

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

64th Legislative Day

June 16, 1983

Speaker McPike: "House will come to Order. The House will come to Order. The Members will be in their seats. The Chaplain for today will be Father Joseph Cernich, a newly ordained priest of the Springfield Diocese. Father Cernich is a guest of Representative Mike Curran. Will the guests in the gallery please rise to join us in the invocation?"

Father Cernich: "Good Morning. Let us pray. Lord, we come together today with many needs and with many wants. We have many people that we are responsible to, many people that we are responsible for. We have dying people. We have sick people, hungry people, people unemployed, people in need of help. We have people that have not been born yet, and we prepare for them as well. Lord, in the Catholic Church today, we heard the Gospel saying, asking us to pray to our Father, asking us to follow the will of You. Lord, we ask that we do follow this will, that we follow this will in charity, that we follow Your will in respect, that we follow Your will with reverence. We come together now in Your name to help those whom You have given to us, to help those who have given us to You. We ask for Your strength. We ask for Your help, and we ask this in faith. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. 117 Members answering the Roll Call, a quorum is present. Representative Greiman."

Greiman: "Mr. Speaker, the Democratic side has no excused absences today. Thank you, Sir."

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Speaker McPike: "Representative Vinson."

Vinson: "Yes, Mr. Speaker, Representative Oblinger's husband is undergoing surgery, and she should be excused."

Speaker McPike: "Has her key been removed?"

Vinson: "Right here, Mr. Speaker."

Speaker McPike: "Thank you. The record will so indicate. Representative Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, particularly the Democratic Majority we will meet in Conference immediately in room 114."

Speaker McPike: "Representative Friedrich, do you have any request for a Republican Conference? Okay. There will be a Democratic Conference immediately in room 114. Representative Vinson."

Vinson: "How long can we expect this disruption to take? I beg your pardon? How long?"

Speaker McPike: "I was going to announce it before you interrupted me."

Vinson: "I see, okay."

Speaker McPike: "There will be a Democratic Conference in room 114 immediately. It will last for approximately one hour. The House will reconvene at the hour of 12:15. We will stand in Perfunctory for approximately fifteen minutes to allow the Consent Calendar to be read, if that meets with your approval, Representative Vinson. Representative Vinson."

Vinson: "Mr. Speaker, would you just please be prompt in getting back up here at 12:15?"

Speaker McPike: "We certainly will. The House stands in recess until the hour of 12:15."

Clerk O'Brien: "Committee Report. Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken June 16, 1983,

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reported the same back with the following recommendations: 'do pass' Senate Bill 382; 'do pass as amended' Senate Bill 131 and 386. Consent Calendar Third Reading, Second Day, page 32 on the Calendar. Senate Bill 39, a Bill for an Act to amend an Act in relation to certain property possessed by law enforcement agencies. Third Reading of the Bill. Senate Bill 49, a Bill for an Act to amend an Act in relation to solicitation and collection of funds. Third Reading of the Bill. Senate Bill 60, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 62, a Bill for an Act to amend certain Acts with respect to dental examinations of dead bodies. Third Reading of the Bill. Senate Bill 71, a Bill for an Act concerning Illinois National Guard armories. Third Reading of the Bill. Senate Bill 134, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 152 is removed from the Consent Calendar. Senate Bill 205, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. Senate Bill 210, a Bill for an Act to amend an Act relating to certain agreements in connection with fire insurance claims. Third Reading of the Bill. Senate Bill 223, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 289, a Bill for an Act to amend an Act relating to certain investments of public funds by public agencies. Third Reading of the Bill. Senate Bill 297, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill. Senate Bill 306, a Bill for an Act to amend the Northeastern Illinois Planning Commission Act. Third Reading of the Bill. Senate Bill 332, a Bill for an Act to amend an Act in relation to county boards in Illinois and various probation departments to develop programs of public service employment. Third Reading of the Bill. Senate

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Bill 345, a Bill for an Act in relation to safe deposit boxes. Third Reading of the Bill. Senate Bill 363, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 402, a Bill for an Act to amend the Northeastern Illinois Planning Act. Third Reading of the Bill. Senate Bill 413, a Bill for an Act to amend the Voluntary Health Services Plans Act. Third Reading of the Bill. Senate Bill 431, a Bill for an Act to amend an Act in relation to the acquisition of the Illinois and Mississippi Canal. Third Reading of the Bill. Senate Bill 440, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Third Reading of the Bill. Senate Bill 477, a Bill for an Act to amend an Act relating to taxation. Third Reading of the Bill. Senate Bill 478, a Bill for an Act to amend an Act relating to interest on certain tax refunds and credit memoranda. Third Reading of the Bill. Senate Bill 487, a Bill for an Act in relation to the filing of travel regulations. Third Reading of the Bill. Senate Bill 514, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill. Senate Bill 544, a Bill for an Act to amend an Act relating to internal auditing in State Government. Third Reading of the Bill. Senate Bill 545, a Bill for an Act to amend an Act to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers. Third Reading of the Bill. Senate Bill 561, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 586, a Bill for an Act to amend an Act providing for the registration of farm names. Third Reading of the Bill. Senate Bill 616, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. Senate Bill 648, a Bill for an Act to amend the Illinois Vehicle Code. Third

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Reading of the Bill. Senate Bill 675, a Bill for an Act to amend the Illinois Salary and Annuity Withholding Act. Third Reading of the Bill. Senate Bill 690, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 699, a Bill for an Act relating to the use and operation of electronic banking terminals. Third Reading of the Bill. Senate Bill 725, a Bill for an Act to amend the Common Trust Fund Act. Third Reading of the Bill. Senate Bill 772, a Bill for an Act to amend the township law. Third Reading of the Bill. Senate Bill 780, a Bill for an Act to amend the Election Code. Third Reading of the Bill. Senate Bill 788, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 806, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 812, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill. Senate Bill 814, a Bill for an Act to amend an Act to provide for and regulate the administration of trusts. Third Reading of the Bill. Senate Bill 827, a Bill for an Act to authorize the Lake County Forest Preserve District, Lake County, Illinois, to sell and purchase certain land in Lake County, Illinois. Third Reading of the Bill. Senate Bill 833, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 840, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. Senate Bill 859, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 913, a Bill for an Act to amend an Act to punish fraud or extravagance in the expenditures of money appropriated for public improvements. Third Reading of the Bill. Senate Bill 946, a Bill for an Act to license foreign bank representative offices. Third Reading of the Bill. Senate Bill 947, a Bill for an Act to amend

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an Act in relation to the payment and disposition of monies. Third Reading of the Bill. Senate Bill 948, a Bill for an Act to amend an Act in relation to Workers' Compensation claims by state employees. Third Reading of the Bill. Senate Bill 952, a Bill for an Act to amend an Act in relation to payment and disposition of monies. Third Reading of the Bill. Senate Bill 961, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 962, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 975, a Bill for an Act to amend certain Acts in relation to the Department of Law Enforcement. Third Reading of the Bill. Senate Bill 1037, a Bill for an Act to amend the Illinois Environmental Facilities Financing Act. Third Reading of the Bill. Senate Bill 1058, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 1062, a Bill for an Act to amend the Problem Pregnancy Health Services and Care Act. Third Reading of the Bill. Senate Bill 1064, a Bill for an Act to amend an Act in relation to a medical center district in Chicago. Third Reading of the Bill. Senate Bill 1069, a Bill for an Act to amend the Motor Fuel Tax Law. Third Reading of the Bill. Senate Bill 1078, a Bill for an Act to amend the Pharmacy Practice Act. Third Reading of the Bill. Senate Bill 1083, a Bill for an Act in relation to the conveyance of certain state real property. Third Reading of the Bill. Senate Bill 1124, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill. Senate Bill 1133, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill. Senate Bill 1145, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill. Senate Bill 1197, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Third

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Reading of the Bill. Senate Bill 1200, a Bill for an Act to permit certain burials on Sundays and legal holidays and prohibit conduct in relation thereto. Third Reading of the Bill. Senate Bill 1233, a Bill for an Act to amend an Act relating to certain investments of public funds by public agencies. Third Reading of the Bill. Senate Bill 1269, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. Senate Bill 1270, a Bill for an Act to amend the Illinois Identification Card Act. Third Reading of the Bill. Senate Bill 1306, a Bill for an Act to create the Nonresident Violator Compact. Third Reading of the Bill. Senate Bill 1325, a Bill for an Act in relations to the fees, salaries, expenses and office space of circuit clerks. Third Reading of the Bill. Senate Bill 1348, a Bill for an Act to create the Water Use Act. Third Reading of the Bill. These Bills will be taken out of the record. The House now stands in recess. The House will be in recess for an additional fifteen minutes."

Speaker McPike: "House will come to Order. Committee Report."

Clerk O'Brien: "Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken June 16, 1983, reported the same back with the following recommendation: 'do pass as amended' Senate Bill 714."

