr. Homer."

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

134th Legislative Day

June 14, 1984

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Amendment #1 to Senate Bill 1911 merely includes in the list of priorities, in the event that a currency exchange should take bankruptcy, any monies that have been paid to a currency exchange for license registration, that money being due to the Secretary of State. So that the Amendment would seek to protect those monies held by currency exchanges which would be filing for bankruptcy which had been paid on behalf and for the benefit of the Secretary of State, and I would ask for your support."

Speaker Greiman: "The Gentleman from Fulton moves for the adoption of Amendment 1 to Senate Bill 1911. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading... with leave of Short Debate. The Gentleman has leave. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1930. Mr. Ewing, do you wish to proceed on 1930? Alright. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1930, a Bill for an Act to add Sections to the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1943. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1943, a Bill for an Act to amend the Illinois Environmental Facilities Finance Act. Second

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

134th Legislative Day

June 14, 1984

Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Breslin, amends Senate Bill 1943 on page..."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank..."

Speaker Greiman: "Ms. Breslin, I'm advised that this Amendment has not been printed and distributed, so we'll take the Bill out of the record and come back to it. Alright."

Breslin: "Please. Thank you."

Speaker Greiman: "On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1945. Mr. Clerk, read the Bill. Ms. Barnes. Excuse me. Ms. Barnes, do you wish to proceed? Ms. Barnes, do you wish to proceed on 1945? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1945, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Barnes, amends Senate Bill 1945 as amended."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, it's just a technical Amendment to clarify that multiple generators means more than one. It was submitted by the Chicago Bar Association, and I was very happy to amend the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves for the adoption of Amendment 2 to Senate Bill 1945, and on that, is there any discussion? Ms. Breslin, are you seeking recognition? Your light is on. The Gentleman from Cook,

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

134th Legislative Day

June 14, 1984

Mr. Cullerton."

Cullerton: "Did... Will the Sponsor yield?"

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

Cullerton: "Did you say that this Amendment deals with the definition of multiple generators?"

Barnes: "Mr. Speaker, I didn't hear Representative Cullerton."

Speaker Greiman: "Mr. Cullerton, repeat your question to her."

Cullerton: "Did you say that this Amendment deals with the definition of multiple generators?"

Barnes: "Yes."

Cullerton: "And it clarifies... It makes it clear that multiple generators means more than one?"

Barnes: "That is correct."

Cullerton: "If we don't pass this Amendment, how many do you think people might think?"

Barnes: "Well, Mr... Representative Cullerton, you know how you attorneys are, and when the attorneys asked if I would mind adding it, I had no objections."

Cullerton: "So just so we know for legislative intent, we want to make sure that when someone reads the word multiple generators we want to make sure that they know that this means more than one."

Barnes: "That is correct."

Cullerton: "Sounds like a good Amendment."

Barnes: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Short Debate... With leave of the... As to the previous

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

134th Legislative Day

June 14, 1984

Bill 1945, leave for the Bill to remain on the Order of Short Debate? Leave. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1950. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1950, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Breslin, amends Senate Bill 1950."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would like to table Amendment #1, which is technically incorrect, and it will be replaced by Amendment #3. I move to table Amendment #1."

Speaker Greiman: "The Lady asks leave to table Amendment #1 to Senate Bill 1950. Does the Lady have leave? Leave is granted. Amendment #1 to Senate Bill 1950 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Breslin, amends Senate Bill..."

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Amendment #3 is now... technically correct in that it provides that any funds collected under this Subsection by a state's attorney, who has prevailed in a case, shall be retained by the county in which he or she serves. I move for its adoption."

Speaker Greiman: "The Lady from LaSalle moves for the adoption of Amendment 3 to Senate Bill 1950, and on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, I wonder if the Sponsor would yield for a question?"

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "She indicates she will."

Vinson: "Representative, what is the situation in regard to a case where the state's attorney brings suit and doesn't prevail but loses? Who pays the attorney's fees for the representatives of the private corporation involved then?"

Breslin: "There is no provision in this Bill for that situation. There is no reimbursement to the state's attorney in that circumstance or the people of that county."

Vinson: "I'm sorry. I didn't hear you."

Breslin: "There is no provision in this Bill for reimbursement to the state's attorney or the people of that county for the expenses of that... of that suit."

Vinson: "So the... the Amendment just provides for the situation where the state's... the state's attorney prevails. Is that correct?"

Breslin: "Correct. The entire Bill provides for when the Attorney General or the state's attorney prevail. They can be allowed to... to receive costs as ordered by the court against a person who has committed a willful, knowing or repeated violation of the Act. This Amendment only requires that those funds received, where the state's attorney has prevailed, that the money come back to the county rather than coming to the state, since the county is the entity that has incurred the expense."

Vinson: "Okay. Now the... Okay. I see. You changed... In Amendment #3, you gone... you have gone to page... page two."

Breslin: "Amendment #... Correct. Amendment #1 was technically incorrect as I explained before."

Vinson: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the

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

134th Legislative Day

June 14, 1984

opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading with leave for the Bill to remain on the Order of Short Debate. Leave. Alright. On the Order of Senate Bills Second Reading, on page seven, appears Senate Bill 1179. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1375. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1375, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Johnson, amends Senate Bill 1375 as amended."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "This Bill, which I think may well be substantially controversial, provides that if you apply for health insurance benefits and you misrepresent anything; age, residence, marital status, family status, employment status and so forth, that you can be guilty of a Class A misdemeanor. This provides that those misrepresentations have to be material. In other words, if you say you're 41 and you're really 42, query whether that's material or not. Someone ought not to be held as a Class A misdemeanant and go to the penitentiary for a year unless, at least, they misrepresent something that's material. So I would move for the adoption of this Amendment. I think it's... I think it's agreed. Maybe I'm wrong."

Speaker Greiman: "The Gentleman from Champaign moves for the adoption of Amendment 1 to Senate Bill 1375, and on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

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

134th Legislative Day

June 14, 1984

Cullerton: "Yes, Mr. Speaker, I just wanted to make sure that Representative Johnson is speaking... talking about the right Amendment. Is this... Is this the Amendment that adds health benefit payment fraud to the Bill?"

Johnson: "Oh, I'm sorry. It sure is. I was talking about Amendment #2."

Cullerton: "Right."

Johnson: "Waive that. I'll talk about Amendment #1 now. This... This one may be controversial."

Speaker Greiman: "Mr. Johnson... take it from the top. Take it from the top."

Johnson: "I better take a little time... The Bill itself, and not withstanding ... that I have a terrific amount of respect for the Sponsor of this Bill, really in many ways is misplaced. And this Amendment adds some equity to the Bill. The Bill provides that if somebody misrepresents their age to an insurance company or insurer, or misrepresents their residence, or number of dependents, or family status and so forth that they can go to the penitentiary for up to a year for so misrepresenting. I don't think that's good policy. I think if you say you live at 406 Jones Street and you really live at 404, then the Bill as it's presently constituted that would send you to the penitentiary for a year. But at least if we're going to do that, at least if we're going to address ourselves to the social ills, or the potential mischief caused by somebody misrepresenting something on an application for health insurance benefits, the other side of the coin ought to work too. And the other side of the coin is that in a good many cases insurers, health companies, or self-insurers or whatever deny benefits to their legally insured policyholders or their legally insured employees notwithstanding that those payments ought to be made. So

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

134th Legislative Day

June 14, 1984

all we're saying is that if it's going to be a Class A misdemeanor to misrepresent your age as 41, rather than 42, that it ought to be at least as great a social ill and at least as great a social ill that ought to be addressed by the Legislature, that if you're an owner, director, officer and so forth of a... provider of health insurance benefits, and you exercise your discretion to deny benefits that are properly due to a claimant, and that you know or have reason to know that the payments are properly due, and that person in the meantime gets his house foreclosed on, or sued or has to go bankrupt because of the medical bills that he has to pay in the denial by the carrier of benefits, that that ought to be an equally great social ill. And this Amendment simply says that for carriers and their people with discretionary power to deny benefits or to grant benefits deny benefits unjustifiably that they're equally guilty of a Class A misdemeanor. I think it's good justice. It's at least as a great a problem, if not more, and if we're going to have the Bill at all, at least we ought to have both sides of the coin."

Speaker Greiman: "The Gentleman from Champaign moves for the adoption of Amendment 1 to Senate Bill 1375, and on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. The Gentleman's Amendment as presented would be great as it pertains to the private insurance industry and the private insurance claim. What the legislation in its current posture does is address the self-insured. There is no intent to include an individual who does not put their correct address or their correct age on a claim form. It addresses the question of a person illegally receiving benefits through the use of a card as it pertains to self-insured. He includes both, as

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

134th Legislative Day

June 14, 1984

well, a penalty for... of at least 50,000 dollars but no greater than 100,000 dollars which would not be applicable to a self-insured entity. It would, as it pertains to the private sector, but not self-insurance, and I stand in opposition to the Amendment and recommend a 'no' vote."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Notwithstanding the fact that I have a great deal of respect for the Sponsor of this particular Amendment, who I understand has a great deal of respect for the Sponsor of the Bill, I do have to rise in opposition to the Amendment because of the vagueness in drafting an Amendment which creates criminal liability. Now under this particular Amendment the way it is drafted now, you have a situation where a claims adjuster, as I read the Amendment, who looks at a damaged vehicle or a damaged home and makes a decision, which he might believe to be an accurate decision about the amount of damage to that particular structure or vehicle, but somebody might come back later and say, 'There is more money that ought properly and objectively be accorded to that casualty loss.' That claims adjuster then could be in the the position of having criminally violated a statute of the state. Now I don't believe that that's right. And because of that, I think we've got a situation here where, in fact, the drafting is just too vague, and it creates enormous due process and notice problems under the Constitution. For those reasons, I would urge a 'no' vote on the Amendment, and I suspect that the Sponsor of the Amendment is probably right that there are defects in the underlying Bill. And we probably ought to defeat it too, but we ought not adopt this Amendment to it first. So I would urge a 'no' vote and request a Roll Call."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "Further discussion? The Gentleman from Macon, Mr. Dunn."

Dunn, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Amendment. His original remarks were exactly right. I agree with him. I'm not... I don't think we should get into the business proposed by the main subject matter of the Bill, but at least if we're going to do that, we should treat both sides alike and treat them fairly. And I would urge everyone to support his Amendment. It's a good Amendment. It should be on this Bill if it's going to become law, and it should be part of the law if the original concept in the Bill becomes law. And I would urge an 'aye' vote."

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

Cullerton: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Cullerton: "Representative Johnson, a previous speaker suggested that this Bill... this Amendment was not drafted properly. It wasn't drafted tightly enough. Did you get the idea for this Amendment from the actual Bill itself?"

Johnson: "Oh, you mean that the Bill itself was not tightly enough drafted."

Cullerton: "No. Representative, an earlier speaker said that the Amendment was not drafted... the drafting on the Amendment was not done properly. It wasn't done in tight enough manner. And I... I think, if I'm not correct, I believe that you got idea for this Amendment and the drafting of this Amendment you got from the actual Bill itself."

Johnson: "From the actual Bill itself, to model itself exactly after the original Bill."

Cullerton: "Now he also talked about... that previous speaker also talked about an example of an insurance adjuster looking at a car and not... and determining whether or not

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

134th Legislative Day

June 14, 1984

there was some damage. Is this Amendment limited to health insurance or is it also property and... damage... property damage as well?"

Johnson: "The Bill is limited to just to health insurance."

Cullerton: "And do you feel that there's enough protections in here by using the word, 'properly due a claimant'? Is that what the purpose of having that language..."

Johnson: "Sure. I think that's... there's cases on that. I think its sufficiently, tightly drawn. I might also point out, and with all due respect to Representative Mautino, that this Bill does not only apply to self-insurers. The original Bill provides that, 'Any person, who and so forth, with the intent to deceive any provider other than a governmental unit or agency of health insurance or health care benefits.' So it applies to everybody except... except the State of Illinois. And it absolutely does apply to commercial health insurance carriers."

Cullerton: "Mr. Speaker, I believe that this Amendment is just as good as the Bill, and if you're going to vote for the Bill, you should vote for this Amendment. If you're going to vote against the Bill, you might want to vote against the Amendment."

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

McCracken: "I couldn't agree more. Vote 'no' on the Amendment. Vote 'no' on the Bill. They're both unnecessary. Current criminal law covers theft by deception which Representative Mautino's Bill falls under. So let's vote 'no' on everything."

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

Van Duyne: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Van Duyne: "Representative Johnson, if I read your Amendment

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

134th Legislative Day

June 14, 1984

correctly, this applies to any carrier of insurance for health care purposes?"

Johnson: "Any carrier except governmental entities."

Van Duyne: "Okay. Then would it cover a person who covers health care insurance for, oh, say a person working at Caterpillar - someone who, you know, might get hurt on the job or something and then go to the hospital - like Blue Cross or any other carrier of that kind of health insurance?"

Johnson: "I think it would, yes. Although what you described would probably be covered by worker's compensation. But you're right."

Van Duyne: "Well, okay, that's exactly what I'm trying to address. And may I address the Amendment, Mr. Speaker?"

Speaker Greiman: "Proceed, Sir."

Van Duyne: "Thank you. In this Session, I have introduced House Bill 2482 which deals with the insurance companies which sell insurance premiums on workers who get hurt on the job and then file for a worker's compensation suit. I think that this Amendment covers exactly... and maybe Representative Johnson can clarify this at least for my intention. I believe that it's exactly the purview under which I have fired... filed 2482. I want the insurance companies to have to pay the hospital bills of people who are justifiably entitled to have their hospital bills paid because of the payment of the premium, whether they pay it themselves or whether its paid half by the employer or half by the insured. That's not the case now. When a person gets hurt on a job and he is in the hospital, whether or not he's in periodically or stays there consistently, it's been the habit of the insurance companies if a man files a worker's compensation suit that they refuse to pay his bill. I think, and I brought this up in our task force the other day, I think it's absolutely boarders on fraud. When

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

134th Legislative Day

June 14, 1984

an insurance company will take a person's insurance premiums and allege that they are going to cover him for his hospital care, and doctor bills and so on, and then to use this nonpayment of his hospital bill and his doctor bills as a wedge, or as a crutch or a club over his head to force him to settle his worker's compensation suit prematurely at a lesser point. And I think that this Bill... this Amendment does cover it, and I think the people who have spoken against it should sort of rethink this problem. And I think it is a very good Amendment, and I would, if I could, I would like to be added as a Cosponsor of it. Thank you."

Speaker Greiman: "There being no further discussion, the Gentleman from Champaign, Mr. Johnson, to close."

Johnson: "This is a totally serious Amendment. Families work. Husbands and wives work to the bone to pay the premiums that they receive health insurance coverage under. Often times they can barely make ends meet in today's world to be able to make those premiums. And the reason they make them is so when they're child is hit by a car, or when they have a respiratory ailment or their wife - cancer, that they can... that they can receive benefits under the health insurance policies that they've payed for and worked to the bone for. Now what on earth can be more inhumane, what on earth can be more cruel than the policy, tht is... and I think everybody in here recognizes the widespread nature of the policy of health insurance carriers in this state and around the country to delay, to deny, to send the form letters over and again to say you need one more form. We're denying your benefits now, but you've got to send back another form that people can barely pay for the stamps after awhile or the phone calls and eventually they give up. And the net result is their families go without

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

134th Legislative Day

June 14, 1984

medical care that they've paid for. The net result is that the creditors for the medical providers that are legitimately provided service have descended to a credit agency to start making calls and eventually sue them. They lose their homes and otherwise because a contract carrier doesn't comply with the obligations that they were contractually obligated to do, namely, to pay for sicknesses and for accidents when families and... for providers and their families, dependents are entitled to them. Now the Bill itself says that if you go in and apply for health insurance benefits and you know you're 42, but you're vain so you say you're 39, that you could go to the... to prison for a year for that misrepresentation. I don't think that's good policy. But I sure as hell think if that's good policy that it's a lot better policy to say that if a health insurance carrier says, "Go out. Live on the street. Get your property foreclosed on. Get sued, but we're not going to pay your benefits even though they're justifiably due," that that's an equal harm. This is a reasonable Amendment. It makes the Bill at least balanced, and I urge its adoption."

Speaker Greiman: "The Gentleman from Champaign has moved for the... for the adoption of Amendment #1. The question is, 'Shall Amendment #1 be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. The Gentleman from Bureau, Mr. Mautino, for what purpose do you seek recognition? You spoke in debate, Mr. Mautino."

Mautino: "To explain my 'no' vote on this question. Is that possible?"