Speaker McPike: "On page 25 of the Calendar, Senate Bills Second Reading, next Bill, appears Senate Bill 981. Representative Mautino on the floor? Representative Mautino. Out of the record. Senate Bill 982, Representative Bullock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 982, a Bill for an Act to amend an Act concerning wages. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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Clerk O'Brien: "Amendment #1 lost in Committee. Floor Amendment #2, Tuerk, amends Senate Bill 982 on page one, line one and so forth."

Speaker McPike: "The Gentleman from Peoria, Representative Tuerk. Amendment #2."

Tuerk: "Mr. Speaker, I would ask leave to table Amendment #2."

Speaker McPike: "The Gentlemen withdraws Amendment #2. Further Amendments?"

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

Speaker McPike: "Representative Tuerk on Amendment #3."

Tuerk: "Mr. Speaker and Members of the House, what Amendment #3 does is makes sure that it's clear within the Bill that it applies to only contractors and subcontractors. It was an agreed-type Amendment in the Senate, and we failed to get it on in the House. And that's why I'm offering it at this time. I'd move for the adoption."

Speaker McPike: "The Gentleman from Cook, Representative... I'm sorry. Representative Tuerk moves for the adoption of Amendment #3. And on that, the Gentleman from Cook, Representative Bullock."

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

Speaker McPike: "He indicates he will."

Bullock: "Representative Tuerk, House Amendment #3, has this Amendment been offered before?"

Tuerk: "No."

Bullock: "How does this Amendment differ from the one that you offered in Committee?"

Tuerk: "Well, the Amendment we offered in Committee had some other changes at the bottom part of the Amendment which were certainly not intended to be offered at the time, which was a mistake on our part. We have now stripped that language and shortened the Amendment to include... make



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sure that it only includes the contractors and subcontractors."

Bullock: "Okay, one other question, Mr. Speaker. Representative Tuerk, what is the intent of this Amendment?"

Tuerk: "Well, the intent of the Amendment was to clarify the language so that the prevailing wage, in the case that you're attempting to amend, makes it clear that it applies to those two sectors."

Bullock: "Mr. Speaker, to the Amendment and to the Bill."

Speaker McPike: "Proceed."

Bullock: "Ladies and Gentlemen of the House, Amendment #3 to House Bill... Senate Bill 982, in its original form, was soundly defeated in Committee. I stand in opposition to Amendment #3 for several reasons. Number one, the Amendment is duplicative of the present language of the Bill. It is superfluous. It is with an intent to do damage to the legislation as sent to this Body from the Senate. The Bill presently deals with contractors and subcontractors on public work projects and the general prevailing wage rate paid to those individuals. And in this legislation, it specifically says on line 11 and line... through line 15 of the original Bill that only such laborers, workers, mechanics as are directly employed - and this is the significant language - by contractors or subcontractors in actual construction work on the site of the building or construction job and laborers, and workers and mechanics engaged in the transportation of materials shall be deemed to be employed under public works. The Amendment does nothing to the Bill. The Amendment is duplicative of the Bill, and the Amendment is superfluous in its language. I would urge a resounding 'no' vote on Amendment #3 to Senate Bill 982."

Speaker McPike: "The Gentleman from Cook, Representative Berrios.

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Somebody pushed his light. John, would you turn that out? There being no further discussion, the Gentleman from Peoria to close, Representative Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, what the previous Gentleman just enumerated was not the case at all. This Amendment, as it presently is being proposed, was agreed to over in the Senate. Somehow or another it didn't get on, and we offered that in the House Committee. However, I made the admission that we went beyond our intention and offered an Amendment that was far reaching in scope and; therefore, that's why I withdrew Amendment #2. Amendment #3 makes it clear that it applies only to contractors, subcontractors which is the intent of the Bill and the Amendment. And there's a great concern throughout the state, particularly at university sites, where it's feared that people, for example, cutting grass, the maintenance-type workers will be paid far more than what the prevailing wage really is in those areas. And that's why this Amendment is being offered. I feel it's a good Amendment. It's a clarifying Amendment. It makes the Bill more definitive and; therefore, I offer it for the adoption. I would ask for a Roll Call."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #3. The question is, 'Shall Amendment #3 be adopted?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Representative Tuerk to explain his vote."

Tuerk: "No, I just want to verify the negative."

Speaker McPike: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 48 'ayes', 63 'nos', 1 voting 'present'. The Gentleman from Peoria has requested a verification. Representative Bullock has asked for a Roll of the

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Absentees. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Flinn. Keane. Oblinger. Richmond. Ronan, and Taylor."

Speaker McPike: "Representative Taylor. Representative Taylor votes 'no'. Representative Tuerk, there are currently 48 'ayes', 64 'nos'. Do you... Do you want to proceed with the verification? Representative Tuerk."

Tuerk: "I'll withdraw my request, Mr. Speaker."

Speaker McPike: "The Gentleman withdraws his... withdraws the request for a verification. Amendment #3, 48 'ayes', 63 'nos', 1 voting... 48 'ayes', 64 'nos', 1 voting 'present'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "There's been a request for a fiscal note. The Bill will remain on Second Reading. Senate Bill 991 and 995 will be taken out of the record temporarily. Senate Bill 996, Representative Ronan. Representative Ronan. Out of the record. Senate Bill 1000, Representative Stuffle. Out of the record. Senate Bill 1001, Representative Rhem. Representative Rhem, do you wish to have your Bill called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1001, a Bill for an Act to create the Illinois Job Training Coordinating Council. Second Reading of the Bill."

Speaker McPike: "Mr. Clerk, take this Bill out of the record. Representative Breslin in the Chair."

Speaker Breslin: "1002, Representative Leverenz. Representative Leverenz. Out of the record. 1004, out of the record at the Sponsor's request...no, she wants it called. 1002. Clerk, read the Bill. 1004."

Clerk O'Brien: "Senate Bill 1004, a Bill for an Act in relation to certain technical training programs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Repres...Representative Satterthwaite."

Satterthwaite: "Apparently the staff has some questions. Would we be able to go back to this in a few minutes, please?"

Speaker Breslin: "Fine. Out of the record for the moment. Let's go back to 996, Representative Ronan, who is now on the floor. Read the Bill, Sir."

Clerk O'Brien: "Senate Bill 996, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. 1006, Representative Pierce. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1006, a Bill for an Act in relation to creation of an Illinois Young Minds Program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any further Amendments? Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. 1011, Representative Bullock or Representative Pangle. Out of the record. Representative Piel, for what reason do you rise?"

Piel: "Yes, Madam Speaker. I would ask leave of the House to suspend Rule 65(b) while the present Speaker is in the Chair."

Speaker Breslin: "The Gentleman asks to...suspend the rule. Are there any objections? Hearing no objections, the rule is suspended. Let's go back to House Bill 1011. Representative Bullock is in the chamber and wishes the Bill to be called. 1011."

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Clerk O'Brien: "Senate Bill 1011, a Bill for an Act to amend the Intergovernmental Cooperation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Representative Vinson, for what reason do you rise?"

Vinson: "Is there a fiscal note filed on Senate Bill 1011?"

Speaker Breslin: "Yes, there is one filed on 10...on 1011. Is that the...the Bill? The request was...has just been filed, and the Bill will thus be held on Second Reading. We'll go to House Bill 1017, Representative Terzich. Representative Terzich. Read the Bill, please."

Clerk O'Brien: "Senate Bill 1017, a Bill for an Act to amend the Civil Administrative Code of Illinois and the Illinois Promotion Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Breslin: "Are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1, Terzich, amends House Bill 1017 on page one by deleting line 15 and so forth."

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

Terzich: "Madam Speaker, could you take this out of the record while I get my file on this? Thank you."

Breslin: "Out of the record, please. We'll go back to 1004 that was temporarily taken out of the record. Representative Satterthwaite on House Bill 1004. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1004, a Bill for an Act in relation to certain technical training programs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. We'll now go back to House Bill 991, Representative Tate. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 991, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

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

Speaker Breslin: "Represent... Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would ask leave to withdraw Amendment #2. Withdraw Amendment #2, Madam Speaker."

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

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, this is a correction in the Bill that was suggested by Representative McCracken. It provides for a 30 day deadline for filing evidence retention motions in misdemeanor cases. That's 30 days from the date of the filing of the complaint. I would move for the adoption of Amendment #3."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3, and on that, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any

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further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Let the record show that Representative Oblinger is now present. House...Senate Bill 995, Representative Tate. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 995, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, Johnson, amends Senate Bill 995 on page one, line 13 and so forth."

Speaker Breslin: "Representative Johnson on Amendment #1."

Johnson: "Yeah, this is an agreed Amendment. Simply provides that the filing of a false police report must be with the intent to illegally obtain insurance proceeds for there to be a criminal offense. Simply clarifies the Bill. Everybody has agreed to it now including the Sponsor."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to...to Senate Bill 995. And on that Motion are there...is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Cullerton, amends Senate Bill 995 as amended on page one by deleting line nine and ten and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment also was suggested in the

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Committee to help clean up the Bill. Attempts, conspiracies, solicitations and other forms of participation will still be able to be charged under the current provisions of the Code, but they would be removed from this particular penalty. So I would move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now we'll go to Representative Terzich on Senate Bill 1017. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1017, a Bill for an Act to amend the Civil Administrative Code of Illinois and the Illinois Promotion Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative...Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, Terzich, amends Senate Bill 1017 on page one by deleting line 15 and so forth."

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

Terzich: "Amendment #1 expands the distribution of funds from the Tourism Promotion Fund to assist municipalities. This will also include economic development agencies or tourist development organizations in attracting tourism, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being no



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discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are...is...Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "There has just been a fiscal note filed on this Bill, Representative. So the Bill will have to remain on Second Reading."

Terzich: "Yes, Speaker. I would object to these people requesting fiscal notes on all my Bills. There is only so many days in the week."

Speaker Breslin: "Do you wish to make a Motion, Sir?"

Terzich: "No, I'll get the fiscal note."

Speaker Breslin: "Okay, thank you. Second Reading. Representative Karpiel, for what reason do you rise?"

Karpiel: "Well, Madam Speaker, I just wondered if my light is not working up there, because you said there would be...was no discussion. I've had my light on all this time."

Speaker Breslin: "Is it still on?"

Karpiel: "Yes, it is."

Speaker Breslin: "Okay, it's not working. Would you please check that? Thank you."

Karpiel: "I mean I did have some questions on this Amendment."

Speaker Breslin: "I'm sorry. It is not working on the board, Representative. House (sic - Senate) Bill 1022, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1022, a Bill for an Act to amend the Illinois Pension Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

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Clerk O'Brien: "Floor Amendment #1, McGann, amends Senate Bill 1022 on page nine and so forth."

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

McGann: "Thank you, Madam Chairman (sic - Speaker) and Members of the House. This Amendment #1 to House Bill 22 (sic - 1022) is just a clarification to the Bill in which it's allowing the individual taxpayer not to make any money on the investment beyond zero. So it's...The credit provided for this Subsection shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. We'll now go back to House...Senate Bill 1001, Representative Rhem. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1001, a Bill for an Act to create the Illinois Job Training Coordinating Council. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, I have no objection to going back and picking up this Bill, because I don't want to...I don't

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want to start an objection on an arbitrary basis. But I think we ought to move down the Calendar in an organized fashion from here on out."

Speaker Breslin: "We are trying to do that. If Members would be in their seat, it would be very helpful for going down the Calendar in an orderly fashion. Representative Rhen. Are there any Amendments filed on this Bill?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1024, Representative Stuffle. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1024, a Bill for an Act to amend the Illinois Industrial Development Authority Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

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

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "Mr. (sic - Madam) Speaker, I would request that the Sponsor take this Bill out of the record until Mr. Ewing can be on the floor to handle the Amendment."

Speaker Breslin: "Representative Stuffle, what is your pleasure?"

Stuffle: "Well, I'm reluctant to do that since we have killed this Amendment four times this year; but, at the request of Representative Vinson, I will."

Speaker Breslin: "Out of the record. One last Bill that we had missed, the first Bill on the call. If it's okay with Representative Vinson, we will go back to that Order of Business. Representative Mautino, Senate Bill 981. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 981, a Bill for an Act to amend the

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Environmental Protection Act. Second Reading of the Bill.  
No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Now to the regular Order of  
Call. Senate Bill 1025, Representative Hicks.  
Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1025, a Bill for an Act to amend the  
Civil Administrative Code of Illinois. Second Reading of  
the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1027,  
Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1027, a Bill for an Act creating the  
Illinois Municipal Financing Agency. Second Reading of the  
Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1033,  
Representative Berrios. Representative Kulas. Clerk, read  
the Bill."

Clerk O'Brien: "Senate Bill 1033, a Bill for an Act to create the  
Illinois Neighborhood Corp Act. Second Reading of the  
Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "There is a fiscal note filed, Representative Kulas, or rather fiscal note request filed which has not been complied with. The Bill will, therefore, remain on Second Reading. Senate Bill 1035, Representative Stuffle. Out of the record. Senate Bill 1036, Representative Richmond. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1036, a Bill for an Act to amend an Act to promote forestry development in Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1048, Representative Reilly. Representative Reilly. Representative Johnson. Senate Bill 1048. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1048, a Bill for an Act to amend the Professional Service Corporation Act and the Medical Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1054, Representative Bopp. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1054, a Bill for an Act to amend an Act concerning the State Fair and county fairs. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

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Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, Vitek and Woodyard, amends Senate Bill 1054 on page three by deleting the unnumbered line following line five through 30 and so forth."

Speaker Breslin: "Representative Vitek on Amendment #1."

Vitek: "Thank you, Madam Speaker, Members of the House. I would move to table Amendment #1, because there is a substitute Amendment handled by Yourell and Reilly."

Speaker Breslin: "The Gentleman moves to withdraw Amendment #1. All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment was withdrawn. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Yourell - Reilly, amends Senate Bill 1054 on page three by deleting line five and so forth."

Speaker Breslin: "Representative Yourell."

Yourell: "Thank you, Miss...Madam Speaker. Ladies and Gentlemen of the House, Amendment #2 incorporates part of Amendment #1 but was suggested by the Joint Committee on Administrative Rules as doing, perhaps, a more complete job without affecting the provisions of the Bill. This Amendment #2 would only affect the portions of the Bill dealing with rule making for the State Fair on the operation of the fairgrounds. The rule making exemptions would be deleted from the Bill, and the Department would have to file rules pursuant to the Illinois Administrative Procedure Act concerning the fair and fairgrounds. The other Section of the Bill concerning the county fairs would be untouched. I move the adoption of Amendment #2 to Senate Bill 1054."

Speaker Breslin: "Is there any discussion? Representative Ropp."

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

Speaker Breslin: "The Gentleman will yield."

Ropp: "Representative, can you clarify for me whether or not this will have any affect on publishing of the State Fair catalog in that it needs to go out at a certain particular time, and it seems by this Amendment that it may put some very binding approvals going through the administrative rules procedure that might cause some delay in getting those rules implemented or published in the catalog."

Yourell: "No, I have been advised by the Chairman of JCAE, Representative Beilly, that this would not have any affect on that."

Ropp: "Okay, if we've got that understanding that it would not have any effect, some of the people in the Department state that this would be a problem and that they may, in fact, now be violating the law if we go into this next year having the catalog already published."

Yourell: "No, if the catalog is already published, Representative, it would have no affect on this year, whatever happens. All this Amendment does is make the State Fair applicable to the Administrative Procedure Act, as far as rule and rule making is concerned."

Ropp: "Well, does that also mean like if they are going to establish rates for booths at the fair or contracts for the entertainment; and, of course, this is somewhat based on negotiations, and it seems like the negotiation process may be in jeopardy if we have to go through JCAR to get all of these contracts approved in a timely manner."

Yourell: "I will...I will go through the Amendment with you. In Section 6, it...the only words that are changed are 'by rule', 'and', and in Section 7, it sets for and underlines earn...the word 'fees' for use of the State Fairgrounds and

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its facilities. It says, 'Set forth in Section 6 of this Act.' It does not change that."

Ropp: "Okay, thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Vitek."

Vitek: "I stand to support Amendment #2 and ask a hardy vote for it."

Speaker Breslin: "The Lady from Marshal, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I reluctantly rise in opposition to this particular Amendment. I realize that Representative Beilly and Yourell certainly have good intentions, but having experience and have knowledge of the problems associated with the State Fair, I do also recognize that there have been problems with the rules and regulations as far as the Fair is concerned. Representative Ropp's original Bill will alleviate these problems to the best of our knowledge, and it is my concern that this Amendment would recreate the problems that Representative Ropp's Bill is trying to solve. Therefore, it is my belief that this Amendment should not be adopted. Thank you."

Speaker Breslin: "The Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I rise in support of this Amendment. Although I am a very ardent supporter of the Department of Agriculture and also the State Fair, I feel that they should also have to run their rules and policies through JCAB, and all this does is put that back in...in the Bill, that they do have to do that as every other agency does. And I see nothing wrong with this. There has been a lot of misconception on this particular Amendment and the fact that in Committee it certainly was testified that there would have to be reams and reams of contracts proposed to JCAB, and that is erroneous. Certainly we have



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a letter here from JCAB which indicates that that is not the case, that they will simply propose the small booklet of policy and rules making to JCAB. That is all they require. So it is not the intent of this Bill to impose additional restrictions and to limit any sanctions or put any sanctions on them in promoting the State Fair. And so I certainly am a proponent of this particular Amendment."