Speaker Greiman: "No. You spoke in debate, Sir. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 61 voting 'aye', 51

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

134th Legislative Day

June 14, 1984

voting 'no', none voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Johnson, amends Senate Bill 1375 as follows on page one, line thirteen by inserting, 'for use'..."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Well, now I've got mixed emotions. I don't know if I want to... I may want to pass this Bill now. In any event, Amendment #2, which I think is agreed, I really haven't talked directly to Representative Mautino, but I think it's agreed in talking to Representative Breslin as his agent, that this just provides that those misrepresentations that are subject to criminal penalties have to be material. In other words, if you misstate your age by six months, or you say that your address is different but it's not material, then that's not... that's not a criminal violation. I think this is agreed. It provides that those various forms of penalties have to be material misrepresentations before they're actionable."

Speaker Greiman: "The Gentleman from Champaign moves for the adoption of Amendment 2 to Senate Bill 1375, and on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Inasmuch as Representative Tate and I agreed to handle this legislation for the self-insured of this state, namely, U.S. Steel and the Chamber of Commerce, and since the Trial Lawyers Association have just placed that Amendment on the Bill, which puts it into insurance fraud as opposed to health care fraud, for the first time in my ten year down here, I ask to be removed as a Sponsor and please place it in the name of Representative Tate or Representative Johnson."

Speaker Greiman: "Representative Mautino asks that his name be

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

134th Legislative Day

June 14, 1984

removed as principal Sponsor of Senate Bill 1375, and let the record so reflect. And Representative Tate is the lead Sponsor of that Bill. Is that correct? That correct, Mr. Tate? Alright. The Gentleman from DuPage, Mr. McCracken, on Amendment #2."

McCracken: "Thank you, Mr. Speaker. In spite of my great respect for the Sponsor of the Amendment, I rise in opposition to it. I rise in opposition to the 1st Amendment. I rise in opposition to the Bill. It's an idea whose time will never come because it's already part of the Criminal Code. We don't need it. This is absurd. It's a tempest in a teapot. The arguments in favor of the 1st Amendment were that you could lie about your age by six months or one year and go to jail. Now all of a sudden we have an Amendment, and he says he's going to take care of that problem. This is a bunch of boloney. What are we doing with this Bill? The first Bill came up as a political hype. We don't need that. Theft by deception covers it entirely. All of sudden now we're talking about making it a crime for an insurance adjuster to do his job. Let's drop it all. We don't need it. Vote 'no'."

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

Johnson: "If you're going to adopt the Bill, and by the way, again, we're all respecting each other this morning - that's really sincere. I do respect Representative Mautino. This has absolutely zero to do with trial lawyers. Trial lawyers don't pursue health insurance claims. It has nothing in any way whatever to do with trial lawyers. They'd probably be against this Amendment, and my Amendment and the Bill more than likely. So it has nothing to do with that at all. That's a red herring. That's just not applicable. All we're saying here is...

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

134th Legislative Day

June 14, 1984

those various forms of, quote, 'misrepresentations' that are the basis for a... an action, criminal action, ought to be... have to be material. They ought not to be able to be a six month misrepresentation in your age or a 406 rather than a 404 street address. Material means something that, but for their misrepresentation, the insurer wouldn't... wouldn't have entered into the contract. I think it's a reasonable Amendment. As I understood it, it was something that the Sponsors agreed to, and I guess I should... ask their new Sponsor, Representative Tate, whether he agrees to it or not. With leave."

Speaker Greiman: "Alright. The question is, 'Shall Amendment #2 be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. All those in... All in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 9 voting 'aye', 73 voting 'no', 1 voting 'present', and the Amendment fails. Further Amendment?"

Clerk O'Brien: "Floor Amendment #3, Johnson, amends Senate Bill 1375 as amended as follows on page one, line one by..."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson. Excuse me, Mr. Johnson. Mr. White, for what purpose do you seek recognition?"

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have my name removed as a Sponsor of 1375."

Speaker Greiman: "The Gentleman from Cook, Mr. White, asks that his name be removed as a Sponsor of this Bill, and the Gentleman has leave. The record will so reflect. No, Mr. Tate has taken the sponsorship of this on his shoulders. Mr. Johnson, the Gentleman from Champaign, on Amendment #3."

Johnson: "I.. I don't want to get the Brian B. Duff Award, so I

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

134th Legislative Day

June 14, 1984

move to withdraw Amendment #3."

Speaker Greiman: "Mr. Johnson removes Amendment #... withdraws Amendment #3 to Senate Bill 1375. Is there further Amendment?"

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

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "That's also duplicative of an Amendment that was adopted earlier, and so I would withdraw Amendment #4."

Speaker Greiman: "Amendment #4 will be withdrawn. Further Amendment?"

Clerk O'Brien: "Floor Amendment #5, Mautino - Tate."

Speaker Greiman: "The Gentleman from Cook... from Bureau, Mr. Mautino."

Mautino: "Withdraw."

Speaker Greiman: "Amendment #5 is withdrawn. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Tate, for what purpose do you seek recognition?"

Tate: "I would ask leave to hold this Bill on Second Reading."

Speaker Greiman: "The Gentleman from Macon asks leave that the Bill be held on the Order of Second Reading. Does the Gentleman have leave? The Gentleman has leave. The Bill will remain on the Order of Second Reading. Yes, for what purpose does the Gentleman from Champaign, Mr. Johnson, seek recognition?"

Johnson: "Could... Could I ask just for edification what the current sponsorship status of the Bill is? Who is the Sponsor?"

Speaker Greiman: "Well, I believe Mr. Tate is the Sponsor of this Bill. Mr. White, Mr. Mautino have withdrawn their sponsorship. Mr. Tate has suggestive of record that he will be the Sponsor of the Bill."

Johnson: "Okay."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "Alright. Now on the Order of Senate Bills Second Reading appears Senate Bill 1395. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Mr. Clerk, out of the record for 1395. 1478, out of the record. 1522, out of the record. On the Order of Senate Bills Second Reading appears 1524, Mr... Mr. Stuffle. Mr. Stuffle in the chamber? Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1612. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1625. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1629, Mr. Giorgi. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1631, Mr. Giorgi. Mr. Giorgi in the chamber? Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1644, Mr. Stuffle. Mr. Stuffle in the chamber? Yes, Mr. Giorgi, we'll back up for a moment for you. Out of the record on 1644. Mr. Giorgi, we called 1631, and you may not care to proceed at this time. I don't know. Alright. 31... 1631 is out of the record. How about 1629, Mr. Giorgi? Out of the record. Alright. Committee Report."

Clerk O'Brien: "A corrected Committee Report from Representative Mulcahey, Chairman of the Committee on Elementary and Secondary Education, to which the following Bill is referred, action taken June 6, 1984, reported the same back with the following recommendation: 'do pass' Senate Bill 1631. It was originally reported 'do pass as amended' in error."

Speaker Greiman: "Alright. On the Order of Senate Bills Second Reading, appears Senate Bill 1664. Ms. Oblinger, would you like to proceed on 1664? Out of the record. On the Order

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

134th Legislative Day

June 14, 1984

of Senate Bills Second Reading, appears Senate Bill 1692. Out of the record. Alright. On the Order of Senate Bills Second Reading, appears Senate Bill 1692. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1692, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, McMaster, amends Senate Bill 1692 on page one by deleting line..."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster. Mr. McMaster is not in the chamber. Mr. Cullerton, what is your pleasure, Sir?"

Cullerton: "Mr. Speaker, maybe Representative Tuerk is familiar with this one. He's indicated to me yesterday he was going to withdraw the Amendment. That's why I ask that the Bill be called. So, he may not recall this, but he indicated he was going to withdraw the Amendment. So I think I'd like to move to table the Amendment that not being..."

Speaker Greiman: "Mr. Cullerton moves to table Amendment #1 to Senate Bill 1692. All in favor signify by saying... Yes, Mr. Piel, for what purpose do you seek recognition, Sir?"

Piel: "Usually we have a little discussion on the Motion. I would ask the Gentleman to hold off for a couple of minutes. Mr. McMaster is off the floor momentarily, and he'll be right back, and he could ask leave to come back to this Bill when Mr. McMaster is back on the floor. And at that time Mr. McMaster wants to withdraw the Amendment, he can do it."

Speaker Greiman: "Further discussion on the Motion? The Gentleman from Peoria, Mr. Tuerk. Mr. Tuerk. Alright. Mr. McMaster, I'm told has arrived. Alright. Amendment #1 is... Amendment ... The Motion to table is withdrawn."

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

134th Legislative Day

June 14, 1984

Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1727. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1733. Out of the record. On the Order of Senate Bills... Senate Bills Second Reading appears Senate Bill 1746, Mr. Hoffman. Mr. Hoffman with us? Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1747, Mr. Hoffman. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1790, Mr. Jaffe. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1793, Mr. Cullerton. Out of the record. On the Order of Senate Bills Second appears Senate Bill 1794. Ms. Topinka, do you wish to proceed? Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1794, a Bill for an Act in relation to the offense of aggravated fleeing or attempting to elude a police officer. Second reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on the Motion to table."

Cullerton: "Mr. Speaker, I will withdraw that Motion, but I believe that the Amendment that the Sponsor and I wish to get on the Bill is Amendment #4. And I don't believe that's been distributed. So I think, perhaps, we should wait for this Bill... wait fro... take the Bill out of the record until that Amendment is distributed."

Speaker Greiman: "Alright. So the Motion withdraw... is... The Motion to table is withdrawn. Ms. Topinka, out of the

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

134th Legislative Day

June 14, 1984

record. Alright. On the Order of House Bills (sic - Senate Bills) Second Reading appears House Bill 1803 (sic - Senate Bill 1803). Mr. Pierce, do wish to proceed on 1803? Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1845. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1850. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1850, a Bill for an Act in relation to the operation of the General Assembly. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Farley, amends Senate Bill 1850 as amended with reference to the page and line numbers of Amendment 1."

Speaker Greiman: "Mr. Far... The Gentleman from Cook, Mr. Farley. Mr. Cullerton."

Cullerton: "Yes, I'd like to have leave to handle that Amendment for Representative Farley. Amendment #2 is technically defective. I would wish to withdraw Amendment #2 and proceed with Amendment #3."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Farley - Cullerton."

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

Cullerton: "Yes, thank you, Mr. Clerk. Amendment #3 clarifies that the Legislative Service Bureau may transfer the title to land acquired within the State Capitol complex to Central Management Services for State Government uses as determined by the Board. And I would move for the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Cook has moved for the

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

134th Legislative Day

June 14, 1984

adoption of Amendment #3 to Senate Bill 1850. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1853. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1853, a Bill for an Act to amend Sections of the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. Mr. McGann, do wish to hold that... have that Bill held on the Order of Second Reading?"

McGann: "Yes, I do, Mr. Speaker."

Speaker Greiman: "Alright. The Gentleman asks leave to hold the Bill on the Order of Second Reading. Does Gentleman have leave. Leave is granted. The Bill will remain on the Order of Second Reading. Alright. On the Order of Senate Bills Second Reading appears Senate Bill 1855. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1857. Out of the record. On the Order of Senate Bills Second Reading, appears Senate Bill 1864. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1864, a Bill for an Act to authorize issuance and sales of general obligation bonds for the State of Illinois. Second Reading of the Bill. Amendment

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

134th Legislative Day

June 14, 1984

#1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On page three of the Calendar, appears Senate Bills Third Reading. On the Order of Senate Bills Third Reading appears Senate Bill 450. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 835. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 835, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I believe we had a thorough discussion of Amendment #3 to Senate Bill 835 which actually became the Bill. I understand there is no opposition now, and I would appreciate affirmative vote. What it does... the actual Bill does is that it clarifies some United States court decisions in regards to the taxing of government property, and it ultimately will bring in millions of dollars into the State of Illinois, where the United States Government accepts real estate taxes on the properties that they are using. It's a good Bill, and... Amendment #3 became the Bill. I appreciate affirmative vote."

Speaker Greiman: "Mr. Clerk, would you change the board? I think the... We're missing a digit on the board. No. I'm sorry. The board is correct. The Gentleman from Cook, Mr. McGann, has moved for the passage of Senate Bill 835. And on that, is there any discussion? The Lady from Champaign, Ms. Satterthwaite."

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

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

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

134th Legislative Day

June 14, 1984

Satterthwaite: "Representative McGann, you referred to U.S. Government property. Does it affect in anyway state owned property?"

McGann: "It would affect the state owned property, if the state feels as though this is sort of an if situation, if I may describe it that way. If they feel as though that they are involved, and they should be paying a real estate tax, then they have that option. It's the same way with the United States Government. Because of a court decision on January 20th of 1984, it states that certain properties that they use in a given state, that they should be paying real estate taxes on them. So if they designate that that is a property that would require real estate taxes such as the baseball bat building in Chicago, then those taxes will be assessed."

Satterthwaite: "Who. Who makes that designation?"

McGann: "Well, in the case of the United States Government, the Government, itself, would make the decision, and also in the case of the state, the State of Illinois would. And just giving what... giving... this Bill, will give an avenue for the county assessors to assess the properties where it is available. It's given them power to do so. Prior to this, they did not have that power, and that's what came up with the confusion, in the court decision."

Satterthwaite: "But it is the expectation that this would only apply under certain circumstances, yet not all state owned or all government owned property would be subject to the tax?"

McGann: "That is correct."

Satterthwaite: "And the governmental unit that owns the land would have to approve that parcel of land as being on the tax rolls."

McGann: "They would, in other words, the... will give... will

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

134th Legislative Day

June 14, 1984

say... will just use the... Why don't we use the Federal Building in Chicago? If the United States Government decides that they should be paying real estate taxes on the Dirksen Federal Building, then the county can go ahead and assess them. But what happened here was..."

Satterthwaite: "What you're saying that the owner, whether it's the Federal Government or whether it is the State Government, that the governmental entity that owns the property has to approve having that property go on the tax rolls."

McGann: "That is correct."

Satterthwaite: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative, what other kinds of property are we talking about here? Are we talking about public housing projects?"

McGann: "No. It... That is not in... The original Bill had to deal with public housing sites, but that has all been gutted out."

Hawkinson: "So we're only talking about government owned land?"

McGann: "That is correct."

Hawkinson: "Why would the State or the Federal Government for that matter want to have their property taxed when it hasn't been in the past?"

McGann: "Well there was a decision by the United States versus Cook County, January the 20th, '84. The U.S. Court of Appeal for the Seventh Court... Circuit Court, held that this state exemption encompasses property being purchased on an installment basis by the Federal Government, even

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

134th Legislative Day

June 14, 1984

where the United States is permitted or may permit local taxation. According to the Seventh Circuit, a state tax that imposes a greater burden on holders of federal property than that on holders of similar state property permissively discriminates against federal properties. They cited a Memphis Bank and Trust versus Garner of 1983, and McCulloch Maryland of 1819, I guess it was. In response to the Court's opinion, it is all properties being purchased by a governmental body under an installment contract, pursuant to statutory authority and used exclusively for the public purposes of the governmental body, except such property as the governmental body has permitted or may permit to be taxed. So that's actually what we're doing. We're saying... we're giving them an avenue, the county assessors, that where the property is being bought on an installment basis by the Federal Government, and the government accepts the fact that they have a responsibility to pay the real estate taxes that that will take place."

Hawkinson: "But you're saying clearly that this would not allow them to consent to having public housing projects taxed?"

McGann: "That is correct."

Hawkinson: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Kendall, Mr. Bastert."

Hastert: "Would the Sponsor yield?"

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

Hastert: "Representative, I just want to clarify a couple of things. First of all, some of our discussion, I guess, gets a little confusing here, but let's say for instance, if you're saying this is on contract sales, so if a private party buys, let's say a farm from the Department of Corrections and buys that on an installment, I didn't know

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

134th Legislative Day

June 14, 1984

that we... the government sold much stuff on an installment, but say that they do, then the government says, because the government still holds a title and this is sold on contract, but the land is really being used for private purposes, then the government gives permission for that to be taxed. Is that what you're saying?"

McGann: "I believe I'm not so sure about with the farmlands and so forth, but I'm talking about the large buildings, federal buildings and so forth, especially in Cook County where they have... are purchasing on an installment basis, and if they do okay that the assessment should take place, then the county assessor has the avenue to do so."

Hastert: "Okay. It's clearly a situation where a sale has been made of a public property to a private party. Right?"

McGann: "That is correct."

Hastert: "And, but the public... but the government, whether it's a municipal government, or a county government, or a Federal Government or a State Government still holds title, because it's on a contract sale?"

McGann: "That is correct."

Hastert: "And that... that it's being used for private, or say commercial purposes?"

McGann: "Right."

Hastert: "And that piece of property could be put on tax rolls?"

McGann: "That is correct."