Speaker Breslin: "The Gentleman from Knox, Representative McMaster."

McMaster: "Thank you, Mr. (six - Madam) Speaker. I think that personally I feel that this is a very bad Amendment as far as operation of the State Fair is concerned. I am also a Member of JCAB. I don't believe we should be putting the State Fair in the position of going to JCAB with every contract and every booth it has sold out there at the State Fair, and I would strongly urge a 'no' vote on this Amendment."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Yes, thank you...Ms. Speaker. The Sponsor yield?"

Speaker Breslin: "The Gentleman will yield."

Leverenz: "The Sponsor explain why they would not want to gain more revenue through a negotiations or a bargaining process?"

Speaker Breslin: "Representative Yourell, can you answer that question?"

Yourell: "I didn't...I didn't hear the question."

Speaker Breslin: "Would you repeat the question, please?"

Leverenz: "That's okay. Under what we are trying to do in the Appropriations Committee, we are trying to generate as many dollars as possible into the state, and my question simply is that if they are allowed to bargain or negotiate a certain price for a certain location, we would be able to

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generate more income to the state, rather than having flat fee. Wouldn't you concur?"

Yourell: "That's correct, but I don't think this will change that. It will not, in my judgment prohibit the State Fair from doing exactly what they are doing now. All this does is put them under the rule-making provisions of the Joint Committee on Administrative Procedures."

Leverenz: "Thank you. I'll read the Amendment again."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Cook, Representative Yourell, to close."

Yourell: "Yes, I think that this is an excellent Amendment. It...It's not...It does not come from me extensively. It was promoted by the entire Membership of JCAB. They had a meeting, I think, a day or two ago, and this Amendment to Senate Bill 1054 came out of that meeting of JCAB unanimously without a dissenting vote. Now, one of the opponents of the Amendment indicated he didn't like the Amendment, but had he been at the JCAB meeting, and I don't know whether he was or not, but I was advised by the Chairman, Representative Beilly, that this is the Amendment that they wanted. This is the Amendment that came out of that meeting unanimously, and I move for the adoption of the Amendment."

Speaker Ereslin: "The Gentleman moves for the adoption of Amendment #2. All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Representative Brunsvold, would you vote me, please? Have all voted who wish? The Clerk will take the record. On this Amendment there are 92 voting 'aye', 20 voting 'no', and none voting 'present'. The Amendment has been adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. Senate Bill 1057, Representative Klemm. Out of the record. Senate Bill 1070, Representative Matijeovich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1070, a Bill for an Act concerning injuries and disabilities caused by exposure to asbestos. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "Amendment #1 was adopted in Committee. No Motions."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "There is a Motion to table Amendment #1 to Senate Bill 1070 by Representative Tuerk."

Speaker Breslin: "Representative Davis, for what reason do you rise? Representative Tuerk on Amendment #1."

Tuerk: "Well, Mr. Speaker...or Madam Speaker, Members of the House, I filed a Motion to table Amendment 1 to Senate Bill 1070 for a couple of reasons. One, it broadens the scope of the Bill. The Bill is bad enough in its present form without the Amendment. It's worse with the Amendment. What the Amendment does is incorporate a couple of the provisions that were in House Bill 2172, which was a workers' comp Bill which was never called in the House mainly because the Democrats and the Republicans couldn't come to an agreement relative to that proposal. Now, what the Democrats purport to do with this Amendment which was adopted in Committee is to incorporate two of the measures that were in the original House Bill which never came to a vote in the House. What the Amendment does is provide for expedited hearing and the one percent above prime rate involved in workers'...compensation claims. I suggest to the Body that, as I indicated originally, that the Bill in and of itself is bad. The Amendment added to the Bill makes it even worse. I also suggest to you that this is

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one chip in the program of the Democrats to start adding provisions to this Bill which were incorporated in the House Bill, as I pointed out a few moments ago. I suggest that if the Sponsor wants to proceed with Senate Bill 1070, that's one thing, but it's another thing that he adds to it those provisions which were not voted upon nor came to the attention of the House. And that's why I filed a Motion to table and I would ask for your favorable support."

Speaker Breslin: "The Gentleman moves to table Amendment #1, and on that question, Representative McPike."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Let me tell you just how terrible these provisions are that we've offered in Amendment #1. Let me tell you how disgraceful it is for us to do something like this. The...the procedure today is that when you are injured and you can't return to work, you're placed on temporary total disability, and you begin drawing payments from the...the worker...really from the insurance company. Well, what some unscrupulous insurance companies and some employers - not many, mind you, but some - what they will do is cut the injured worker off of all payments. They will freeze him out of the system. They will say to someone that we know you are injured. We know you can't return to work. We really know that you are entitled to these payments, but we're going to cut you off and put some pressure on you to make an out of court settlement. We know you can't earn a livelihood. We know you can't feed your family. We know you need this money, but we want you to make a settlement with us. And the only way we really can apply pressure is to just remove all the benefits that you're receiving and force you to accept less than what you may deserve. And this terrible Amendment simply says that the injured worker at that point can appeal to the Commission and simply ask

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the Commission to decide only one question, whether or not that worker is entitled to temporary total payments until a final disposition can be made on his case. That's all it says. Don't freeze us out of the system. Simply allow us to be able to live and exist and to have our case come to trial, and let it win or lose on it's merits, but don't freeze us out of the system and make us settle for something less than we deserve simply by cutting off our benefits. That's what Fred Tuerk thinks is so terrible. The second thing that it does is that it allows the interest rates to float. The insurance companies now for the last three years have had it very good. They know that they are going to lose a case, they can simply appeal the decision and invest the money at anywhere from twelve to eighteen percent interest over the last three years. It's a lot more profitable for them to invest the money at fifteen percent or at twelve percent or, today, at nine percent than it is to pay the penalty under current law, which is six percent. So both of these really speak to the same problem. One says to the worker, the injured worker, you can get an expedited hearing, and the second thing says to the insurance company, in the future, it will not be more profitable for you to appeal the decision, but it...probably the best thing you should do is pay the injured worker what he deserves, settle the case and get on with it. I don't understand that...that these are really that terrible. What it really says is that the system right now is being bypassed by insurance companies, by a few insurance companies that want to take advantage of injured workers. We're simply trying to solve that problem. We're trying to create a fair and equitable way for an injured worker to receive a justifiable reward for an injury that occurred on the job. And on that, I would

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move...and on that I would ask for a 'no' vote on the Motion to table."

Speaker Breslin: "The Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Madam Speaker. Despite what the Majority Leader has told you, the one thing he has not told you, that this provision was part or tried to become part of an agreed Bill. The tradeoffs in that agreed Bill that ultimately was not agreed and then was agreed that it would not move through the process or any part of it that wasn't agreed, was opposed universally - this particular portion, the prime plus one, was opposed universally by the business community for the very simple reason this will have a dramatic upward pressure on costs of workers' compensation, and the Majority's Leader...the Majority Leader's Leader, the Speaker of this House, has made every effort to be conciliatory in this area this year, and I'm somewhat amazed to find this in the Committee Amendment #1. I just want all of you to know on both sides of the aisle that the business communities in total, in total, oppose Committee Amendment #1. It will have a significant, dramatic impact upwards in workers' compensation costs in the State of Illinois and another nail in the coffin of a deteriorating business climate. I have feeling we're going to do enough to business this year somehow before the Session ends, and I don't think we ought to do this. And I think Representatives Tuerk...Representative Tuerk's Motion to Table is certainly in order at this time."

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

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, I can't add any more than what the Majority Leader, Jim McPike, has said, but I would say that anybody, as the Sponsor of this Motion has said, anybody who would come and

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say that the Bill in it's original form is a bad Bill, and that this further makes it a bad Bill, you would have to say is suspect. Because the original Bill, what it does is extends the filing claims for those who may suffer from working with asbestos material to 25 years much as we do for those who suffer in coal mines and those who may have disabilities due to radiological materials. Now, we all know, for example, that working with asbestos, poisoning from asbestos may take years to develop. So that is fair. It's a fair Bill. Further..."

Speaker Breslin: "The Gentleman...excuse me, Representative. Representative Tuerk, for what reason do you rise?"

Tuerk: "Well, Miss...Madam Speaker, would you admonish the present Speaker to...to stay with the Motion rather than speaking about the Bill. We're...what we're debating here..."

Speaker Breslin: "Your point is well taken, Representative Tuerk. Speak to the Motion, Representative. Thank you."

Matijevich: "I will and I...I wouldn't have been speaking to the Motion except, that in his opening remarks, he said the original Bill was bad, and that's why I spoke to that issue. And I believe that broadening it by what we do with Committee Amendment 1 is fair. It's fair to the injured worker. If we want fairness to the injured worker, we have to expedite the hearing process, and I would appeal to all of the Members, and especially those on this side of the aisle who always have been fair to the injured worker, to vote 'no' on the Motion."

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

Vinson: "Thank you, Madam Speaker, Members of the House. I rise for the purposes of a parliamentary inquiry in regard to this Amendment, Madam Speaker. In Committee on Amendment

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#1, the Chair chose not to rule on the question of germaneness, I suspect for the same reasons that we dealt with yesterday, in that the Chair in Committees often does not have the benefit of skilled legal analysis as is available on the floor in the person of Mr. Getty. I would question the germaneness of Amendment #1 at this time, and I raise that question based on a number of things. First of all, the underlying Bill that Amendment #1 would amend was a Bill that would deal with asbestos and exposure to asbestos. The Amendment is an Amendment that deals...amends a completely different Act and deals with the requirements for awards under a different Act. And for those reasons, I don't believe the...The Amendment goes far beyond the scope of the original Bill. It's not reasonably related to the original Bill and should be declared nongermane."

Speaker Breslin: "We will study the Bill and get back to you, Representative Vinson. No one else seeking recognition to discuss this Bill. I will recognize Representative Tuerk to close. Representative Tuerk to close."

Tuerk: "Well, Madam Speaker, Members of the House, I would certainly urge the Chair not to take a vote on the Motion until you have ruled on the germaneness."

Speaker Breslin: "We certainly will not, Sir."

Tuerk: "Thank you. Because I raised the very point in Committee the day this Bill was heard and the Amendment was offered, and the Chair refused or was unable to rule on that issue. Now, speaking to the Motion once again. As many of you who have been here for any length of time realize that I don't rise to offer Amendments or Bills or Motions for the sake of killing Bills, per se. What I am attempting to do is to provide you a reasonable alternative in terms of this particular Bill. Frankly, I still think that the original



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Bill is rather broad and far reaching. Now, to the Motion itself relative to the Amendment. I feel that the Democrat side of the aisle who did not choose to call the Bill that they originally proposed of which two parts of this Amendment or both parts of the Amendment were in that Bill, and therefore; they didn't seek to have a floor fight on the Bill, itself. They want to piecemeal those portions of that particular Bill into this Amendment and, therefore, into this Bill. Now, there are other Bills on the Calendar..."

Speaker Breslin: "Just one moment, Representative Tuerk. Representative Tuerk, one moment, please. Representative McPike, for what reason do you rise?"

McPike: "Well, it's rather ironic that Representative Tuerk would rise on a point of order when Representative Matijevich was speaking to ask him to speak to the Motion, and he has just now spoken for five minutes and never once has he addressed himself to the Amendment. He's been talking about the Bill. He's been talking about other Bills. He hasn't said one word about the Amendment. He could at least abide by his own request."

Speaker Breslin: "Your point is very well taken. Representative Tuerk, please speak to the closing on your Motion to table Amendment #1."

Tuerk: "Now, if the Majority Leader would be just a little patient, I'll explain the fact that there are portions of the Amendment that are encompassed in other Bills that are on the Calendar, and I was just about to get to that point. Senate Bill 228, for example, is on Third Reading in the House right now. It addresses the very points that he..."

Speaker Breslin: "Representative Tuerk, you are directed to speak to the tabling of Amendment #1 and only Amendment #1, please."

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Tuerk: "That's what I'm doing, because I explaining to the House so that it can have a better feel and make a, you know, a real good judgment on the tabling Motion; because, in other Bills, namely Senate Bill 228, you have the expedited hearings. You have the point that the Majority Leader raised earlier in debate relative to making sure the worker is truly compensated during the time when a claim is being adjudicated. However, I must point out that the worker is not only compensated, but the attorneys are, too. I think it's only fair to point that out. The provisions of the Amendment provide for increased in costs, namely about 1.2 percent. The original Bill raised the cost of workers' comp. The Amendment itself will raise it at least two percent or twenty million or more. This is further evidence of the fact that I think that this Amendment should be tabled and; therefore, I ask for your favorable support and ask that you form a calculated judgment on the whole issue as well as the Amendment itself."

Speaker Breslin: "The Gentleman has moved to table Amendment #1. However, there has been a parliamentary inquiry made. And on that question, there will be a ruling shortly."

Getty: "On behalf of the Speaker, the underlying Bill amends Chapter 48, which is the Workers' Compensation and Occupational Disease Act. As titled, the original Bill is titled, 'An Act concerning injuries and disabilities caused by exposure to asbestos amending acts herein named.' Herein named are the Workers' Compensation Act and the Workers' Occupational Disease Act. Amendment #1 would amend the title to, 'An Act Amending the Workers' Compensation Act and the Workers Occupational Act.' On behalf of the Chair, we would rule that Amendment #1 is, indeed, germane."

Speaker Breslin: "The Gentleman from DeWitt, Representative

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Vinson, for what reason do you rise?"

Vinson: "Yes, Madam Chairman, Madam Speaker, an inquiry of the Parliamentarian. Does..."

Speaker Breslin: "An inquiry of the Parliamentarian is not in order. Thank you."

Vinson: "Madam Chairman."

Speaker Breslin: "Representative Vinson, for what reason do you rise?"

Vinson: "Point of clarification. Does that mean...does that ruling mean that in an Amendment to a Bill, wherein the Bill amends the same...wherein the Amendment amends the same chapter as the Bill does is in order and is germane?"

Speaker Breslin: "I'm sorry, Representative Vinson, I do not give advisory rulings. The question before the Body is, 'Shall Amendment #1 be tabled?' All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 49 voting 'aye', and 64 voting 'no', and the Motion does not carry. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Terzich - Madigan - McHuliffe, amends Senate Bill 1070 as amended by deleting the title and so forth."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House. Amendment #2 simply adds the Chicago firefighters under the Workmen's Compensation Act. At the present time, they are not included. Other downstate fire departments are, and this will include the firefighters the City of Chicago."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. Is there any discussion? The Gentleman from Will, Representative Davis."

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Davis: "Well, thank you, Madam Speaker. Never mind."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk. Is there any further discussion? There being no further discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House...excuse me. It can't go to Third Reading because there is a fiscal note filed, and there is a State Mandates Act fiscal note filed...request filed. So it will remain on Second Reading. Excuse me. Senate Bill 1073, Representative Giorgi. Representative Nash. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1073, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1088, Representative Hastert. Clerk, read the...Out of the record. Senate Bill 1091, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1091, a Bill for an Act relating to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any further Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1093, Representative McCracken. Read the Bill."

Clerk O'Brien: "Senate Bill 1093, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor... no Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1106, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1106, a Bill for an Act in relation to taxation receipts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Terzich - Capparelli - Giorgi, amends Senate Bill 1106 by changing the title and so forth."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House, Amendment #1 deletes the provision allowing utilities to file in changing... It reduces the gross receipt tax on gas and electricity utility services from five to one percent, while shifting the utility services to a sales tax status at the current state sales tax rate of four percent effective July 1st, 1983. And I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, the Gentleman from Kerdall, Representative Hastert."

Hastert: "Good afternoon, Representative Terzich and Madam Speaker. I have a few questions on your Amendment. Is that all it does, Representative Terzich?"

Terzich: "Yes, it takes the state's utility tax and reverts it to a sales tax..."

Hastert: "All right..."

Terzich: "...so it could be tax deductible."

Hastert: "What effect would that have on local governments?"

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Terzich: "None whatsoever; that the local units taxes will stay the same. This only deals with the state utility tax."

Hastert: "Well, does this exclude any sales tax assessments on utility charges, and kind of exclude like government bodies, and charitable organizations, and religious and educational organizations, and nonprofit corporations, and lodges, and country clubs and things like that, or persons 55 years of age or older from paying these kind of taxes?"

Terzich: "No, it does not. What it does is simply changes the sales tax... or the state utility tax to a sales tax. That's all it does."

Hastert: "Well, Madam Speaker, to the... to the Amendment. I respect what Representative Terzich says, but I have an analysis here of the Amendment. And the Amendment is a little bit more far reaching than what... my analysis says here than what Representative Terzich says. My analysis says that it does exclude from the four percent sales tax assessment on utilities organizations such as all government bodies, charitable organizations, religious and educational organizations, nonprofit corporations organized for recreation and persons of 55 years of age or older. And it also excludes messages from these provisions, and it affects the messages' taxes. And it prohibits local government from imposing taxes measured by gross receipts from utility service. I just think this is, again, another one of the omnibus Amendments that we've seen come this way. It's going to cost local governments a great deal of money. A matter of fact, it's so great, it's almost undeterminable. And certainly, if you're looking to preserve, not only the property tax basis, it doesn't affect that, but the sales tax base of this state, then you're going to have to vote 'no' on this Amendment."

Speaker Breslin: "The Gentleman from Bureau, Representative

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Mautino."