Hastert: "Thank you. I appreciate your clarification."

McGann: "I understand that it, from the assessor in Cook County, that this could amount into a number of million dollars."

Hastert: "Is that who wants this Bill, the Cook County assessor?"

McGann: "That is correct."

Hastert: "Thank you, Sir."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Braun. Ms. Braun. Further discussion? There being none,

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

134th Legislative Day

June 14, 1984

the Gentleman from Cook, Mr. McGann, to close."

McGann: "Thank you, Mr. Speaker. As I stated, we've had quite a bit of discussion of this... on yesterday... date, and I would appreciate an affirmative 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. 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 111 voting 'aye', 1 voting 'no', and none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Changing the Order. On page nine of the Calendar, appears Senate Bills Second Reading. We had left off on page nine. On that Order of Business, appears Senate Bill 1889. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1889, a Bill for an Act creating the Compensation Review Board and amending certain Acts in relation thereto. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to those Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

Terzich: "Yes, Mr. Speaker, I would move to table Amendment #1, which Amendment #3 will be replacing. So I move that we table Amendment #1."

Speaker Greiman: "The Gentleman moves to table Amendment #1 to Senate Bill 1889. Does the Gentleman have leave? Leave is granted. The Amendment is tabled. Further Amendments?"

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

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

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

134th Legislative Day

June 14, 1984

Terzich: "Yes, Mr. Speaker, Amendment #3 makes some technical Amendments on there, and basically, it allows members to be reappointed for consecutive terms. And I would move for its adopted."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves for the adoption of Amendment 3 to Senate Bill 1889, and on that, is there any discussion? There being none, the question is... There being none, the question is. 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. We are returning to the Order of Senate Bills Third Reading on page three of the Calendar, and on that Order appears Senate Bill 1217, Mr. Wash. Out of the record. On that Order of Business appears Senate Bill 1223. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1382. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1420. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1424. Out of the record. Mr. White, do you wish to proceed with that Bill? Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1424, a Bill for an Act in relation to certain criminal offenses and the prosecution of such offenses. Third Reading of the Bill."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1424 amends the Criminal Code to make technical changes that will make Senate Bill... House Bill 606 relevant. What happened was this, that there were some

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

134th Legislative Day

June 14, 1984

problems in the Bill, and the state's attorneys across the State of Illinois met, and they made the... made some recommendations as to what should be placed in the Bill in order for the Bill, which is to go into law on July 1, to be relevant. And so it's important for us to pass this Bill with the necessary changes that are in the Bill."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of Senate Bill 1424. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends a Bill that we passed last year concerning a total rewrite of the Criminal Code with regard to Chapter 38, Section 11. There has been some questions concerning parts of that Bill that were passed with regard to legislative intent. In the Bill that we passed last year, we had defined in that Bill, a defense of consent, and there have been some questions as to why we didn't make it an affirmative defense, as opposed to a... simply a defense. I think it would be important for us to clarify why that decision was made at this time on this Bill. If we had made defense of consent an affirmative defense, it would have, then, applied to all other criminal offenses, and it was the intent to make sure that this defense of consent only apply to this particular Section of the Code - that being Chapter 38, the new Section, Section 12. The purpose of that defense, and the method in which it was drafted, was to allow for a defendant in a sexual assault case... or sexual abuse case, to establish his defense through cross-examination of the state's witnesses. It would not be beyond the scope of the direct examination for a defendant... defense attorney to cross-examine a state's witness and to put their defense in, or try to establish their defense of consent through

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

134th Legislative Day

June 14, 1984

cross-examination. And we want to make sure that that is clear with regard to the legislative intent of the Bill that we passed last year, and of course, this Bill doesn't directly deal with that issue, but it does amend that Section, so I think it's important that we clarify it. I have nothing further to say."

Speaker Greiman: "Have you concluded, Mr... Mr. Dunn, the Gentleman from Macon."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I supported the original legislation in this area a year ago, and I support, essentially, most of the contents of this legislation. However, there is a change that was made by this legislation which gives me cause for concern, and I think it's a serious enough matter that I, for one, cannot support this legislation at this time. On paragraph 7 of the Bill, there is a provision which makes a significant change. The law, as it now stands, says that prosecution under the Act is barred unless the victim reports the offense to the state's attorney within 30 days after a commission of the... of the offense, except when there is good cause shown for delay. The Bill, in its present form, would limit this provision only to situations where there is to be a prosecution of the victim's spouse. The net effect of legislation, if it passes in this form, therefore, will be that there will be no limit of any kind or nature on prosecution. Prosecution can be commenced one year, five years, ten years, fifty years, one hundred years after the commission of the offense. And I think the provision, as time from the date of the offense goes farther and farther on, I think the provision in the current statute, providing determination by the court to make a decision whether there has been good cause for delay, is adequate. I think the current law is adequate in

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

134th Legislative Day

June 14, 1984

this area, and I don't see why we need this particular change. And I think it is a very fundamental and a very significant change. I don't know whether I'm right or whether I'm wrong, but I do know that it does trouble me. And in its present form, I can't support the legislation."

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

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

Speaker Greiman: "Indicates that he will yield."

McCracken: "Representative, I have a couple of questions, primarily for the purpose of legislative intent. The definition of 'force' has been modified in this Bill to delete therefrom, the word 'physical'. Is that correct?"

White: "Yes."

McCracken: "Now, for the purpose of this legislative history, it is not your intent to change the current law of the definition of 'force' by its definition in the statute. Is that right? Pardon me? I can't hear you."

Speaker Greiman: "Yes, Mr. White. Turn Mr. White on, please."

White: "I'm waiting for a response from my... from staff."

McCracken: "Why don't we move on. Was there a change in the law relative to intrafamily sexual relations. Is it now not a crime for a parent to have sex with a child of his or hers who is over 18, if this Bill passes?"

White: "Yes."

McCracken: "What was the purpose for that change?"

White: "Could you repeat the question, please?"

McCracken: "Yes, Sir. My analysis indicates that this Bill would decriminalize sex between a parent and a child, if the child is over 18 years old. Is that right?"

White: "Eased on what I've read, yes."

McCracken: "Okay. Do you know why that was done?"

White: "I don't know."

McCracken: "Now, back to the force issue. Do you have an answer

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

134th Legislative Day

June 14, 1984

on that one?"

White: "Could you repeat that? I was talking with the staff."

McCracken: "Yes, Sir. And I think the answer is 'yes', but let me repeat the question. You have deleted from the definition of 'force', the word 'physical'. Is that correct?"

White: "Yes, that is correct."

McCracken: "And it is your purpose not to change the definition of 'force' as it is currently construed in case law. Is that correct?"

White: "Yes, that is correct."

McCracken: "So that the courts should not construe this as an attempt to change that definition."

White: "Yes."

McCracken: "Now, the definition of... Alright. Let me... Let me go back to the other question, and that is, has this Bill decriminalized consenting sexual relations between a parent and a child over 18 years of age?"

White: "If you're over 18, it's still a crime. That is response to the first question that you asked, and I was incorrect in my response to you."

McCracken: "Alright. So my analysis is wrong."

White: "Yes, that is correct."

McCracken: "What is the current state of the law on that issue? Is it a misdemeanor or a felony to have sex between a parent and child over 18, currently?"

White: "That's a Class II Felony."

McCracken: "Punishable by death?"

White: "No, not quite."

McCracken: "Two? Okay, so this... "

White: "... two."

McCracken: "So this lowers it from a Class II to a Class A."

White: "Class B."

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

134th Legislative Day

June 14, 1984

McCracken: "Class B?"

White: "Class III. From a II to a III."

McCracken: "Okay. Now, is it... What is the current law regarding teenagers? Is it a crime under current law for a 17 year old male to have sex with a 16 year old female, currently?"

White: "Yes, it is. Class A Misdemeanor."

McCracken: "And this does not change that. Is that correct?"

White: "No, it does not."

McCracken: "Okay. And this restores the use of the term 'rape'. Is that right?"

White: "It's not inadmissible."

McCracken: "Pardon me?"

White: "It's not inadmissible."

McCracken: "The use of the term 'rape' is not inadmissible?"

White: "That is correct."

McCracken: "But it's not a term of art, under this Bill."

White: "That is correct."

McCracken: "Okay. Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 103 voting 'aye', none voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate Bill 1470. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1470, a Bill for an Act in relation to the sale at retail of merchandise by or on the property of State Institutions of Higher Learning. Third Reading of the Bill."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is the same Bill that passed out of the House earlier this year that restricts retail sales in institutions of higher learning. The Amendments that were added on in the House are the same as contained in this Bill. It passed the House on May 15, with a 106 votes. I ask for your favorable consideration."

Speaker Greiman: "The Lady from LaSalle has moved for the passage of Senate Bill 1470. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those op... I'm sorry, Mr. Ropp. The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Representative, there is at least one other question that I wanted to ask since you passed the other Bill. There may be certain contracts that are in existence in state institutions right now that were put up for public bid. Are those included? Are they exempt? Will they be obsolete, or what is your intent if this Bill should pass?"

Breslin: "This is the same Bill that passed out of the House, and it has in it a grandfather clause of January 1, 1980. Any retail sales that were already condoned or by contract bid out by an institution of higher learning, prior to January 1 of 1980, are grandfathered in under this Bill. They will not be affected by this legislation."

Ropp: "Okay. In other words, a contract that was placed into effect January 1, 1984, may not be exempt?"

Breslin: "1980, not 1984."

Ropp: "That's what I said, though. In 1984 though, would not be exempt, they would... under this Bill, would not be a part of the grandfather group."

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

134th Legislative Day

June 14, 1984

Breslin: "That's correct. That's correct."

Ropp: "Why was 1980 a figure that was picked instead of when the Bill becomes law?"

Breslin: "As we explained in the debate on the floor in May, it is because January 1, in 1980, was the date prior to the dispute involving retail sales at Illinois State University, which eventually led to the court suit and the holding of the original Bill in 1967 unconstitutional."

Ropp: "And I think that if I recall your comments previously were that anything that really relates to the university may be sold within that institution as long as it pertains to the educational process within that institution whatsoever that may be."

Breslin: "That's correct, Representative. Books, food, beverages and all items connected with the operation of the institution are specifically exempt under the Bill."

Ropp: "Okay. Thank you very much."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Vitek."

Vitek: "Thank you, Mr. Speaker. Will the Sponsor answer this question?"

Speaker Greiman: "Indicates she will."

Vitek: "Does IRMA have any opposition to this now?"

Breslin: "IRMA never had any opposition to this, Representative. This was always their Bill. They are very much in favor of this."

Vitek: "I want to be sure that was, because there was an Amendment put on here that they approved."

Breslin: "It was one that they... they agreed to. Yes."

Vitek: "That's what I want to be sure of. Thank you."

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

Breslin: "I'd appreciate your favorable vote. Thank you."

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

134th Legislative Day

June 14, 1984

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 110 voting 'aye', 2 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate Bill 1481. Mr. Clerk. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1484. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1491. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1491."

Speaker Greiman: "Mr... Excuse me. Mr. Flinn, do you wish to proceed? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1509. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1509, a Bill for an Act to amend Sections of the Park District Code. Third Reading of the Bill."

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

Terzich: "I... I hit my..."

Speaker Greiman: "Shall we take that out of the record for a moment?"

Terzich: "Yes, for a minute."

Speaker Greiman: "We'll be back to you, Mr. Terzich. On the Order of Senate Bills Third Reading appears Senate Bill 1538. Mr. Giorgi. Out of the record. On the Order of Senate Bills... Alright. Now we're on Senate Bills Third Reading Appropriations. On the Order of Senate Bills Third Reading appears Senate Bill 1560. Mr. Clerk, read the Bill."

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

134th Legislative Day

June 14, 1984

Clerk O'Brien: "Senate Bill 1560, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of the State Fire Marshal. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1560 is the fiscal year '85 budget for the Office of the State Fire Marshal. It appropriates \$5,728,300 for the fiscal year '85 ordinary and contingent expenses. As amended, it appropriated \$10,000 of federal funds to the Fire Marshal for statewide coordination of the volunteer fire prevention program. And Amendment 2 was withdrawn. And we restored the Senate cuts. A new fire marshal and fiscal officer were appointed within the last year. Chicago is to join the National Fire Incident Reporting System administered by the fire marshal. Grants to local governments for fire fighter training up 9.1%. Chicago was to get \$750,000. Statewide, it's \$1,356,200. Arson education and seminars to increase, especially in Chicago. I'd be glad to answer any question."

Speaker Greiman: "The Lady from Cook has moved for the passage of Senate Bill 1560. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 111 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate 1561. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1561, a Bill for an Act making appropriations for the ordinary and contingent expenses of

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

134th Legislative Day

June 14, 1984

the General Assembly Retirement System. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1561 deals with the General Assembly's Retirement Systems budget as amended in the Senate as being funded at 66.7% payout, instead of the Governor's recommended 60% payout. The \$116,800 payback to the system for the fiscal year '83 reduction is also included in the Bill. As the budget was introduced, it was two million two hundred and fifteen point eight dollars. As it arrived over from the Senate, it was two million four hundred and forty-four, three point six percent. If there are any questions, I'd be glad to answer."

Speaker Greiman: "Further dis... The question is... The Lady from Cook has moved for the passage of Senate Bill 1561. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', none voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, appears Senate Bill 1563. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1563, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Judges' Retirement System. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1563 is the fiscal year '85 appropriation for the Judges' Retirement System. The Bill appropriates

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

134th Legislative Day

June 14, 1984

\$8,604,300 from GRF and \$278,600 from the State Pension Fund, totalling \$9,391,800. The entire amount is deposited into the System's trust fund from which retirement benefits and operation costs are paid. The \$508,900 payback to the system for the fiscal year '83 reduction is included in this Bill as amended. Also, the Senate did change the level of payout from the Governor's recommended 60% to 66.7%. I'd be very happy to answer any questions if there are any."

Speaker Greiman: "The Lady from Cook has moved for the passage of Senate Bill 1563. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate Bill 1569. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1569 (sic-Senate Bill 1569), a Bill for an Act making an appropriations for the ordinary and contingent expenses of the Department of Mental Health and Developmental Disabilities. Third Reading of the Bill."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1569 is for the... the appropriation for the Department of Mental Health and Developmental Disabilities. The fiscal year '85 budget request, as amended by the Senate, was 593,464,000 dollars, and an increase of about 4.9 percent over fiscal year 1984 appropriation level. The request here is 548,316,700 dollars is an increase of approximately 24,000,000 above

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

134th Legislative Day

June 14, 1984

the FY'84 appropriate level."

Speaker Greiman: "The Gentleman from Kendall has moved for the passage of Senate Bill 1569, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor... Yes, I'm sorry. Mr. Matijevich, the Gentleman from Lake."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House and Representative Hastert, I was in the Committee and intended to appear in the Committee and ask a couple questions, but I had a conflict. My problem is, and I'm not sure I should take the time of the floor of the House but it might be well to do it. But about two years ago I detected in some of the contracts in the Department of Mental Health and Developmental Disabilities that there seemed to be a pattern to awarding contracts to big business firms rather than small business and minority firms. About two years ago I came to bat for a young, not a young, but a black small businessman in my area who had been doing business under contract with the Waukegan Developmental Center, and I sensed that he was being pushed out in favor of a big business enterprise. Now, it comes to my attention in awarding contracts in the Waukegan Developmental Center again, we have, for example, a painting contractor, happens to be a Democratic Waukegan alderman, but that doesn't make any difference to me, but he is a small businessman, and he evidently in his contract for the painting contract, and he's had that contract for years, had included the cost for... for his insurance. The other person, who evidently was the low bidder, didn't include insurance cost and, therefore, is the low bidder. And they're going to award that bid to that big business firm as opposed to this person, who they're satisfied with his work for years. Then we have another person who

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

134th Legislative Day

June 14, 1984

contracted for the security contract, and... and is very close to the big business person and had the low bid. But for some reason or another, they're not going to give it to that small business person. They're going to award the contract to the big business firm. And you know, you can have all of these conferences and conventions all over the state about helping small business, but when the state itself goes out of its way to award contracts to big business and they can do all they want to say what we're doing for minority businesses, but then does everything possible not to award contracts to minorities, I think that's hypocritical. Now, I personally, only for a protest vote, and this has nothing to do with my majority position or my position very often in speaking on appropriation matters, am going to vote 'no', as a protest that they are favoring big business. I think it's wrong. I think at the Waukegan Developmental Center that the Director ought to take another look at those contracts. He ought to be satisfied with people that are doing the work and doing it right. So I am going to have a protest 'no' vote on this Bill."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this piece of legislation. It is one of the largest appropriation budgets that we... we have to deal with, and it directly affects the lives of literally thousands of Illinois citizens. We worked very hard on this Bill in the Appropriations Committee. And it is... it is crafted into a shape now where... where I believe that the Senate will accept all... all of the Amendments, and it will go directly to the Governor. I believe it has the full support of everyone... people who

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

134th Legislative Day

June 14, 1984

had come into the Committee seeking one thing, and they have been... been taken care of and satisfied with this legislation. I think it is... it's really one of the most complicated Bills that we've had to deal with, and I think it is in a shape that everybody now can live with. And it does touch the lives of thousands of Illinois citizens, and I urge you to vote for them and vote for this Bill."