Mautino: "Thank you. To take that a step further, would the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Mautino: "Representative Terzich, this legislation is, well, would then allow the ordinary citizen to deduct from their federal income tax the amount of money paid into the sales tax for utilities, would it not?"

Terzich: "That's correct, Representative. Right now, they cannot deduct their utility tax. What this will do is that since it would be changed to a sales tax, it would be tax deductible and be a savings to the..."

Mautino: "And what is the largest growth tax in this state?"

Terzich: "The highest growth tax in the state of Illinois has been and still is the utility tax."

Mautino: "May I address the legislation, the Amendment as presented?"

Speaker Breslin: "Proceed."

Mautino: "This Amendment is basically a combination of two other Bills that were presented to the General Assembly committee structure. I think that the problems addressed by the earlier Representative were corrected. This legislation would allow the citizens of this state, on their federal income tax, it would not effect the state income tax, to take that deduction as it would take...as they would take on any other commodity based on their income levels. If, in fact, we are ever going to give the individuals a break on the utility rates and taxes in this state, this is the only way I can see of conceivably doing it. I recommend support for Amendment #1 to Senate Bill 1106."

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

Vinson: "Madam Speaker, I rise to... on a point of parliamentary

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inquiry. I believe that this Amendment is nongermane to the Bill. And I believe that it's nongermane, patently nongermane, for the following reasons. The underlying Bill is an Act designed solely for a specific exemption from a tax, a specific tax. The Amendment affects a variety of other taxes, abolishes some taxes, creates new taxes unrelated to the subject or the scope of the original Bill; and, for those reasons, I would call on the Chair to rule that the Amendment is not nongermane."

Speaker Breslin: "We will study the Bill. Thank you, Representative Vinson. Is there any further discussion? The Gentleman from DuPage, Representative Barger."

Barger: "Madam Chairman, this particular change in the taxation system will make it difficult for communities that have large amounts of tax exempt property. The community where I live has a college that's tax exempt. It has 57 different religious organizations that are tax exempt. It has the county government which is tax exempt. It has housing projects which are tax exempt, and we end up with the only way that the local municipality can provide funds for providing the service for the community and get any share out of those groups by the utility tax. Now, utility tax is very necessary to the operation of a local community. It is necessary to the state, because the only tax that you can get from that type of an organization is a utility tax. It is very imperative that this Amendment be killed."

Speaker Breslin: "Is there any discussion? There being no further discussion, I'll recognize Representative Terzich to close."

Terzich: "Yes, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House, this Amendment actually the time has come. If you've ever looked at your utility bill, you'd found out



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that approximately... you'd find out that approximately 10% of your Bill is a utility tax. Just look at it as I have and many other people. It's the fastest growing tax in the State of Illinois. This Bill will simply change it to a sales tax. It would amount to a substantial savings to every individual, every state government, school and nonprofit organization just as well. At the present time, we have to pay the utility taxes, and it's like robbing Peter to pay Paul. It's a good Amendment. It simply changes the utility tax, the state utility tax from a utility tax to a sales tax. It keeps in tact all of the current utility tax that local units of government may impose, and I would urge its adoption."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson, for what reason do you rise?"

Vinson: "To request a ruling on my point of order."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1. On that question, there has been a parliamentary inquiry. Representative Vinson's point is well taken. The Amendment is not germane, Representative. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Representative Terzich, for what reason do you rise?"

Terzich: "Well, I would like to have it say it is germane. I mean all you just say is it's not germane. I... I mean, I haven't taken up Latin other than being an alter boy, but I would like... like to know why it's not germane."

Speaker Breslin: "I understand, Representative. The Amendment is not germane for the reasons previously stated by Representative Vinson when he made his parliamentary inquiry. So that is the reason for the ruling. And since there are no further Amendments, there is, however, a

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fiscal note requested. Has the fiscal note been filed, Mr. Clerk?"

Clerk Leone: "Fiscal note has not been filed."

Speaker Breslin: "A fiscal note has not been filed, Representative Terzich. Therefore, the Bill will remain on Second Reading. Senate Bill 1107, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1107, a Bill for an Act to amend an Act in relationship to gross receipts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #1, Terzich, amends Senate Bill 1107 on page one, line 15 and so forth."

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

Terzich: "Yes, Amendment #1 simply includes school districts in the Bill. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill... Senate Bill 1107. On that question, Representative Hastert."

Hastert: "Just a parliamentary... just an inquiry to the Sponsor, if I may. Doesn't this Amendment... aren't the provisions of this Amendment already in 1106?"

Terzich: "Yes."

Hastert: "So, actually what you're doing is doubling up here. You really... it's not as... as long as 1106 moves along, then you don't need... really need this. Right?"

Terzich: "Right. We're going to double your pleasure with this Amendment."

Hastert: "All right. Thank you, Representative. It's always a pleasure doing business with you."

Speaker Breslin: "Are there any further questions, or any discussion on this Amendment? There being no further discussion, the Gentleman from Cook, Representative

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Terzich, to close."

Terzich: "I would move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "There is a fiscal note request. Mr. Clerk, has such a fiscal note been filed?"

Clerk Leone: "The fiscal note has not been filed."

Speaker Breslin: "The Bill will, therefore, remain on the Order of Second Reading. Senate Bill 1114, Representative Jaffe. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1114, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1116, Representative Mautino. Representative Marzuki or Mautino on Senate Bill 1116. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1116, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "Floor Amendment #2, Mautino, amends Senate Bill 1116 as amended."

Speaker Breslin: "Representative Piel, for what reason do you rise?"

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

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Speaker Breslin: "Question of the Clerk. Has Amendment #2 been distributed... printed and distributed? No, it has not. Representative Mautino, what is your pleasure?"

Mautino: "This is the Amendment requested by Representative Nelson to separate the agencies as per her request in Committee. I have a copy here. I don't know if it's on the desks. I would hold it or, otherwise, Representative Nelson can make her choice on the Amendment."

Speaker Breslin: "Representative Nelson."

Nelson: "Madam Speaker, I appreciate the courtesy, Representative Mautino. I have seen a copy of the Amendment that was shared by me with your staff, and I'm certainly going to speak in favor of it. I would, at this time, perhaps, request that we, with leave of the House, suspend the rule requiring the distribution of Amendments."

Speaker Breslin: "Objections have been heard, Representative. I would suggest that we take it out of the record until it is printed and distributed and get back to it if that is the consent of the Body. Out of the record. Senate Bill 1117, Representative Keane. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1117, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1119, Representative Davis. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1119, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment 1, Davis, amends Senate Bill 1119 and so forth."

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Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker. Amendment #1 permits the Illinois Department of Transportation to conduct demonstration projects on public streets and highways designed to test and develop new technology for road and curb construction, reconstruction and maintenance. Apparently, statutory language is necessary. It's a cleanup Bill to allow them to conduct these kind of tests, and I would move for the adoption of Amendment 1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1122, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1122, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was tabled in Committee."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1132, Representative Panayotovich. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1132, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Panayotovich, amends Senate Bill 1132 on page two and so forth."

Speaker Breslin: "Representative Panayotovich."

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Panayotovich: "Thank you, Madam Speaker. Would... could we take this out of the record for a minute while I look for my files?"

Speaker Breslin: "Out of the record."

Panayotovich: "Thank you."

Speaker Breslin: "Senate Bill 1136, Representative Johnson. Senate Bill 1136. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1136, a Bill for an Act to amend an Act regarding the disposition of certain criminal penalties collected from motor carrier and other persons. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1146, Representative Tate. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1146, a Bill for an Act in relationship to the School Code and the Enterprise Zone Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1153, Representative Taylor. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1153, a Bill for an Act to amend the Court Reporters Act. Second Reading of the Bill. Amendments #1 and 2 lost in Committee."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends Senate Bill 1153 on page one and so forth."

Speaker Breslin: "Representative Taylor, for what reason do you rise?"

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Clerk Leone: "Mr. Speaker, would you... Madam Speaker, will you please take it out of the record?"

Speaker Breslin: "Out of the record. Senate Bill 1173, Representative Homer. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1173, a Bill for an Act to amend an Act to create the Business Opportunities and Sales Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Homer, amends Senate Bill 1173 on page 33 and so forth."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker, Ladies and of the House. Amendment #1 is the result of discussions in the Judiciary Committee, and I know of no opposition. It simply clarifies to whom the primary responsibilities shall have for prosecutions under this Act. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1173 as amended."

Speaker Breslin: "Representative Cullerton on Amendment #2."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #2 does put some knowingly Amendments in the Section that deals with criminal law. With respect to the definition of fraud and deceit, we go back to the common law definition. With regard to... it clarifies the issue of the disclosure

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statements being given to the purchaser. We say that it has to be filed at least ten days before the sale. And we provide judicial review of any decisions that are made by the administrator. I would ask for the adoption of..."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. And on that question, is there any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Madam Speaker and Members of the House, I rise in opposition to Amendment #2. In fact, Amendment #2 does more than... than was just previously indicated. It would have some fairly radical effects on this Bill. First of all, it would modify a definition of the fraud and deceit statute to make it more difficult to engage in prosecutions under this Act without really any basis to do that. This is the Business Opportunity Sales Act, and we should allow for maximum leeway in bringing prosecutions in the broad interpretation of the terminology fraud and deceit. Senior citizens are very frequently the victims of these kinds of offenses, and I don't think we want to hamstring the prosecution. Secondly, the provisions regarding the knowingly and, of course, Representative Cullerton frequently introduces similar kinds of Amendments. On this particular case, has absolutely no rationale, because it simply applies to the civil enforcement penalties. We're not talking about criminal laws. And for a particular enforcement action under this provision, a person cannot spend even one day in jail. There are criminal sanctions in the Bill; however, for a prosecution of a criminal penalty, there would be a requirement that there be a willful violation. Very simply, by ta... by requiring the Attorney General's Office to show knowledge with regard to civil enforcement, certainly, is inconsistent with every



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other law with regard to similar provisions and, certainly, is inconsistent with the provisions offered by Representative Cullerton pertaining to criminal offenses previously. Finally, the provision having to do with the immunity of witnesses would severely weaken the attempts by the Attorney General's Office to prosecute these people who prey upon senior citizen by precluding them by calling hostile witnesses. This is simply a very basic transactional immunity provision which allows for a person to still invoke his right to be protected from the Fifth Amendment but, in fact, simply provides that he would be required to produce documents or to testify but could not be prosecuted in the event that he did, on the basis of anything revealed during those proceedings. So, for all of those reasons, I would urge this chamber to vote in opposition to Amendment #2."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment #2. I believe the Gentleman's Amendment is appropriate, particularly in regard to one aspect of his Amendment. That would provide that any Attorney General decision suspending or revoking a registration to do business in the State of Illinois would be subject to judicial review. I do not believe we want to get to the point in this state where any elected official or any bureaucrat can make a decision to revoke the ability of someone to do business in Illinois without having that decision to revoke their right to do business subject to judicial review. And I believe that that's one of the things the Gentleman's Amendment does. It's highly desirable, and in this case, I would urge support for Representative Cullerton's Amendment."

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Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Cook, Representative Cullerton to close."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The Bill, as proposed by the Attorney General, requires the registration of persons who sell business opportunities. I think it's a well-intentioned Bill, and I intend to support the Bill when it's called on Third Reading. But it's a major Bill in that it has been said... establishes a new Department of Registration and Education in the Attorney General's Office. And our staff went through the Bill with a fine-tooth comb and came up with this Amendment. Now, I don't know what it means to say that fraud and deceit shall not be limited to common law definitions. That's why I took that Section out of the Bill. You have to give somebody an idea if you're going to provide for criminal penalties of what it is that's fraud and deceit, and just to say that it's not limited to common law definition is meaningless. Number two, on the issue of the knowingly Amendment, it says in the Bill on page 23, 'It shall be unlawful for any person...;' and et cetera. So, I put the term 'knowingly' in. With respect to the Fifth Amendment rights that the Attorney General wants to take away from... from people who do business within the State of Illinois, I think it's obvious that this... he should not have so much power that can easily be abused; and, for that reason, I asked that that be removed. As Representative Vinson noted, it's very important to have judicial review which I'm sure was just an oversight on the part of the Attorney General when he drafted the Bill. For those reasons, I would ask everyone's support and vote 'aye' for Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of

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Amendment #2. All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 69 voting 'aye', 30 voting 'no', 3 voting 'present'. This Amendment, having received the necessary Majority, is hereby declared passed. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Homer, amends Senate Bill 1173 on page three and so forth."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker and Members of the House. Amendment #3 is a result of a... of a compromise in negotiations involving the retail merchants' concerns. This Bill has been approved by all those who participated in those discussions. Very briefly, it pertains to businesses operated under a lease on the premises. I would simply ask for your favorable consideration. No... no opposition."

Speaker Breslin: "Representative Piel, for what reason do you rise?"

Piel: "Thank you, Madam Speaker. A question of the Clerk. Has this been distributed?"

Speaker Breslin: "Mr. Clerk, has Amendment #3 been printed and distributed? It has not been printed and distributed."

Piel: "Thank you."

Speaker Breslin: "Representative Homer, what is your pleasure?"

Homer: "Madam Speaker, I would ask that the Bill be taken from the record temporarily."

Speaker Breslin: "Out of the record. Senate Bill... With leave of the Body, I would like to go back to Senate Bill 1132. Representative Panayotovich is ready to present his Amendment on Senate Bill 1132. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1132, a Bill for an Act to amend

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Sections of the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Panayotovich, amends Senate Bill 1132 on page two and so forth."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Amendment #1 is just a technical error... is an Amendment to clean it up from the Legislative Reference Bureau, and I ask for a positive vote. Thank you."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, the Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Breslin: "The Gentleman indicates he will yield to a question."

Hastert: "Does this Bill just deal with American doctors?"

Panayotovich: "No, all doctors."

Hastert: "All right. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1174, Representative Homer. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1174, a Bill for an Act to amend an Act regulating wages. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third... Third... The Bill must stay on Second

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Reading, Representative, because there has been a fiscal note request filed. Senate Bill 1206, Representative Curran or Representative Kirkland. Read the Bill."

Clerk Leone: "Senate Bill 1206, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1211, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1211, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Out... out of the record. Senate Bill 1222, Representative Cullerton. Out of the record. Senate Bill 1232, Representative Pedersen. Representative Steczo. Senate Bill 1232, Representative Pedersen or Representative Steczo. Would you like to have the Bill heard? Read the Bill."

Clerk Leone: "Senate Bill 1232, a Bill for an Act in relationship to the use of public funds for providing day care services in for-profit and not-for-profit day care facilities. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Has the fiscal note request been complied with?"

Clerk Leone: "The fiscal note has been filed."

Speaker Breslin: "Third Reading. Senate Bill 1234, Representative Capparelli. Out of the record. Senate Bill 1237, Representative Dunn. Out of the record. Senate Bill

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1256, Representative Curran. Read the Bill."

Clerk Leone: "Senate Bill 1256, a Bill for an Act to amend Sections of the State Employees Group Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Topinka, amends Senate Bill 1256 on page two and so forth."

Speaker Breslin: "Representative Topinka."

Topinka: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Amendment #1 would limit outpatient care for state employees. Apparently, they, at this moment in time, are the only group that do have unlimited outpatient psychiatric visits. HMO's in Illinois in many... three of them have fifteen day limit, or fifteen visit limits. Others have twenty. This would seem fair. We already have incidences now that the Department reports of some people who have already gone to psychiatrists over 600 times, and the state is footing the bill. So obviously, there is cause for abuse. I would encourage the adoption of this Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1. And on that question, the Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Madam Speaker. I rise in strong opposition against Amendment #1. The Lady is accurate in saying that state employees have at this... at this point unlimited access to psychiatric care. What she fails to compare when she compares the psychiatric care benefits which state employees now get with other groups is that state employees benefits are only paid half - 25 dollars. The other groups that she mentioned may be paid up as much as one hundred percent or at least fifty... fifty dollars. The other point is that when you come down from unlimited care in

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this very important area to just twenty visits a year, you're really cutting out the need for this... for this benefit. You're really cutting out the purpose of having psychiatric care. If a psychiatrist and a patient decide that more than twenty visits are needed, then more than twenty visits are needed. This is a cruel Amendment raised by a very fine Lady from the other side, but I ask for opposition to this, because I think we gotta stop picking at state employee benefits."

Speaker Breslin: "The Gentleman from Cook, Representative Jaffe."

Jaffe: "Yes, Mr... Madam Speaker and Members of the House, I totally agree with Representative Curran. I think that this is just a terrible Amendment. Basically, what you are doing is you're taking an Amendment, and you're throwing Illinois back to the 14th Century. What you're saying is that mental health problems are really different than physical problems. It's like saying if someone breaks their leg, you're only going to let them go to the doctor three times. Really, it's a silly Amendment. I can't understand where it comes from, and I can't understand its erection. This was a Bill. The Bill was defeated. It was defeated overwhelmingly. We ought to defeat this particular Amendment. As I say, it's a throwback to the 14th Century. It's a bad thing. It's anti-state employees, and it's anti-mental health. And it has no business being on the floor of the House."

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

Terzich: "Yes, I... I support this Amendment. The request that is being made is being made by the administrators of the group insurance program. Limitations on outpatient psychiatric treatment is nothing unusual. I would say that 99% of the group cases that are written today have certain

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limitations on outpatient psychiatric treatment because of the abuses of... of this type of a benefit. At the same time, they do provide that if a person does have a psychiatric problem, it's considered the same as any other disability, as long as they're in a qualified institution. This simply applies to outpatient psychiatric treatment, and I'm sure that the... the... the people who are administering the group insurance program does not want to deny anybody benefits. But, they also must have some reasonableness to curtail the high cost of medical care in the state today which is simply depriving other be... employees from getting benefits that are more necessary, and I would move for its support."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Would the Sponsor yield to a question?"