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

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. While this Bill is not exactly what I would like, as you know I tried to amend it on the House floor - I did offer an Amendment in Committee which went through - I would agree somewhat with Representative Matijevich on this Bill. However, I think that it is important for us to vote this Bill out and get it moving. We all know that there may be some changes in the future, but I think that it's... it's imperative that this Bill move out now, and I would support Representative Bowman in this move."

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

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In respect to Representative Matijevich's comments, I wish he would have come into Committee and made those comments there. The people who did come into Committee, I think, were treated fairly and had response. We also had a great deal of discussion about affirmative action and these areas in Committee. I have a pledge from the Department itself that they'll work with... Representative on these specific problems. I think we have the Bill in as good a shape as we can possibly ask for, and I would ask for your affirmative vote on this."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote

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

134th Legislative Day

June 14, 1984

'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 103 voting 'aye', 5 voting 'no', 3 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. We will return still on this same Order of Business, Senate Bills Third Reading to a Bill that we passed over and said we'd return to. On the Order of Senate Bills Third Reading, page three of the Calendar, appears Senate Bill 1509. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1509, a Bill for an Act to amend Sections of the Park District Code. Third Reading of the Bill."

Speaker Greiman: "The Gentlemen from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, this Bill provides that when two or more municipalities, one having a population less than 500, that are situated within a park district, the park district may be reorganized into two park districts. This legislation addresses a problem dealing within the McCook 'Hodgkins' Park District. At the present time, the municipality of McCook with a population of 303 and 'Hodgkins' with 2,000 are organizing one park district, and both municipalities prefer having their own park district. And under the provision authorized under the Bill, both municipalities can achieve this goal. The Bill is identical to a Bill we passed out, which is House Bill 2394, and it also has the approval of the Illinois Association of Park Districts, and the Bill also provides... requires approval by a front door referendum. And I would appreciate your support."

Speaker Greiman: "The Gentleman from Cook moves for the passage of Senate Bill 1509. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?'"

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

134th Legislative Day

June 14, 1984

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... 112 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, the Adjournment Resolution."

Clerk O'Brien: "House Joint Resolution 162, Resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, when the House of Representatives adjourns on Thursday, June 14, 1984, it stands adjourned until Tuesday, June 19, 1984, at 12:30 o'clock p.m.; and when the Senate adjourn on Thursday, June 14, 1984, it stands adjourned until Monday, June 18, 1984, at 1:00 p.m."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move the adoption of House Joint Resolution 162. In its adoption, I might tell the Members that we'll be back Tuesday, June 19th, at 12:30."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of House Joint Resolution 162. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and House Joint Resolution 162 is adopted. We're turning now to the Order of Senate Bills Third Reading appears Senate Bill 1570. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1570, a Bill for an Act making appropriation for the ordinary and contingent expenses of the Department of Mines and Minerals. Third Reading of the Bill."

Speaker Greiman: "Alright. We'll take this out of the record for a moment. 1580. 1578. Out of the record. Alright. On

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

134th Legislative Day

June 14, 1984

the Order of Senate Bills Third Reading appears Senate Bill 1589, Mr. Kirkland. Oh, I'm sorry, Mrs... No, Ms. Alexander. Ms. Alexander. Yes. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1589, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

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

Alexander: "Thank you, Mr. Speaker and to my colleagues here in the House. Senate Bill 1589 is a Bill or a... an Amendment that is sorely needed in this generation. Twenty or thirty years ago the family structure, as some of us have known it, as our grandparents have known it, and our parents have know it, does not exist today. What 1589 does, it corrects the current law which holds that the consent of both parents would be needed for a 16 year old to marry. What the 1589 would do in its amended form, would say that a 16 year old would be eligible for a marriage certificate or license with the consent of a parent or parents. The reason why the change has been requested is that in many instances where there is a custodial parent or one parent taking care of the children, in today's society to put the burden of trying to locate a parent that has never existed in many of these children lives is a hardship. In many instances, the court has entered orders upon the clerks of the various Circuit Courts to permit such marriages. And I do present here a letter from a judge in our Circuit Court District, who has handled these domestic and marriage cases for a number of years, who is suggesting that this change is sorely needed at this time and in this generation for these 16 years old to marry. And I ask for your favorable vote, and I'll answer any questions if there be any."

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

134th Legislative Day

June 14, 1984

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 1589. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Lady yield for a question?"

Speaker Greiman: "Indicates she will."

Cullerton: "In the Bill, you used the term custodial parent. My question is, is the definition of custodial parent a parent who is determined by a court to be a custodial parent pursuant to a divorce proceeding or a separation proceeding, or is it just in a broader sense, a custodial parent meaning, one who is present and the noncustodial parent being one who just is absent?"

Alexander: "Representative Cullerton, that portion has been amended out."

Cullerton: "Fine."

Alexander: "Because that was the part that was raised in the Judiciary Committee. Would it relate to where a person had gone through a separation via court order or divorce and was awarded custodial care, or whether as we know many places in society exist today, that poppa is missing or mamma is missing and there is one parent or no parent now taking care of these young persons. So that part you are relating to as custodial with regarding court order, does not exist."

Speaker Greiman: "Further discussion? The Gentleman from McLean, Mr. Ropp."

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

Alexander: "Yes, I will."

Ropp: "Representative, I know you are one of good intent, but I wondered if some of our social ills might not because... as a result of people getting married too early. And I'm wondering whether or not at some point you might consider raising the marriage age from 16 to 18, or 19 or 20,

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

134th Legislative Day

June 14, 1984

because I think you'll find out statistically that a very high percentage of these that are 16 end up the result of a divorce, then we have single parents, and we have a number of financial dollars that have to go to take care of, not only themselves, but their offspring. Why do we want to stay at 16?"

Alexander: "Sixteen is not the correct age. Sixteen is an under age figure for marriage. The age, as I know it now for persons to marry, will have to be 18 and upward. What I'm trying to do now is, in many instances, to try to stabilize and reestablish family ties and line. I would whether see a 16 year old with a marriage license and married, than a 16 year old out here with a child or whatever else they're doing out here, or living or shacking as they say with a man or live-in boyfriends or whatever we call, you know, playmates or friends. I'd rather see a marriage certificate there, where there can possibly be some responsibility or tie-in support line if anything should go wrong than just out there running loose as they have in the past ten years or fifteen years with this changing generations as we have seen them."

Ropp: "Well won't this almost encourage more and more to move in that area of attempting to get married at 16 and ultimately their... high percentage would be divorce anyway."

Alexander: "I don't think so. I don't think this is going to cause any great influx or increase. I don't think the... there is a trend towards getting married now days, even at my age or young. I don't think they have that trend. They'd rather be on their own, you know, footloose and fancy free. But this would provide for those persons who would be 16 years and want to marry, or conditions are demanding that they marry that they could do so without having to go through the suit that sometimes have to take

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

134th Legislative Day

June 14, 1984

place in the courts in order for them to... they can get married, but they... the law says both parents. And since the law provides for it and since we're living in a generation now of one parent, we're trying to make it easier for that one parent to facilitate signing for their marriage."

Ropp: "Well isn't that because we've somewhat accepted one parent. When your parents and my parents were growing up, we didn't have that problem. We had the assumption that people lived together, and I don't think we had as many social ills at that point. We have really accepted a social disease that will continue to fester, it appears."

Alexander: "I'll agree with you."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While, I have tremendous respect for the Sponsor of this Bill and for her very good intentions, I agree with the previous speaker. I spoke against this Bill in Committee when it came up for the very reasons that Representative Ropp has given. I think that reducing the age or increasing the ease with which a young person of 16 years can get married is, indeed, going in the wrong direction. I think it, as Representative Ropp indicated, it might make more sense to increase the age in which a person can marry to 25. Right now we have a divorce rate of about 50% which includes our parents generation that rarely saw divorce. So in our children generation, that divorce rate might be not 50%, but might be 70 or 80%. I understand that this Bill doesn't make a giant change in the law. Right now the law says a 16 year old can marry with the consent of both parents, and this Bill just says with the consent of one parent. But the thrust is that

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

134th Legislative Day

June 14, 1984

this Bill eases the way for a 16 year old to get married.

And I think that is entirely the wrong direction to go."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Huff."

Huff: "Mr. Speaker, I was asking for attention to move the previous question, but I withdraw that Motion."

Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

J. Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. I think some of the speakers who just spoke are missing the point. This is not an attempt to make a major policy revision in the State of Illinois. Our current law permits 16 year olds to marry. What the Sponsor is doing with this legislation is clearing up a mechanical problem which exists in our current law. She is not making a major revision of our marriage law. What she is doing is saying that when our law, the philosophy of our law would, under its present form, permit a marriage to take place, and it is prevented from taking place because one of the parents can't be found or is deceased. She is providing a mechanical vehicle to allow that to happen, and I think it's a good Bill in its amended form and should be supported. And if someone wants to change the age at which people can get married in the State of Illinois, they're certainly entitled to file a Bill to do that. This is not intended to be part of this legislation."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Topinka."

Topinka: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill. I think Representative Alexander has finally gotten around to putting this together in such a way that it makes the divorce... or it makes the consent law here, available to Americans as we

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

134th Legislative Day

June 14, 1984

are conducting life on a regular basis. Now, in contemporary life, the divorce rate is so terribly high, that families are fragmented and spread to the winds. It's very difficult to find, you know, missing parents if there was, indeed, a parent at all. In some cases, you know, a father just has never been presented. It's an outstanding attempt to tidy this up, and I think it deserves everybody's support."

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

Pierce: "Mr. Speaker, we have... we've got to face the realities of the 1980's. What this Bill does is creates legitimate children. It reduces the percentage of illegitimate to legitimate children by allowing... by allowing the young person 16, 17 to get married, where the father has disappeared years ago and can't be found. For the consent, it is allowing legitimization of the next generation to start out life... to start out life in the correct manner by being born to married parents like you and I were, and like we were fortunate enough to be. But many, in fact, over half the people born do not, in many urban areas in particular, do not have that advantage. And therefore, this is a good Bill. It legitimizes children. It recognizes realities. It allows both the mother and the... and the father to admit their responsibilities and allows the infant to be born into a legitimate situation and; therefore, it's good legislation. I intend to support it. Let's face reality. We're in the 1980's. We're not, when we were born. We're not back where our parents were born."

Speaker Greiman: "There being no further discussion, the Lady from Cook, Ms. Alexander, to close."

Alexander: "Thank you, Mr. Speaker. I ask for your favorable consideration of this piece of legislation. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All

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

134th Legislative Day

June 14, 1984

those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 88 voting 'aye', 15 voting 'no', 6 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. We're turning now, again, to the Senate Bills Third Reading on Appropriations, and on that Order appears Senate Bill 1570. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1570, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Mines and Minerals. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, may I have permission to bring this back to Second Reading for purposes of an Amendment?"

Speaker Greiman: "The Lady from Cook asks leave of the House to return this Bill to the Order of Second Reading for purpose of an Amendment. Does the Lady have leave? Leave is hereby granted. Mr. Clerk."

Clerk O'Brien: "Amendment #4, Rea, amends Senate Bill 1570 as amended by inserting after... Section 7 the following and so forth."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker and Members of the House. This Body authorized and designated West Frankfort as a site for a national coal museum. There has been a corporation that has set this up not-for-profit, and they have purchased four building from the Worlds' Fair. They've loc... already transported those to Illinois. They're ready to be assembled, and this would be for...to put those together and to set up this national coal museum, which will be the first one in the nation and would certainly be a great

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

134th Legislative Day

June 14, 1984

benefit to the State of Illinois. And I would move for its adoption."

Speaker Greiman: "The Gentleman from Franklin has moved for the adoption of Amendment 4 to Senate Bill 1570. On that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Yes, on the Amendment. We cannot sell too much of it. So we may as well memorialize it, and I would move for the adoption of the Amendment."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Ms. Barnes. Ms. Barnes asks leave of the House to have this... have the appropriate Rule waived so that the Bill may be heard at this time. Does the Lady have leave? Lady has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1570, a Bill for an Act making appropriation for the ordinary and contingent expenses of the Department of Mines and Minerals. Third Reading of the Bill."

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

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1570 is the fiscal year '85 appropriation request for the ordinary and contingent expenses of the Department of Mines and Minerals. The budget request is \$21,235,700 with the... plus the addition of the Amendment that was just amended into the Bill. This is \$706,400 greater than the fiscal year '84 appropriation. The... When the Bill came over from the Senate, it had been

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

134th Legislative Day

June 14, 1984

cut, and we restored \$260,200 to the Department's budget to restore personal services and related items and general office and oil and gas division and add cost of living adjustment, restored personal services and related and support lines in the land reclamation division. An Abandoned Mine Land Reclamation Council budget makes partial restoration to allow full funding of federal approved staff and support functions. We also added a state mine inspector at \$23,700 to bring the total up to 22, which is the statutory authorized level. We added an oil well inspector at \$16,400, and I would be glad to answer any questions."

Speaker Greiman: "The Lady from Cook has moved for the passage of Senate Bill 1570. And on that, is there any discussion? There being none, the question... Yes, the Gentleman from Cook, Mr. Shaw."

Shaw: "Yes. Is this the. Thank you, Mr. Speaker. And will the Lady yield for questioning? Is this the same Department that, Mines and Mineral, that does not have an affirmative action plan, Representative Barnes?"

Barnes: "They have a plan, Representative. I remember you questioning the Director in Committee, and he did say he did have a plan."

Shaw: "To the Bill. It... If the Director have a plan, he certainly have not implemented that plan. And we do have an affirmative action law in this state. And what the Director is attempting to do here, is ask us to violate the law by passing this budget or request. Now, out of all the Departments in the State of Illinois, here is a Department that have less than 1% minority. And we're not talking about blacks - we're talking about womens, Puerto Ricans, Mexicans, all minorities, but here is the Director who have a total disregard to what the law is. And we passed the

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

134th Legislative Day

June 14, 1984

law here, setting up the affirmative action. The Federal Government have one, setting up affirmative action, but the Director of this Department has completely ignored that. And this Bill should be defeated until he have a real affirmative action plan and put it in place. Not only that, the Director testified before the Committee and said that we can't find anybody. Well, we have a lot of universities around this state, good universities, with students attending it, graduating from those universities, but the Director has not sought to seek out any of those students, that are graduating from the universities, to bring in to conform with the law. But he comes here year after year and asks us to violate the law and vote for a budget that does not include minorities, and I'm asking that this Bill, 1570, be defeated."

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

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it would be appropriate. We don't have much going this year that's really controversial, but it might be appropriate that on this particular budget, and because of that particular situation, we may allow this Bill to pass with just 61 green votes."

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

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Shaw did discuss with the Director, his affirmative action program, and I think the Director appropriately and properly answered his questions as to the problem that the Director has. The Director's more than 70 positions or 70% of the positions in the Director's office, Department of Mines and Minerals, the requirements, job specifications or requirements, are covered by state statute. They require so many years of experience in coal mine operations. Either above ground or

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

134th Legislative Day

June 14, 1984

below ground before you can obtain a position in the State Department of Mines and Minerals. Most of the minorities that would be interested in mines and minerals, would be more interested in staying in the coal mine operations, because they pay much more money than what the State of Illinois does. The Director indicated that they have searched throughout the state through various coal mine industries to try to find minorities who would be interested in working for the State Department of Mines and Minerals. There were none, because those minorities were making much more money than what the State Department of Mines and Minerals could offer to them. So I would submit to you, Mr. Speaker, that it's not that the Director is not trying to follow or implement an affirmative action program. It's just that the type of jobs that he has in his agencies, minorities are not, simply not interested in. And I would ask for a favorable vote."

Speaker Greiman: "There being no further discussion, the Lady from Cook, Ms. Barnes, to close."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, three weeks ago, Representative Hastert and myself had an opportunity to go down in a coal mine in Carlinville. We were part of the host committee for the French Canadian dignitaries that were here on the Acid Rain Conference, and I did notice that there were four women coal miners going down 400 feet and then traveling back 2 1/2 miles. I think that they pointed out that there... there just weren't too many calls for a lot of minorities that wanted this particular type of job. It was quite an experience. I learned what a difficult job it is for those coal miners that are down there. Women are part of the minority. So I feel that they have fulfilled their obligation, at least as far as the coal miners are concerned. I would ask for an

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

134th Legislative Day

June 14, 1984

'aye' vote on this good Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 86 voting 'aye', 10 voting 'no', 17 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate Bill 1578. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1578, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State Employees' Retirement System. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1578 appropriates \$5,282,800 to the State Employees' Retirement System, social security unit for its fiscal year '85 expenses. If there are any questions on the Bill, I'd be very happy to answer them."

Speaker Greiman: "The Lady from Cook moves for passage of Senate Bill 1578. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, appears Senate Bill 1621. Mr. Clerk. Mrs. Satterthwaite. Is she... Yes. Mr. Clerk, read the Bill. Out of the record. On page... page 14 of the Calendar on the Order of Concurrence, appears

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

134th Legislative Day

June 14, 1984

House Bill 2711. Mr... Ms. Barnes. Mr. Hastert. Mr. Ewing. Mr. Davis. We... We're on the Order of Concurrence. Yes. Mr. Vinson. Mr. Vinson."

Vinson: "Thank you, Mr. Speaker."

Speaker Greiman: "Leave. Mr. Vinson has leave to proceed with House Bill 2711. Mr. Clerk."

Clerk O'Brien: "House Bill 2711, a Bill for an Act making certain appropriations together with Senate Amendments #1,#2,#3,#4,#5,#6,#7,#8,#10 and 11."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2711 makes fiscal year '84 supplemental appropriations and transfers. It includes such things as the State Board of Education, the Scholarship Commission, the Department on Aging, Children and Family Services, Rehabilitation Services, Public Health, Veterans Affairs, Mental Health, Public Aid, Corrections, Commerce and Community Affairs. There are transfers for such things as personal service lines, among personal service lines for state contributions to the Teachers' Retirement System. There is a reappropriation to the Department of Commerce and Community Affairs for that Department not to lose its ability to spend its job training partnership and Low Income Home Energy Assistant Block Grant Funds. There is an appropriation supplemental for equipment for the Legislative Council. There is a transfer among various line items appropriations to the Board of Regent's Central Office. There is a transfer from one capital project to another at the State Fairgrounds. There is a... an appropriation from the Lottery Fund to the Department of Revenue to pay prize winners. There is a transfer in General Revenue Funds, pardon me, from the Foster Group Care Grant Line to the institutions and Group Home Grant

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

134th Legislative Day

June 14, 1984

Line. There is a transfer of \$7,000 from the fiscal year '84 appropriation for the University Service Merit Board to the contractual services line item for greater than anticipated legal costs. There is a transfer made by... There is a deletion of one thing that we did in the House of a civic center. The fiscal summary of the Bill, as it passed the House, it was 14.5 million dollars. As it passed the Senate, it was 22.6 million dollars. On Concurrence, it's 8.1 million dollars. The total transfers are \$617,000. The total reappropriations are 77. My understanding of this Bill is that the primary reason why we ought to pass the Bill is that if we do not pass the Bill, we will be unable to cut public aid checks. It is essential in that respect that we pass it today, and I would move that the House concur on House Bill 2711."

Speaker Greiman: "The Gentleman from DeWitt moves the House concur to Senate Amendments #1,#2,#3,#4,#5,#6,#7,#8,#10 and 11 to House Bill 2711. And on that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Leverenz: "You alluded to the Senate cutting..."

Vinson: "Are you saying am I deluded?"

Leverenz: "I didn't say you were deluded. I didn't say you were polluted. I said you alluded."

Vinson: "Okay. I understand."

Leverenz: "To a removal of an Amendment, a House Amendment by the Senate?"

Vinson: "Yes."

Leverenz: "For a civic center?"

Vinson: "Yes."

Leverenz: "Which one was that?"

Vinson: "Orland Park."

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

134th Legislative Day

June 14, 1984

Leverenz: "My goodness. Why would they remove Representative Barnes' civic center from this fine Bill?"

Vinson: "Senator Rock said he didn't know where Orland Park was."

Leverenz: "What else did the Senate remove?"

Vinson: "A transfer that Representative Pullen had wanted in Mental Health which was related to the Local Incentive Program I believe."

Leverenz: "That's all that was removed? Interesting to note that both Amendments or desires of House Members, they were both women."

Vinson: "And both Republicans. We're used to losing."

Leverenz: "I see. Thank you."

Speaker Greiman: "Further discussion? Ms. Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. We appreciate Representative Vinson's detailed explanation of the items in the Bill and even in spite of the potential for sex discrimination in passage of House Bill 2711. I do support, and I hope the Members will support the Motion to concur with these Amendments. Since it is critical, it's urgent that this Bill be passed today."

Speaker Greiman: "There being no further discussion, the question is, 'Shall the House concur in Amendments #1,#2,#3,#4,#5,#6,#7,#8,#10 and 11 to House Bill 2711?' All those in favor signify by voting 'aye', those vote 'nay'. This is final action. 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 question, there are 110 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendments #1,#2,#3,#4,#5,#6,#7,#8,#10 and 11 to House Bill 2711. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Matijevich in the Chair."

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

134th Legislative Day

June 14, 1984

Speaker Matijevich: "On the Order of House Bills Third Reading...

Senate Bills Third Reading, on page four of the Calendar, House Bill, Senate Bill 1650, Cullerton. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1650, a Bill for an Act to amend Sections of the State's Attorneys Appellate Service Commission Act. Third Reading of the Bill."

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

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was debated yesterday. And during my close on the Bill, while I was closing on the Bill, Representative Vinson asked me to take it out of the record, and I did that. So, at this time, I'd like to go back to where we were when we took it out of the record, that being me closing, and I would be... ask for a favorable vote on the Bill."

Speaker Matijevich: "Representative Cullerton has moved for the passage of House... Senate Bill 1650. There being no discussion, 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 75 'ayes', 24 'nays', 2 answering 'present'. Senate Bill 1650, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1691, Steczko. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1691, a Bill for an Act to amend Sections of the Illinois Credit Union Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Cook, Representative Steczko. Terry Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 16... Senate Bill 1691 is a Bill that allows the

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

134th Legislative Day

June 14, 1984

Department of Financial Institution's Credit Union Division the regulatory authority to determine the nature and content of bond coverages for state credit unions. It's consistent with the proposed changes to the Federal Credit Union Act and also with the rules and regulations for federally chartered credit unions. Senate Bill 1691 stems from a recent court decision, the Myrtle Beach case. It's supported by the Department of Financial Institutions and the Illinois Credit Union League. It passed the Senate by a vote of 55 to nothing, and I would appreciate the support of the House. And we would be willing to answer any questions."

Speaker Matijevich: "Representative Steczo has moved for the passage of Senate Bill 1691. There being no discussion, all 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 112 'ayes', no 'nays'. Senate Bill 1691, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1707, Cullerton. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1707, a Bill for an Act to amend Sections of an Act to provide for and regulate the administration of trusts by trust companies. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill deals with the investment of trust funds awaiting investment or distribution. At common law, a bank acting as a trustee had no authority to invest trust income which was distributable to a beneficiary and was prohibited from profiting by depositing the trust funds in its own bank. Now, this was changed in 1934, because it

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

134th Legislative Day

June 14, 1984

was felt that if a settlor has chosen a specific bank to place its funds, it was absurd to require that that bank then put those monies in another institution. So, the law was changed in '34, and the banks were authorized to carry such funds in a separate checking account and to commingle it and use those funds in the conduct of its business and to retain all profits resulting therefrom, providing that those funds were collateralized. Now what this Bill does is to change the law to require that this cash awaiting investment or distribution which has not been subject to direction by the settlor regarding its investment or non-investment be prudently invested to the extent reasonable under the existing conditions for the beneficiaries at a rate of return commensurate with that available trust quality investment and if... and, in effect, have the money which is made on that money be turned over to the beneficiaries, rather than be kept by the bank. The Bill also repeals Section 4 of the Act which has been in the Trust Companies Act since 1879 which is outdated. That Section predated the enactment of the 1945 Prudent Man Rule providing that interest should be paid on trust funds as agreed by the parties or by court order. So, we're taking that out since we have the Prudent Man Rule. I'd be happy to answer any questions. I would ask for your support of the Bill."

Speaker Matijevich: "Representative Cullerton has moved for the passage of Senate Bill 1707. On that, the Gentleman from McHenry, Representative Klemm. Dick Klemm."

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

Speaker Matijevich: "Indicates he will. Proceed."

Klemm: "Representative Cullerton, I notice that in the Bill they're able to commingle some funds with their own. I'm just curious about the security or the collateral or

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

134th Legislative Day

June 14, 1984

something protecting that comingling of the investors money during that short period of time."

Cullerton: "No. The current law allows for the bank to commingle.."

Klemm: "Right."

Cullerton: "... and to use... use those funds if they're collateralized which, in effect, means given... with security for those funds. That's the current law. This Bill only deals with the interest that's made on those funds. Right now..."

Klemm: "They still can commingle them now with your Bill."

Cullerton: "Right. What this Bill says is if... the beneficiary shall get the interest from those funds, not the bank."

Klemm: "Alright. On their part of it. Okay. Thank you very much."

Speaker Matijevich: "Representative Cullerton has moved for the passage of Senate Bill 1707. 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 108 'ayes', no 'nays', 1 answering 'present'. Senate Bill 1707, having received the Constitutional Majority, is hereby declared passed. An announcement. The Clerk yesterday found a finger rosary. Looks like it's made out of sterling. If it belongs to anybody, come to the well, and claim it from the Clerk. Senate Bill 1725, Homer. Clerk will read the Bill. Out of the record. 1743, Terzich. Read the Bill."

Clerk O'Brien: "Senate Bill 1743, a Bill for an Act to amend Sections of an Act in relation to compensation of Members of the General Assembly. Third Reading of the Bill."

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

Terzich: "Thank you, Mr. Speaker. Senate Bill 1743 amends the

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

134th Legislative Day

June 14, 1984

General Assembly home office allowance. It increases the allowance from 17,000 dollars to 27,000 for both the House and the Senate Members. It also adjusts the per diem allowance from 36 dollars a day to the amount permitted to be deducted for such expenses under the Internal Revenue Code. I would like to mention that all of us are having problems servicing our constituency. This has not been changed since 1977. And I'm sure that it will get the support of the entire House."

Speaker Matijevich: "Representative Terzich has moved for the passage of Senate Bill 1743. Those in favor signify by voting 'aye', opposed by voting 'no'. Somebody vote Matijevich 'aye'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 67 'ayes', 34 'nays', 4 answering 'present'. Senate Bill 1743, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1755, Welch... or Homer. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1755, a Bill for an Act to amend Sections of the Narcotics Profit Forfeiture Act. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Fulton, Representative Homer, on Senate Bill 1755."

Homer: "Thank you, Mr. Speaker and Members of the House. The 82nd General Assembly passed the Narcotics Forfeiture Act which allowed for the state to seize the profits of property of individuals who are convicted of narcotics racketeering. The Bill, however, did not specify the requirements that a Judge must find before entering a temporary restraining order for the purpose of preserving that property until after the trial is held and after the full forfeiture hearing can be conducted. So that, Senate Bill 1755 would very simply provide some due process rights

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

134th Legislative Day

June 14, 1984

for defendants in conjunction with that pre-trial hearing wherein the state is asking that the Judge restrain... put a restraining order, an injunction, on that property pending final outcome. And I would ask for your support."

Speaker Matijevich: "Representative Homer has moved for the passage of Senate Bill 1755. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I would remind the Members of the General Assembly that this Narcotics Profit Forfeiture Act was... is a Bill that I was not in agreement with when it was passed a couple of years ago. It was... It was pushed by the then Attorney General in an effort - unsuccessful effort I might add - to get reelected, and it was really not well drafted and it did not go to the proper Committees, and it had some problems. The current Attorney General has made an excellent effort to make this Act more fair to... by putting due process protections into the Bill. I think it's an excellent idea, and he should be commended for it. And I would ask for your support."

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

Dunn, J.: "Sponsor yield for a question?"

Speaker Matijevich: "Indicates he will. Proceed."

Dunn, J.: "In Committee, I had a concern about the petition to trigger this mechanism describing certain property which possibly might be subject to forfeiture and then, after all the hoops are jumped through and an order is entered, that other property altogether unrelated may be forfeited. Is there any explanation for that or any change? I don't think there are any Amendments. Is that problem resolved?"

Speaker Matijevich: "Representative Homer."

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

134th Legislative Day

June 14, 1984

Homer: "Rep..."

Speaker Matijevich: "Proceed."

Homer: "Representative Dunn, the issue as to what property is included in property subject to the Act is actually defined elsewhere in the Act. This Senate Bill does not address the definition. And, in fact, it's not included in the text, but it's my understanding that... that the property concern - that the state would have to show a direct link between that property and the profits that were received by the defendant as a result of his narcotics racketeering. In other words, it would not be sufficient, in my understanding, for the state just to seize any property of the defendant without being able to show that there's some nexus between that property and the profits of the defendant."

Dunn, J.: "I understand that. I'm concerned about... about notice. I think, as I pointed out in Committee, that if the documents, the petitions filed with the court to trigger this... these provisions were, for example, to indicate that there is a dollar bill to be forfeited, the defendant and his counsel probably would not be so interested. But if the... if that sets in motion these proceedings and an order can be entered as set forth in the statute providing that any such property or other interest subject to forfeit may be taken, then if there involved a television set, or a stereo, or a car, or large amounts of cash, or boats, or airplanes or whatever, where is the equity of the fairness in notice to the defendant here about what... what may be taken?"

Homer: "Okay. Well, I think your point is a good one, and I think that perhaps it should be addressed in some future legislation. I would only point out again that this Bill does not, in any way, address that issue that was already

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

134th Legislative Day

June 14, 1984

adopted by the 82nd General Assembly. Perhaps we need legislation that would. Very simply, the... the existing law pretty much gives a free hand to a Judge to decide without any real requirements what property to be... can be seized and under what circumstances. The existing text says, 'the court may enter any order it shall deem proper', and that certainly is a very broad provision. And what we've sought to do here is to tighten that up to provide, as Representative Cullerton said, for some specific due process rights for a defendant, and perhaps we didn't go far enough. Perhaps, as you suggest, we need also to have some language that would address the notice issue so that a defendant could be properly apprised as to what specific property the state intends to seize."

Dunn: "Thank you."

Speaker Matijevich: "The question is, 'Shall Senate Bill 1755 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Matijevich 'aye'. Clerk will take the record. On this question there are 108 'ayes', no 'nays', 4 answering 'present'. Senate Bill 1755, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1798, Christensen. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1798, a Bill for an Act authorizing the conveyance of certain property owned by the Board of Trustees of the University of Illinois. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Grundy, Representative Christensen. Bay Christensen."

Christensen: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1798 authorizes the University of Illinois trustees to transfer land to the City of Manteno. When it was decided to close the Manteno Mental Health, there was a

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

134th Legislative Day

June 14, 1984

task force formed to try to find some industry to come in to replace the 900 employees that Kankakee County is going to lose. As you know, Kankakee County has one of highest unemployment in the state and losing 900 more jobs puts Kankakee County in a terrible condition. This is a parcel of the land they own, the 1200 acres that they own there. And if the City of Manteno fails to develop this land within five years, it goes back to the University of Illinois trustees. The U of I trustees had no opposition to the Bill when it was in Committee, and I ask for a favorable vote."

Speaker Matijevich: "Representative Christensen has moved for the passage of Senate Bill 1798. On that, the Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Sponsor yield?"

Speaker Matijevich: "Indicates he will. Proceed."

Ewing: "Ray, this is a deeding of how many acres of ground?"

Christensen: "Three hundred and twenty five acres."

Ewing: "And you're giving it to what community?"

Christensen: "It's going to the City of Manteno to develop it for... they have a VEG-TECH Corporation out of Ohio that wants to put a food processing plant in there. And they have a five year span to develop the land and to get that built. This... This Corporation is going to employ 500 people to start and would end up with about 3000 employees."

Ewing: "How much of this land would they use?"

Christensen: "Well, that's undecided. That's why this just authorizes the U of I to make this transfer, and they would probably work that out with them."

Ewing: "Were they going to pay for this ground?"

Christensen: "One dollar."

Ewing: "One dollar. Do you have any idea what the value of this

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

134th Legislative Day

June 14, 1984

ground is?"

Christensen: "It... When it was assessed, it was I think about 1800 an acre."

Ewing: "That would be somewhere then around 800,000 dollars worth of ground that we'd be giving away."

Christensen: "We wouldn't be giving it away."

Ewing: "We wouldn't be giving it away?"

Christensen: "No, you..."

Ewing: "Who... Are we going to keep title to it then?"

Christensen: "It goes to the City of Manteno unless they... if they don't develop it, you'll have it back."

Ewing: "How many... How many people reside in the City of Manteno?"

Christensen: "How many people in the City of Manteno?"

Ewing: "Yes. How big a community is it?"

Christensen: "Oh, about three to four thousand people."

Ewing: "You're sure it's that big?"

Christensen: "I said 'about'."

Ewing: "Is there anything to do with the golf course?"

Christensen: "Nothing whatsoever."

Ewing: "Is there... There is no public golf course there. There are no plans to make any of this into a golf course."

Christensen: "Not in this land whatsoever, Tom."

Ewing: "Has their been a formal proposal submitted by the company to the Department of Community Affairs, Commerce and Community Affairs, or any such proposal?"

Christensen: "I think they're still working on it."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I appreciate the attention that we have received. This is one of my hot buttons down here, and I don't understand how any Member of this General Assembly can stand up and ask us to vote to give away a million dollars worth of property or 800,000 dollars worth of property that belongs to your

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

134th Legislative Day

June 14, 1984

taxpayers and my taxpayers unless we see how we're going to get the return for it in this entire state. Now, I certainly would not oppose a new plant coming to Illinois, but I don't think that we can get into the business of giving the land away at this price for every new plant that might want to come to Illinois. And in this case, we don't even have a concrete proposal. This community probably has more like 1600 people in it than 3000. This is really a rip-off of the State of Illinois in its current condition. If they have that kind of a proposal, let them come back with concrete facts, because I can assure you the taxpayers of the State of Illinois and of my hometown and of my county could see that 800,000 applied to education or applied to public aid or somewhere else. And I would ask for a 'no' vote."

Speaker Matijevich: "The Gentleman from Kankakee, Representative Pangle. Chuck Pangle."

Pangle: "Thank you, Mr. Speaker. To address some of the questions of the Representative from the other side of the aisle, we wouldn't have the difficult problems that we're having in Kankakee County possibly if the Governor wouldn't have decided to close Manteno Mental Health Center. What this task force proposes and what it wants to do is hopefully put people back to work in Kankakee County. The farmland now that... this land there actually doesn't produce a great deal of money for the State of Illinois; but, if we are able to get the plant open and put 3000 people to work, we certainly will generate a tax base not only for local taxing bodies, but also for state taxing bodies. I'm just curious to find out when the Pontiac Prison was opened, which property that was on before it was opened. I sincerely ask you to vote for this Bill. We need the jobs in Kankakee County. The State of Illinois

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

134th Legislative Day

June 14, 1984

needs the tax revenue that will be generated by that job. The farmland, like I said, is producing nothing for the state now. This will produce and generate tax dollars for the State of Illinois and for the people of Kankakee County who will be unemployed when Manteno closes. I ask for an 'aye' vote. Thank you."

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

Marzuki: "Thank you, Mr. Speaker and Ladies and Gentlemen. I think that Representative Pangle has probably said it well. The State of Illinois operated a mental health facility on this for years. The people of that particular area depended heavily on this area... or this facility for jobs. It is no longer going to exist. The taxpayers are going to have to pick up in one way or another the responsibility for those people. All of the people of the other counties have some responsibility in this decision. If we can bring some economic relief to this area, we will not only help those people who we have displaced in Kankakee County and in Manteno and in portions of Will County, but we will bring the state closer to providing for all of the people of the state. It's a good Bill. I urge your vote for it."

Speaker Matijevich: "Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I just want to add my voice to it. When the Department of Mental Health decided to close Manteno, I was very much opposed to that for other reasons. My allegiance was, I really believe, was owed to the poor people who inhabited that place for all those years. But that being put aside, the closing of Manteno Mental Health Center was absolutely devastating to Manteno. At one time employed 3000 people there; and, by closing this, these people are going to be all put on some kind of

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

134th Legislative Day

June 14, 1984

a dole, some way, shape or form if they can't get another job. This would at least give Manteno and part of Kankakee County... part of Kankakee, I mean, a chance to do for themselves. And also, it does have a reverter clause in it that if they do not promote this land in the next five years, it will revert back to its original source where it is now. I think we should, and I... I add my voice to all the rest of the Representatives who have asked for an 'aye' vote."

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

Vinson: "Well Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Senate Bill 1798, and I do so because, in my judgment, one of the things that is important for this Body as an institution to do is to deal with Legislative Districts on an equitable basis and to deal with taxpayers on an equitable basis. Now, some years ago Representative Ropp and I proposed to do this very same thing in the town of Normal, and this General Assembly defeated that. We could not grant this kind of a benefit, this kind of incentive to the town of Normal. I don't believe if some people can't do it in part of the state, that other people ought to be allowed to do it their part of the state. I don't see why Manteno should come ahead of Normal. I don't see why Manteno should come ahead of Carbondale. I don't see why Manteno should come ahead of the City of Chicago or any of the other communities around this state that continually find themselves in this position. I believe we've got to deal with this on an equitable basis and if, in fact, we have arrived at the decision that we shouldn't just give property away to these municipalities, then we shouldn't make an exception in that policy and just do it for Manteno. So, I think this is

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

134th Legislative Day

June 14, 1984

wrong. I think it's absolutely wrong, and I think we ought to vote against it."

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

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

Speaker Matijevich: "Representative Flinn 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. Representative Christensen, to close."

Christensen: "First of all, I'd like to answer a couple of questions that were asked. When you say the land is valued at a million dollars, it's roughly a half a million dollars, and we're not asking for a gift. We're asking for a chance to bring some employment back to Kankakee County that will bring money into the State of Illinois. When you mentioned Normal, they have a base to work from. They have the university. The government of the State of Illinois decided to close the employment that we have. We have nothing there. I'm sure if they were going to close Pontiac Prison, you'd like to have something to replace it. This is all we're asking; that you give us a chance to transfer this land to the City of Manteno. They have five years to develop it. They're on the very verge of getting this company to come in there now. The company is going to employ 500 to 3000 people and bring back work and income and tax money to the State of Illinois. We're not begging for anything. We're just asking the chance to put the people of Kankakee County back to work. And all this does is authorize the University of Illinois trustees to transfer the land to the City of Manteno."

Speaker Matijevich: "Question is, 'Shall Senate Bill 1798 pass?' Those in favor signify by voting 'aye', those opposed by

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

134th Legislative Day

June 14, 1984

voting 'no'. Representative Woods Bowman, one minute to explain his vote."

Bowman: "Just to respond to the Gentleman from DeWitt. There is a big difference..."

Speaker Matijevich: "Matijevich 'aye'."

Bowman: "... between this case and the other cases, the University of Illinois is governed by a group of elected public officials. It is the only University system in the entire state that is governed by an elected board. We're simply giving elected officials the opportunity to exercise the full scope of their responsibility."

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

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this. This is obviously a giveaway of public land that was obtained by the University of Illinois. It would be much better if this were used for educational... educational purposes. And for that reason, I stand in opposition to this giveaway program."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It astounds me that the people who want... who complain about business leaving the state, complain about the public welfare rolls, the unemployment rolls in the state are voting 'no' on this Bill. Here is a Bill that's going to bring new business into the state. It's going to take people off the public welfare, off unemployment, it's going to generate new income, and you're voting 'no'. Shame on you."

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

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

134th Legislative Day

June 14, 1984

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Roughly six or seven years ago under the leadership of Representative... or Speaker Redmond and Representative Getty, a rule was established that no legislation conveying property could be considered on this House floor unless there was a fair appraised value provision attached to it. All Legislators that have had conveyances in their district have had to abide by that particular rule. Representative Rea and I had to abide by it on important property in Marion, Illinois to help expand industry in that area. Now we're changing that rule. What about those Legislators that... that now they're districts are going to say, 'Well, they don't have to do it. Why didn't we have to do it?' If we establish a rule... Your side of the aisle established that rule. Then I think we ought to continue abiding by that same rule. I vote 'no'."

Speaker Matijevich: "Gentleman from Macon, Representative Dunn. One moment. Representative Cullerton, for what purpose do you rise?"

Cullerton: "Yes, Mr. Speaker, perhaps I might say to explain my vote."

Speaker Matijevich: "Proceed."

Cullerton: "I would like Representative Winchester to know that the rule he is referring to is Rule 34(g), and the rule specifically says 'other than a governmental unit'. And my understanding is that this is property being transferred to the City of Manteno and; therefore, it's not violative of Rule 34(g). Nice try though."

Speaker Matijevich: "Sorry. Representative John Dunn, from Macon, one minute to explain his vote."

Dunn, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... The other significant point is that this

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

134th Legislative Day

June 14, 1984

legislation currently provides that the City of Manteno shall only have five years within which to achieve their intended purpose. And if it doesn't work, the property shall revert back to the trustees of the University of Illinois. And you know and I know and everybody in this chamber knows that if there is to be a business prospect for the City of Manteno, they don't want to come in and say, 'We will locate here and then you see if you can get a building in which to operate'. What will attract them is if you say to them, 'We have a building. All you have to do is come in. We welcome you now.' This is all we're trying to do with this legislation is to put out the welcome mat for new industry in Manteno. I commend Representative Christensen for sponsoring this Bill. It's good legislation, good for him, good for Manteno, good for all the State of Illinois. Everything we can do to improve the business climate is good. Everybody should be on this Bill. It's a wonderful Bill. Vote green."

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

Friedrich: "Mr. Speaker, Members of the House, I guess one of the things that turns me off on this was that when we were trying to find locations for prisons, Kankakee County just kept saying, 'No, no, no'. They had a chance to get 450 employees in Kankakee County, state employees, at good wages. But for some reason, they decided they wanted to pick and choose. Now they want us to give the land away. This is not a partisan issue. I opposed this when a Republican on this side of the aisle sponsored such a Bill. I think it's a bad practice."

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

Tuerk: "Mr. Speaker, Members of the House. I don't think this

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

134th Legislative Day

June 14, 1984

issue hinges on jobs, economic development. I think it's a matter of public policy. When the Assistant Minority Leader rose to object to this Bill on the basis that we defeated a Bill of theirs over in Normal, I opposed the Bill then because it was bad public policy. I still think it's bad public policy. When we closed the Peoria State Hospital some years ago, we had that land and approximately the same number of acres. We introduced a Bill to allow that land to be sold to the highest bidder as long as it met the appraised value of the land. I think that's what ought to be done in this case. And, therefore, I vote 'no' on this Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. As a freshman, I am totally astonished with the red votes that are on that board. Here we are, this is all so-called red button areas that bother us all. We have a depressed area in Manteno. We have taken away their vital signs. Surely we should restore some of them. And what are we going to do with that land if we don't allow it to go to the City of Manteno? I think the time has come we have to realize we got to bring more employment, more industry into the State of Illinois instead of going the old way, for the last six or seven years, tearing down this state, as it's been done. I think we should have more green votes up there."

Speaker Matijevich: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Mr. Speaker, Members of the House. I really think this is a masquerade what's going on here, presenting this Bill as something that is pro-business and pro State of Illinois. This land right now is earning us 56,000 dollars a year, and it's assessed at a little bit over half a million. It's more like 836,000 from what I've seen."

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

134th Legislative Day

June 14, 1984

Now, this land also, if you look at the Bill, it, in order to achieve the intended purpose, they don't have to give it to business or give it to anyone who's going to bring in revenue. All they have to do is improve it which could be a park or a golf course or a water slide or any such thing. This doesn't have to go to business, and it's doesn't have to help improve business or bring in revenue. It's a giveaway. You can't masquerade it as a pro business Bill or as something that's going to benefit the State of Illinois, because the State of Illinois is going to lose 56,000 dollars a year. And if you want to give that away, vote green. Otherwise, vote red. Thank you."

Speaker Matijevich: "Gentleman from Peoria, Representative Saltsman, one minute to explain his vote."

Saltsman: "Yes, thank you, Mr. Speaker. In regards to Mr. Tuerk's comments on Peoria State Hospital, he is completely right, but the place has went bankrupt twice since the state has tried to sell it and we've had a ton of problems over there. And the reason I'm voting 'yes' is because as soon as we get these bankruptcies straightened out, I'm going to ask for that property to go to Bartonville. So, it would have been... We would have had less problems there than we've had... had that village had received that property ten years ago. And it's been nothing but a headache to the state and to the Village of Bartonville and Limestone Township since this thing happened ten years ago at Peoria State Hospital. Thank you."

Speaker Matijevich: "Representative Vinson, for what purpose do you rise?"

Vinson: "To request a verification in the unlikely event that this should get the requisite number of votes."

Speaker Matijevich: "Well, it seems more likely to me, because the vote takes 60 votes. The Clerk will take the record."

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

134th Legislative Day

June 14, 1984

Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 68 votes, 45 'nos', and the Gentleman from DeWitt has asked for a verification. Representative Vinson asks for a Poll of the Absentees. Representative Christensen asks for a Poll of the Absentees. I'm sorry."

Clerk O'Brien: "Poll of the Absentees. Jaffe. Markette. Neff. Pullen and Taylor."

Speaker Matijevich: "Markette votes 'aye' and leave to be verified. Huff votes... asks leave to be verified. Leverenz asks leave to be verified. Wyvetter Younge asks leave to be verified, and Chuck Pangle asks leave to be verified. And Representative Shaw asks leave to be verified. Leverenz we already gave leave. Representative Shaw and Mike Slape ask leave to be verified. Representative Marzuki asks leave to be verified. Leave. White, Jesse White asks leave to be verified. Leave. The Clerk will announce the Affirmative Roll. When your name is called, raise your arm and be in your seats. Proceed, Mr. Clerk."

Clerk O'Brien: "Poll of the affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Prookins. Brummer. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran."

Speaker Matijevich: "Cullerton asks leave to be verified. Leave."

Clerk O'Brien: "Currie. DeJaegher. DiPrima. Domico. Doyle. John Dunn. Farley. Flinn. Giglio. Giorgi. Greiman. Hannig. Hawkinson. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Markette. Marzuki."

Speaker Matijevich: "One moment. John Dunn, leave to be verified. Leave."

Clerk O'Brien: "Matijevich."

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

134th Legislative Day

June 14, 1984

Speaker Matijevich: "One moment. Arthur Turner asks leave to be verified. Leave."

Clerk O'Brien: "Mautino. McGann. McPike. Mulcahey. Nash. O'Connell. Panayotovitch. Pangle. Pierce. Preston. Rea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle."

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

Clerk O'Brien: "Terzich. Turner. Van Duynne."

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

Clerk O'Brien: "Vitek. White. Wolf. Younge. McNamara and Mr. Speaker."

Speaker Matijevich: "Representative Vinson, on questions of the affirmative vote. Representative Vinson."

Vinson: "Yes, Mr. Speaker, I would question the presence of Representative Berrios in the chamber."

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

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

Speaker Matijevich: "Remove him from the Roll."

Vinson: "Thank you, Mr. Speaker. I would question the presence of Representative Currie in the chamber."

Speaker Matijevich: "Representative Currie is in her chair."

Vinson: "I would question the presence of Representative Domico in the chamber."

Speaker Matijevich: "Representative Domico. How is he recorded?"

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

Speaker Matijevich: "Remove him."

Vinson: "I would question the presence of Representative Homer in the chamber."

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

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

134th Legislative Day

June 14, 1984

Vinson: "Representative Keane."

Speaker Matijeich: "Representative Keane is in his seat."

Vinson: "Representative Krska."

Speaker Matijeich: "One moment. John O'Connell asks leave to be verified. Leave. Representative Krska. How is he recorded?"

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

Speaker Matijeich: "Remove him from the Roll."

Vinson: "Mr. Preston."

Speaker Matijeich: "Lee Preston. Is he in the chamber? How is he... Oh, here he is over here."

Vinson: "If he's going to be on this side, he ought to be voting right. Mr. Richmond."

Speaker Matijeich: "Representative Richmond? How is he recorded?"

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

Speaker Matijeich: "Remove him."

Vinson: "Mr. Ronan."

Speaker Matijeich: "Representative Ronan. How is the Gentleman recorded?"

Clerk O'Brien: "Gentl..."

Speaker Matijeich: "Or he's... He's in his seat."

Vinson: "Representative Terzich."

Speaker Matijeich: "Representative Terzich is in the seat next to his seat."

Vinson: "Representative Braun."

Speaker Matijeich: "Representative Braun is in her seat."

Vinson: "Representative Brunsvold."

Speaker Matijeich: "Representative Brunsvold is in his seat."

Vinson: "Representative Farley."

Speaker Matijeich: "Representative Farley? Representative Farley. How is the Gentleman recorded?"

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

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

134th Legislative Day

June 14, 1984

Speaker Matijevich: "Wait. He's... He's back there. Thank you."

Vinson: "Wait a minute. That was just a noise. I want to see
the face."

Speaker Matijevich: "Well, there it is. There's that
good-looking face."

Vinson: "Mr. Giglio."

Speaker Matijevich: "Representative Giglio? Is that good-looking
face back there? I don't see Representative Giglio. How
is he recorded?"

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

Speaker Matijevich: "Remove him."

Vinson: "Mr. Giorgi."

Speaker Matijevich: "Present and accounted for."

Vinson: "Representative Hawkinson."

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

Vinson: "Representative Capparelli."

Speaker Matijevich: "In his chair."

Vinson: "Representative Greiman."

Speaker Matijevich: "Representative Greiman? Representative
Greiman? Oh, here he is. No, he's not back there. I
guess he'll be out in a minute. Remove him from the Roll.
Representative Greiman."

Vinson: "Representative Laurino."

Speaker Matijevich: "Representative Laurino? How is he recorded,
Mr. Clerk?"

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

Speaker Matijevich: "Remove him from the Roll."

Vinson: "Representative Hicks."

Speaker Matijevich: "Representative Hicks is in his chair.
Return Greiman. Return Representative Greiman to the Roll
Call. Any further questions, Mr. Vinson?"

Vinson: "Yes. Representative Younge."

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

134th Legislative Day

June 14, 1984

Speaker Matijevich: "Wyvetter Younge was allowed leave to be verified."

Vinson: "Okay. There were quite a group, and I don't think I got them all down."

Speaker Matijevich: "I'll let you know."

Vinson: "Representative White."

Speaker Matijevich: "White was allowed leave to be verified."

Vinson: "Representative Shaw."

Speaker Matijevich: "Shaw was allowed leave... You're doing pretty good for not knowing who was going to leave. He was allowed leave."

Vinson: "Representative... Representative Leverenz."

Speaker Matijevich: "Was allowed leave to be verified."

Vinson: "Representative Markette."

Speaker Matijevich: "Was allowed leave to be verified."

Vinson: "No further questions."

Speaker Matijevich: "What's the count, Mr. Clerk? On this question there are 63 'ayes', 45 'nos' and no one answering 'present'. Senate Bill 1798, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1811, Saltsman. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1811, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Peoria, Representative Saltsman. Don Saltsman, on Senate Bill 1811."

Saltsman: "Thank you, Mr. Speaker. For any school district whose 1983 equalized assessed valuation is at least six percent less than its 1982 equalized assessed valuation as a result of a reduction in the equalized assessed valuation of the taxable property within such a district of any one taxpayer whose taxable property within a school district has a 1982 equalized assessed valuation constitutes at least 25 percent of the 1982 equalized assessed valuation of the

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

134th Legislative Day

June 14, 1984

taxable property within the district. By this, we'd like to have the 1984/'85 state aid formula for such a district shall be computed using its 1983 equalized assessed valuation. This arrived predominately in the City of East Peoria where Caterpillar Tractor Company has more than 25 percent of the equalized assessed valuation of that school district. And upon their reassessment, it was lowered considerably below the six percent level. Precedent was set last year with Ballaki School District due to farm assessments and the six percent minimum of reduction. This is just a one year, one shot only basis. It only had one dissenting vote in the Senate and one dissenting vote in the House Committee. I ask for its passage."

Speaker Matijevich: "Representative Saltsman has moved for the passage of Senate Bill 1811. There being no discussion, the question is, 'Shall Senate Bill 1811 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 106 'ayes', 3 'nays', and Senate Bill 1811, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1812, Nash. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1812, a Bill for an Act to amend Sections of the Northeastern Illinois Planning Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Nash. Steve Nash, on Senate Bill 1812."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill authorizes the Northeastern Planning... Illinois Planning Commission to borrow money not exceeding the aggregate ten percent of the Commission's total budget, limits the period of such loans to one year from the date of issuance of... of indebtedness, effective immediately.

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

134th Legislative Day

June 14, 1984

If there's any questions, I'll be glad to answer them."

Speaker Matijevich: "Representative Nash has moved for the passage of Senate Bill 1812. On that, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I just have a comment relative to this particular agency. We have been hearing some talk about the Chicago World's Fair and so forth; and, when this question was asked, the comment from the person representing this group said that they had not taken it under advisement. I guess I was a little bit concerned that here we have a Commission set up particularly in that part of the state that ought to be more involved in this very auspicious, adventurous kind of event, and there was no concern at this particular time, or at least they didn't feel that it was worthy of any mention. And I guess I hope, if this Bill passes, that they certainly become more involved and put some leadership forward as it seems that part of the state in which that particular function is going to take place or may take place doesn't seem to be wanting to take the lead."

Speaker Matijevich: "Question is, 'Shall Senate Bill 1812 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 107 'ayes', no 'nays', and Senate Bill 1812, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1841, Keane. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1841, a Bill for an Act in relation to parole and amending various Acts in relation thereto. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Keane. James Keane."

Keane: "Mr. Speaker, I ask for leave to return the Bill to Second

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

134th Legislative Day

June 14, 1984

Reading."

Speaker Matijevich: "Gentleman has asked leave that Senate Bill 1841 be returned to the Order of Second Reading for the purpose of Amendment. Does he have leave? Leave, and the Bill is on Second Reading. Are there Amendments?"

Clerk O'Brien: "Amendment #3, Nash - Keane, amends Senate Bill 1841 on page one by deleting line one and two and so forth."

Speaker Matijevich: "Representative Nash, on Amendment #3."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is the same as House Bill 2702. The good part of it everybody was in agreement with that permits a Judge to add an additional two years to the term of a imprisonment for any defendant convicted of a felony while he is released on bond or on probation. I move for its adoption."

Speaker Matijevich: "Representative Nash has moved for the adoption of Amendment #3. All in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. The Clerk will read the Bill. Does Representative Keane want to proceed? No. Out of the record. Senate Bill 1844, Braun. Is she ready? Out of the record. Senate Bill 1859, O'Connell. Out of the record. Senate Bill 1875, Countryman. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1875, a Bill for an Act to create grant in aid programs to ... technological of the state universities with research and development needs for small businesses. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from DeKalb County, Countryman. John Countryman."

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

134th Legislative Day

June 14, 1984

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill which was discharged from Committee last week. This is a Bill which allows the Department of Commerce and Community Affairs, along with a technology council, Technology, Innovation and Commercialization Grants in Aid Council to make grants to universities and other institutions and small businesses for purposes of development of new products and allows.. the Department also creates a fund where the Department can take back a portion of the royalties from those products and then reuse that money once again. The... The universities will become a part of a program along with the research institutions, such as Argonne and Formulab, known as commercialization centers. When commercialization centers are established, then the... they will be used to develop the products and that the grants will... can go to the commercialization centers as well as to the univeristies or to the small businesses directly. This is a good Bill that will put the partnership of universities and the... resources in our universities together with small business in developing new things in Illinois, will retain those in Illinois and create jobs in Illinois. It is a long-range program. It will take many years to accomplish, but this is an initial step. And it's a good step, and I would ask for your support in this Bill. Thank you."

Speaker Matijevich: "Representative Countryman has moved for the passage of Senate Bill 1875. The Gentleman from Cook, Representative Cullerton."

Cullerton: "I just wanted to ask the Clerk who the Sponsors of the Bill are."

Clerk O'Brien: "Sponsor of the Bill is Representative Countryman and Karpel."

Speaker Matijevich: "Alright. The Lady from Champaign,

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

134th Legislative Day

June 14, 1984

Representative Satterthwaite. Satterthwaite. Helen."

Satterthwaite: "Mr. Speaker and Members of the House, when the Motion to discharge Committee came up last week, I was opposed to that Motion, because I felt that there were a number of issues that needed further clarification. I'm happy to report that since the Bill has come out of Committee, there has been an opportunity for extensive discussion of some of those issues, and the Sponsor has agreed that for purposes of the record here, that I would be allowed to pose some of the questions that I had and put on record what the Department's intent and expectation is so that those would be a part of our formal record. One of the things, Representative Countryman, that I was concerned about was on line 177 of the Bill there is a reference to giving priority to Illinois small businesses in awarding grants. And would you clarify me, can large businesses also receive grants under the legislation?"

Speaker Matijevich: "Representative Countryman."

Countryman: "It's the intent of this legislation that the only businesses eligible for funding be small businesses as defined under the U.S. Business Administration Act."

Satterthwaite: "And so, the priority language might be superfluous but that there is no intent for it to go to other than Illinois small businesses. What role will the Technology Innovation and Commercialization Grants in Aid Council play in the program?"

Countryman: "It's my understanding that the intention of the Bill is that the Council will have input into the rule-making process and the approval of the rules. It's the expectation that the Council decisions for allocation of funds will be followed except in rare circumstances. The Council will call upon outside scientific and technical experts as needed to reach its allocation decisions. In

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

134th Legislative Day

June 14, 1984

drafting the rules, the Department will solicit the advise and expertise of educational and business sectors."

Satterthwaite: "When universities or research institutions or other entities receive the funds under these commercialization grants or commercialization centers, will the designation commercialization center apply to the entire institution or only to the particular office that carries... carries out the commercialization activities?"

Countryman: "It's my understanding that the intent of the Bill is that it applies only to the specific office carrying out those duties."

Satterthwaite: "And so, if a grant were to go to a particular university, for instance, it would be referred to as the commercialization center at the particular university or institution."

Countryman: "That's correct."

Satterthwaite: "What do you anticipate for the funding? We... We determined in discussion that the Department was asking for a lump sum for the execution of the program, although there are several different ways in which that allocation can be divided. And what portion of the initial funding would you anticipate would be allocated to the universities and research institutions and other not-for-profit institutions?"

Countryman: "It's my understanding that the initial funding will emphasize universities, research institutions and other not-for-profit entities. Once these centers are established during the initial year, a greater proportion of the subsequent funding will go to the small businesses directly to fund research and product development contracts at Illinois institutions. But it's my understanding that the prerequisite is to get to the commercialization centers going and to fund the projects at the universities as an

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

134th Legislative Day

June 14, 1984

initial step."

Satterthwaite: "Thank you. Mr. Speaker, to the Bill. My initial concerns related to the fact that although there were possibilities for universities and other institutions having very direct involvement in the program, that I felt that the language might not be specific enough to guarantee that that were going to happen. I think, however, with these discussions that have gone on in the meantime and with the kinds of commitments that the Department has made as to how they intend to execute it, that we should pass the legislation and hope that, in fact, the intent as well as the actual language is followed. I still have some concern in regard to making sure that we have ongoing substantial levels of input from the higher education community. I believe the Department is committed to that, and I certainly will be watching as the legislation is implemented to make sure that that happens. With those kinds of reservations and with the commitment that the Department has made, I believe we should pass the legislation, and I believe that it will be a good instrument in helping us to development new industries within the state in cooperation with our research and educational institutions."

Speaker Matijevich: "Would Representative Vinson come down here for a moment?. Representative Countryman has moved for the passage of Senate Bill 1875. 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 101 'ayes', 1 'nays', and Senate Bill 1875, having received the Constitutional Majority, is hereby declared passed. Leave to return to Senate Bill 1844. Representative Braun was off the floor for a moment. Clerk will read the Bill. 1844."

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

134th Legislative Day

June 14, 1984

Clerk O'Brien: "Senate Bill 1844, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1844 is a Senate version of an identical proposal that this House passed overwhelmingly to correct a alleged deficiency or error in language having to do with the Chicago Schools' Education Tax Fund that we passed last year. The cleanup language of the Bill that the House passed is presently in the Senate. This is the Senate version of the same legislation, and I ask for your support."

Speaker Matijevich: "Representative Braun has moved for the passage of Senate Bill 1844. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative Braun, as you know, the Bill that was passed last year which was defective was written... drafted by a large Chicago law firm. Representative Braun? And then you had to come in here this year and try to correct the problem created by that drafting error."

Braun: "Correct."

Cullerton: "And, as I recall, the Bill that you drafted we even had to amend in the House with an Amendment that you accepted. Now, my question is, did the Senate Bill that was identical to your Bill, did they also in the Senate add the same Amendment that we had added over here?"

Braun: "Yes."

Cullerton: "Okay."

Braun: "Representative, this is a very complicated area, as you know, and I think that the omission of two words last time

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

134th Legislative Day

June 14, 1984

gave rise to the problem in the first place. Now we have language that has been not only drafted by counsel for the Board, but it has been cleared by the Finance Authority staff and has been looked at by the staffs in both the House and Senate education staffs. And so every... you know, it's been looked at and... so many different ways that if this doesn't do it, I frankly don't know what will."

Cullerton: "Well, no, no. But I... I just want to give credit where credit is due. My understanding of what our staff..."

Braun: "I think our staff and... our staff in this House has done a remarkable job on this legislation, because both Republican and Democratic education staff read this language and came up with language that was better than what had been produced by the major private law firms out in the private sector. That's a... I mean, that doesn't say much for them, but it says a lot for our staff. And I think that I want to personally thank them for all of their hard work and for their diligence and for their expertise in this area."

Cullerton: "I agree."

Speaker Matijevich: "One of the staff is up here smiling through all of that."

Cullerton: "I agree with you, Representative Braun."

Braun: "She did a lot of the work."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As was true on House Bill 3165, I encourage everyone on this side of the aisle to support this legislation as amended and would ask for affirmative votes."

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

134th Legislative Day

June 14, 1984

Speaker Matijevich: "Are we ready to close? Representative Braun, to close."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge support of Senate Bill 1844."

Speaker Matijevich: "Representative Braun has moved for the passage of Senate Bill 184... 1844. 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 94... 93 'ayes', 5 'nays', 6 answering 'present'. Senate Bill 1844, having received a Constitutional Majority, is hereby declared passed. The House will be at attention and be at ease also for a moment, if you can do both at the same time. We're going to take a lull from our activities. The Dean of the House, Larry DiPrima, being the Dean of the House, has certain privileges that none of the rest of us have, and he's going to make an introduction at this time. Representative Lawrence DiPrima."

DiPrima: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know you all feel the same ways as I do about the young lady that I'm about to introduce. Now, if we had our way, this is the way she would be introduced over at Atlantic City. Here she goes, Miss Amer... Wait. Hold it. Here she goes, Miss America. Here she is, my ideal. Well, anyway, Ladies and Gentlemen, our own, our beloved, Ms. Illinois 1983. Right here. Now, in addition to Ms. Illinois, we have Judy Topinka here, Representative Wojcik, Tom Ewing from Pontiac, the Sponsor of the Resolution, Kulas. Myron? Where's he at? Myron. And we have Deedee Powers, the chaperone. So, that leaves us all out, Gentlemen. Alright. Now a few words from Miss Illinois."

Miss Illinois: "Thank you very much for that introduction. You were greeted with a song. I was greeted with a kiss by a

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

134th Legislative Day

June 14, 1984

strange man in the hall. I wasn't quite sure about that, but when he began to sing, I immediately knew that it would be an interesting afternoon. It is indeed my pleasure to be here in speak before you today. Some of you I have met, some of you I have not. I hope throughout the afternoon we get a chance to meet. I just was over in the Senate and spoke with them a moment, and I would like to speak to you right now, if I could take a moment, and tell you a little bit about what I do during my year. I'll make it very brief. I represent the Miss America Scholarship Program. Now, that means a lot to young girls, especially young girls. The Miss America Scholarship Program is the largest program for women in the world. It's a two million dollar scholarship program, and it paid a five year college education for myself. It gives a 25,000 dollar tax deductible scholarship to Miss America every year. And I challenge you to go to your constituents and have them to have Miss Illinois and their local winner to make appearances on behalf of the Miss America Scholarship Program; because, without the local support, the Miss America Scholarship Program can't exist and the burden of education will fall on the parents of these girls. And over 80,000 young women enter the scholarship program every year. So, I invite you to take advantage of Miss America. Gentleman, please watch that. But I invite you to take advantage of Miss Illinois and your local queen and have them to come into your area and make appearances on behalf of the scholarship program. It is a wonderful thing to do, and it's a lot of fun to have Miss Illinois or the local queen sign autographs. And it brings in a tremendous amount of business. In one afternoon, I signed 2000 autographs for kids in Peoria. Now, that's a lot of people in one store in Peoria, Illinois. And I hope they all went

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

134th Legislative Day

June 14, 1984

away and bought something. So, it really creates a drive for people to get out. So, I invite you to have Miss Illinois and your local queen at the local businesses. And also, I'd like to say, have a good day. Have a good weekend, and thank you for having me today. This is a very special day for me. I've looked forward to it all year. Thank you very much, and I hope to see you soon."

DiPrima: "We also have Representative Levin in whose district she presently resides in Chicago. There she goes, Miss America."

Speaker Matijevich: "Thank you and good luck, and I just talked to Gary LaPaille and there's one opening on the Democratic staff. She didn't hear that. Senate Bill 1883, Wait. Ron Wait. Clerk will read the... Out of the record. Senate Bill 1888, Nash. Read the Bill."

Clerk O'Brien: "Senate Bill 1888, a Bill for an Act to amend Sections of the Illinois Banking Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Nash. Steve Nash, on Senate Bill 1888."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This bring... This Bill brings Illinois law into conformity with federal law in respect to loans made to officers, employees and directors of banks, state banks. I move for its adoption."

Speaker Matijevich: "Representative Nash has moved for the passage of Senate Bill 1888. There being no discussion, the question is, 'Shall Senate Bill 1888 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 94 'ayes', no 'nays', 6 voting 'present'. Senate Bill 1888, having received the Constitutional Majority, is hereby

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

134th Legislative Day

June 14, 1984

declared passed. Senate Bill 1925, Flinn. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1925, a Bill for an Act to amend certain Acts in relation to the rules and powers of various state agencies. Third Reading of the Bill."

Speaker Matijeovich: "Gentleman from St. Clair County, Representative Flinn. Monroe Flinn."

Flinn: "Mr. Speaker, because my colleague, Representative Levin, was handling this Bill in Committee for me and there were a number of Amendments put on the Bill, he is better able to explain the amended Bill than I. He is also a fellow Member of JCAB, and I would like to yield to Mr. Levin to handle 1925."

Speaker Matijeovich: "The Gentleman wishes to lea... to yield to Representative Levin who just came back from Miss Illinois. The Gentleman from Cook, Representative Levin, rushing to his seat. Ellis Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1925 is the omnibus Joint Committee on Administrative Rules Bill. It was initially drafted in the Senate by the Department of Public Health and the Department of Law Enforcement and amended by the Department of Agriculture to deal with concerns raised by the Joint Committee. It contained... And when it left the Senate, five separate provisions dealing with the Department of Agriculture, the Department of Public Health, the Emergency Medical Services System Act, the Civil Administrative Code and two provisions embodying Bills originally introduced by the Joint Committee on Administrative Rules with respect to the Office of the State Fire Marshal. In the House, we have added a series of Amendments. Amendment #1 deals with two aspects of the Department of Public Health. One is the Emergency Medical Services System Act, and the other is a

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

134th Legislative Day

June 14, 1984

clarification with respect to nurses' aides in the Nursing Home Care Reform Act. Amendment #2 embodies four Bills, Joint Committee Bills, which passed the House earlier this year with no dissenting votes and did not get out of Senate Rules. House Amendment #3 contains... embodies four other Joint Committee sponsored Bills which passed the House earlier this year by overwhelming majorities. Amendment #4 we adopted just a couple days ago, and this provided for a transfer of jurisdiction between... from the Department of Law Enforcement to the Criminal Justice Information System with respect to the review of criminal history record information on the establishment of fees. Amendment #5, which was also adopted, I believe, yesterday, transfers authority for the appointment of the Superintendent of the State Police from the Governor to the Director of the Department of Law Enforcement. And Amendment #6 was a clarification of the inspectional authority with respect to nursing homes. If there are questions, I'll be happy to answer them. This is legislation sponsored by the Joint Committee on Administrative Rules and does respond to a series of concerns and objections that the Committee had raised with respect to various agency rules and regulations."

Speaker Matijevich: "Representative Levin has moved for the passage of Senate Bill 1925. The Gentleman from McLean, Representative Ropp. Gordon Ropp."

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

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

Ropp: "Representative, you mentioned something relative to the Department of Agriculture, and I notice in our analysis it states that the Department of Agriculture shall assess a hundred dollar fee for administrative costs when a motor fuel sample test is required. Can you tell me who pays the

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

134th Legislative Day

June 14, 1984

hundred dollar fee?"

Levin: "The... This is... The complaintant pays the fee, and this is already being done. And this is part of an agreement with the agency to put expressed authority to do this into the statute."

Ropp: "Okay. It's not the gas station by chance, but it's whoever has the complaint. It may be a gas station, but whoever has the complaint."

Levin: "Whoever has the complaint."

Ropp: "Yeah. Thank you."

Speaker Matijevich: "Gentleman from Cook, Representative Leverenz. Nothing. Question is... Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, do... is Amendment #2 on the Bill?"

Levin: "Yes."

Vinson: "Would you tell me what Amendment #2 does?"

Levin: "Amendment #2 embodies four Bills, House Bills, which previously passed this spring. These are House Bills 2462, 2463, 2499 and 2500. And in each case, there were no dissenting votes. The... Let's see, I'm not sure which numbers go with which."

Vinson: "I want to know what the substance is."

Levin: "Okay. One of them deals with an Act to provide for the regulation of mortgage banks to specify that the Illinois Residential Mortgage Foreclosure rate relates to loans originated by the lender, rather than loans to which the lender has any connection. That's in Section 2."

Vinson: "Rather than loans to which what?"

Levin: "The lender has any connection."

Vinson: "Alright."

Levin: "Second... The second provision is an Amendment to the

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

134th Legislative Day

June 14, 1984

Illinois Insurance Code to require that domestic mutual insurance companies must maintain the greater of original or minimum surplus required by Section 43 of the Code. Third, it amends the Uniform Disposition of Unclaimed Property Act to provide that hearings upon claims filed under the Act can be conducted by the Director of the Department of Financial Institutions or by a hearing officer designated by the Director and to require that the Director review the findings and decisions in each hearing conducted by a hearing officer and issue a written final decision. The fourth part of this Amendment amends the Religious and Charitable Risk Pooling Trust Act to make trusts funds subject to the recordkeeping requirements of Section 133 of the Insurance Code."

Vinson: "Representative, who was the Sponsor of that Amendment?"

Levin: "Amendment #2?"

Vinson: "Yes."

Levin: "Amendment #2 was adopted in the Judiciary Committee, and I guess I'm the... I was the Sponsor in the Committee of that Amendment."

Vinson: "What was the purpose for grouping all of those things together?"

Levin: "These... The four Bills, the House Bill 2462, 2463, 2499 and 2500 were originally Bills proposed as part of the legislative program of the Joint Committee on Administrative Rules."

Vinson: "Okay. Thank you."

Levin: "After they passed here, they did not get out of Senate Rules. Senate Rules was very... very tough... tough-minded. We had a particularly difficult time. We were successful in getting the X-Ray technician Bill out, but some of these other Bills did not come out. And this was deemed an appropriate way to bring these Bills, which

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

134th Legislative Day

June 14, 1984

had passed in every case... in each... in terms of each of these four Bills without a dissenting vote in the House, back to life."

Vinson: "Thank you. I appreciate your explanation and can see no problem with it."

Speaker Matijevich: "Question is, 'Shall Senate Bill 1925 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 107 'ayes', 2 'nays'. Senate Bill 1925, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1939, Barnes. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1939, a Bill for an Act creating the Illinois Health and Hazardous Substance Registry Act. Third Reading of the Bill."

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

Barnes: "Mr. Speaker, I'd like to take that Bill out of the record. It seems that they're holding another meeting on an Amendment."

Speaker Matijevich: "Out of the record. Senate Bill 1940. Are you ready?"

Barnes: "Yes."

Speaker Matijevich: "Read the Bill."

Clerk O'Brien: "Senate Bill 1940, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Barnes. Jane Barnes, on Senate Bill 1940."

Barnes: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1940 is part of the Hazardous Waste Task Force. And the companion Bill, House Bill 3045, passed out of the House with a 105 'aye' votes. What the Bill does, it amends the Environmental Protection Act, requires the

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

134th Legislative Day

June 14, 1984

IEPA to annually publish a list of individuals which have been served notices of violation of the Act involving hazardous materials or waste. The list shall include the date the investigating commenced, the date the notice was sent, the date the matter was referred to the Attorney General and the current status of the matter. Representative Van Duyne amended the Bill so that the list of notices of violation shall only be published after the alleged violators have been sent the preliminary notices giving them a chance to meet with the agency and resolve a dispute prior to formal investigation and prosecution has begun. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Barnes has moved for the passage of Senate Bill 1940. Question is, 'Shall Senate Bill 1940 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 106 'ayes', 1 'nay'. Senate Bill 1940, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1941. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1941, a Bill for an Act to amend certain Acts in relation to environmental protections. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Jane Barnes."

Barnes: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1941 is identical to House Bill 3178 which passed out of the House with 104 'aye' votes. The Bill amends the Department of Energy and Natural Resources Act to direct the Department to conduct studies for all new facilities storing, treating or disposing of hazardous wastes in land. Amends the Environmental Protection Act to provide that the state geological and water survey shall

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

134th Legislative Day

June 14, 1984

assess and comment on the applicant's hydrogeological study for a development permit for a new facility to store, treat or dispose of hazardous wastes in land. It provides that the IEPA shall consider the assessment in granting the permit for such facilities, provides that a local government may assess a fee up to 100,000 dollars for a reasonable independent evaluation of the site locations, suitability for a new regional pollution control facility. I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Barnes has moved for the passage of the Senate Bill 1941. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Matijevich "Yes, proceed."

Cullerton: "Representative Barnes, could you tell me on what page in the Bill, deals with the Section requiring the applicant to make available for public inspection in copying all documents, et cetera? Could you tell me what page that is on? Okay. I think I just see it page nine."

Barnes: "Thank you."

Cullerton: "On the bottom of page nine and page ten. Could you explain why the applicant is the one that makes available to the public documents submitted to the agency? Doesn't that seem like it should be the public agency that makes them available? How can an applicant make them available after he gives them to the agency? It is on page nine, line 35. 'The applicant shall make available to the public for inspection all documents submitted by the applicant to the agency.' That doesn't make sense."

Barnes: "No, it doesn't, Representative."

Cullerton: "Maybe not a reason to vote against the Bill, but..."

Barnes: "Well, it might be a technical error in the Bill. And there have been so many meetings by Representative McPike

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

134th Legislative Day

June 14, 1984

and some other people on these Bills that they keep changing them and that is one part that I neglected to see, and I appreciate that your calling that to my attention."

Cullerton: "Well is this Bill... Is this Bill been amended in the House?"

Barnes: "Yes".

Cullerton: "Are you going to recommend to the Senate Sponsor that they concur with the Amendment?"

Barnes: "It is identical. Yes."

Cullerton: "Okay. I... Maybe you can look into that and find out why that language is used even though we are going to pass it. And perhaps, we may want to in another Bill somewhere change it, because it doesn't make sense to me that the applicant's the one responsible for making something available. In fact, it might even jeopardize the... that point of the Bill that allows for... public records to be able to be inspected and be able to be copied. Because if it says, 'the applicant should make it available', and let's say the applicant is not available, theoretically the records may not be ..."

Barnes: "Would you like me to take this out of the record, because I think I would like to go back and refer to House Bill 3178 and see if there is an identical error in that Bill?"

Cullerton: "Okay. I would appreciate it."

Barnes: "I will."

Speaker Matijevich: "Out of the record. Senate Bill 1946, Barnes. Read the Bill."

Clerk O'Brien: "Senate Bill 1946, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from Cook, Representative Jane Barnes."

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

134th Legislative Day

June 14, 1984

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1946 is identical to House Bill 3042 that passed out of this House with a 112 'aye' votes and no 'nays'. And what the Bill does, it provides that the Pollution Control Board shall not adopt any requirements by rule or otherwise that requires manifest for the shipment of nonhazardous special waste. The Board shall require that facilities accepting nonhazardous special waste file an annual report with the agency specifying the quantities and disposition of nonhazardous special waste accepted for treatment, storage or disposal. It was amended in Committee. That brings the Bill in line with the House counterpart, by Representative Van Dwyne, House Bill 3042, which requires the Board to repeal existing rules that require manifest for nonhazardous special waste. Also adds provision that requires annual reports on the hazardous waste to include information on the origins of waste, and this Bill was proposed really to help the small businessman to help eliminate a lot of unneeded paper work so that agency could concentrate on other people that are really violating some of the regulations. I would to ask for an 'aye' vote."

Speaker Matijevich: "Representative Barnes has moved for the passage of Senate Bill 1946. There being no discussion, the question is, 'Shall Senate Bill 1946 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. This question, there are 108 'ayes', no 'nays', and Senate Bill 1946, having received the Constitution Majority, is hereby declared passed. On page fourteen of your Calendar, Consent Calendar Third Reading Second Day, the Clerk will read the Bills."

Clerk O'Brien: "Consent Calendar Third Reading Second Day. Senate Bill 1767, a Bill for an Act to amend the Illinois

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

134th Legislative Day

June 14, 1984

Public Aid Code. Third Reading of the Bill. Senate Bill 1840, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1864, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill. Senate Bill 1866, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1880, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1882, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. Senate Bill 1896, a Bill for an Act to amend the Illinois Identification Card Act. Third Reading of the Bill. Senate Bill 1905, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Matijevich: "Before we vote on that, Representative Wojcik, no, Karpziel, did we have leave to return your Bill to the Order of Consent Calendar?"

Karpziel: "Yes."

Speaker Matijevich: "Oh. Yes, Alright. The question is, 'Shall these Bills pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted a wish? Have all voted who wish? The Clerk will read the Bill ... take the record. There you go. On this question, there are 103 'ayes', 1 'nay' and #3 answering 'present', and Senate... The Bills on the Consent Calendar are hereby declared passed. Must be getting close to wind up time. Be at ease for a moment. Don't have too much longer to go. Have your attention? There is a Motion for the Chair, signed by Representative McPike and Representative Tuerk, which is an agreed Motion pursuant to Rule 77 (a) moving to discharge the Committee on Labor and Commerce on Senate Bill 1924 from further consideration; to suspend Rule 77(b) relating to Calendar requirements and advance to the Order of Second

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

134th Legislative Day

June 14, 1984

Reading First Legislative Day. Do we have leave in the use of the Attendance Roll Call for that Motion? Leave, and it will be so recorded. We still have that rosary up here, if anybody didn't have... that announcement. This finger rosary is at the Clerk's... Agreed Resolutions. The Clerk will read the Resolutions."

Clerk O'Brien: "House Resolution 1044, Currie - et al; 1046, Topinka; 1047, Topinka; 1048, Madigan; 1049, Brookins; 1050, Kulas - et al; 1052, McAuliffe; 1053, Topinka; 1054, Panayotovich - Madigan; 1055, Harris; 1056, Braun - et al; 1057, Topinka - et al; and 10 ..."

Speaker Matijeich: "Gentleman from Winnebago, Representative Giorgi, on the Agreed Resolutions."

Giorgi: "Harris's ... Currie's 1044, congratulates ... commends the Windy City; 1046, by Topinka, honors the Zion Evangelical Church; 1047, by Topinka, also honors the Berwyn Woman's Civic Club; Madigan's 1048, a 45th anniversary; Brookins 1049, congratulates Ms. Lucille Perkins Lightfoot; 1050, by Kulas, welcomes Miss Becky Bush, the (sic-Miss) Illinois of 1983; 1052, by McAuliffe, a golden wedding anniversary; Topinka, the Catholic Daughters of the Saint Anthony Parish; Panayotovich, 1054, the George Washington High School on its victory; 1055, by Harris, a retirement; 1056, by Braun, exhorts the people to vote; 1057, by Topinka, celebrate a 25th anniversary. And I move for the adoption for the Agreed Resolutions."

Speaker Matijeich: "Representative Giorgi moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Motion carries and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1045, Klemm - Hastert."

Speaker Matijeich: "Committee on Assignment. The Gentleman from Cook, Representative Cullerton, on the Adjournment Motion."

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

134th Legislative Day

June 14, 1984

Cullerton: "Yes, allowing time for Perfunctory Session for the Clerk to read some messages from the Senate, I move that the House stand adjourned until Tuesday, June 19th, at the hour of 12:30 p.m."

Speaker Matijevich: "Gentleman has moved allowing time for the Clerk for perfunctory business that the House stand in adjournment until Tuesday, June 19th, at 12:30. All in favor say 'aye', all opposed 'nay', and the House is now adjourned until Tuesday, June 19th, at 12:30. Have a good weekend."

Clerk O'Brien: "A Message from the Senate, by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill #1236, passed by the Senate June 14, 1984. Kenneth Wright, Secretary. Senate Bills First Reading. Senate Bill 1236, Flinn, a Bill for an Act to Amend Sections of the Illinois Bank Holding Company Act of 1957. First Reading of the Bill. No further business, the House now stands adjourned."