Speaker Breslin: "The Sponsor indicates that she will yield to a question."

Leverenz: "The Amendment limits the number of visits?"

Topinka: "Pardon me?"

Leverenz: "The Amendment limits the number of visits to what?"

Topinka: "Twenty visits."

Leverenz: "Twenty visits."

Topinka: "Outpatient visits."

Leverenz: "With all due respect, are you a licensed doctor?"

Topinka: "I try not to be."

Leverenz: "Would you, perhaps, be trying to practice medicine now without a license?"

Topinka: "Not that I'm aware of."

Leverenz: "Sounds like it to me. Thank you."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Lady from Cook, Representative Topinka, to close."



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Topinka: "We are... what we're trying to do with this Amendment is to limit the reimbursements. Every single program that is involved in... in psychiatric outpatient visits, be they HMO's or any other insurance program, has limitations. It's hardly the nightmare scenario that some of the... well, certainly the very good Sponsor over there on the other side, as well as others who have spoken, would paint. It affects roughly 800 people out of a possible 146,000 people who are involved here. It would save the state 600,000 dollars. I would ask that this Amendment be adopted."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1. All those in favor vote 'aye', all those opposed vote 'nay'. Representative Erunsvold, would you... Represent... Have all voted who wish? Clerk, take the record. On this Motion, there are 40 voting 'aye', and 66 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Amendment #2, Winchester, amends Senate Bill 1256 on page one and so forth."

Speaker Breslin: "Representative Davis on Amendment #2. Representative Winchester on Amendment #2."

Winchester: "Madam Speaker, I would like to withdraw Amendment #2. Representative Davis will handle Amendment #3."

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

Clerk Leone: "Floor Amendment #3, Ewing - Davis, amends Senate Bill 1256 on page one and so forth."

Speaker Breslin: "Representative Davis on Amendment #3."

Davis: "Well, thank you, Mr. Speaker... Madam Speaker. This is an Amendment offered by Central Management Services to clear up some miscon... or some problems in the reimbursement article of the group insurance plan for third

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party liabilities. It's a cus... a custom and practice now for this procedure to be included in... in what we're doing; however, statutory language is included. I don't believe there's any controversy to the Amendment, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. And on that question, is there any discussion? There being no discussion... Excuse me, there is discussion. The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Madam Speaker. I rise again in strong opposition to this Amendment. This Amendment is a bad interpretation of the present principles of subrogation in insurance. It is not a common practice. It is a very uncommon practice. Normal... normal situation, when person A injures person B, and person A's in... person A's insurance has to take care of person B's injury, that that insurance company can go after the first person. Here what we're doing is we're reversing that process, and the insurance company comes after the injured party. That is not an established principle. It is not a good principle. It allows the state to benefit, in fact, from an employee injury, employee difficulty, employee illness. Now, I don't think we ought to be allowing that. I don't think we ought to be setting that precedent. It's a very bad idea. It's sort of a cowardly way for the state to try to raise some money, on the backs of state employees. I'm strongly opposed to it."

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

Brummer: "Yes, I rise in strong opposition to this Amendment. I think everyone here ought to know that this is a major change in policy that will have far-reaching effects well

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beyond the state group insurance program. What it is is a reduction in benefits. Now, the Sponsors or proponents will say, 'Well, that will save cost'. That undoubtedly will be the case. But it is a reduction in benefits in order to save those costs, and it is a reduction in benefits at the expense of injured people. No current, private or group, health insurance has subrogations in it today in the State of Illinois. There are some self-insured programs that do. No insurance policy written by a commercial insurance company, whether it's Blue Cross/Blue Shield, Prudential, Golden Rule, or whoever it is has subrogation provisions in it. I think everyone ought to understand that this is a major shift in policy, and once the State of Illinois, with regard to its group insurance on behalf of state employees, adopts subrogation as a policy of the State of Illinois, I would suggest that every private insurance carrier is going to want to adopt that in their medical health payment programs. This is a Bill or a proposal that has not had Committee hearings. It is coming to us at the eleventh hour as an Amendment on a Senate Bill. It has not had hearings in the Senate. It has not had hearings in the House Committee. It is a major shift in policy change in the State of Illinois, and I think at a minimum that major shift ought to be scrutinized, ought to be examined through the Committee process so that we know what the pluses and minuses are with regard to that. I would give you an example as to how this is a... a loss in benefits with regard to a case that I was recently involved in several months ago in my private capacity as a... as an attorney. I represented a seventeen year old girl who was a passenger in an automobile. There was a truck that backed out immediately in front of that automobile. This individual was seriously injured, and she

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was in a coma for several weeks. She had to learn to walk and talk again. Unfortunately, the truck had 15,000 dollars of liability limits. This gal incurred over 50,000 dollars of medical bills alone. Now fortunately, through her family auto insurance policy, there was a medical pay provision which was not subrogated. That provided for payments of 25,000 dollars towards her 50,000 dollars worth of medical bills. In addition, she was able to recover 15,000 dollars against the truck driver. Now, had that med pay provision been subrogated, she would have been limited to 25,000 dollar total recovery, rather than the 40,000 dollar recovery that she received. So, it is a reduction in benefits. It costs injured employees money; and, for that reason, I think this Amendment should be defeated."

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

Hoffman: "Thank you very much, Madam Speaker. Will the Sponsor of the Amendment yield for a question?"

Speaker Breslin: "The Gentleman will yield to a question."

Hoffman: "Is this proposed Amendment a new concept in general insurance practice?"

Speaker Breslin: "Representative Davis."

Davis: "Least I lose credibility in my opening remarks, I said that it's a common practice, and it is in other states. It is new to the State of Illinois in private. In self-insured, in self-insured groups, it is common practice in the State of Illinois - a Subrogation article."

Hoffman: "Does... does this proposed Amendment then create a situation where the... the insured will not receive anything more in value than the... than their cost?"

Davis: "Well, what it would do is prevent duplicate reimbursement for the same cost. So, the answer is yes."

Hoffman: "How would this impact on the cost to the state

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program?"

Davis: "The state program, while this, incidently, in response to your question, I will also respond to a comment made by Representative... Representative Brummer, this doesn't result in a decline in benefits. What it results is... is a decline in duplicate payment, not benefit level. The savings estimated by CMS and the health insurance cost to the state are over a million dollars, estimated in the first year to be about 1.2 to 1.5 million dollars."

Hoffman: "Thank you very much, Representative Davis. Speaking to the Amendment. Madam Chairman... Madam Speaker and Ladies and Gentlemen of the House, the times in which we find ourselves now faced with the prospects of a tax increase, faced with the criticism often by the public in terms of not attempting to make the kinds of economies that can be made if we really desired to do so, I think it ill behooves this House to turn their back on this Amendment. This seems to me to be the kind of Amendment that we all should be able to support, the kind of Amendment which will allow us to save some money which means that we will have to extract less money out of taxpayers' pocket. And it's for that reason, Madam Speaker and Ladies and Gentlemen of the House, that I rise in support of this Amendment and would encourage other Members of the House to join me and the sponsor of this Amendment in that support."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

John Dunn: "Thank you Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House. I, too, rise in opposition to this Amendment, and I would just like to try to put this in what I see is as laymen's terms. I think what this really means to all of us is that if you happen to be unfortunate enough to go to the hospital because you suffer from a disease, if you have strep throat or if you have... are unfortunate

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enough to have cancer, your insurance is going to pay. But if you walk out of here and get hit by a truck, if this becomes law, your insurance isn't going to pay. All you're going to be is part of a cash flow. Your insurance is going to pay initially, yes. But if you recover from the person who ran over you with the truck, and you're entitled to one hundred percent of that damages, you won't get them all, because the part that went to pay for hospital bills is going to go back to your insurance company. There's nothing in here that says that your premiums will be reduced because of all this. If your... if you want to reduce your benefits, as has been said earlier, then go ahead and vote for this. But if you want a program that... that covers everything, vote against this, because the impact of all this is going to be that you, in effect, will only be paid medical insurance coverage when you go to the hospital because of a disease. If it involves an accident, from which you can recover, you will pay for your own medical costs in those situations, and this is a very, very bad concept and a terrible Amendment."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Davis to close."

Davis: "Well, thank you, Madam Speaker and Members of the House. I think you've heard the red herrings from the trial lawyers. I think you've heard the red herring from the spokesman for AFSCME on the other side of the aisle and state employees, both of whom are wrong. I don't know

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where they're coming from, but I can simply tell you this Amendment, if subrogation is introduced into the medical plan in the State of Illinois, there will be no declination of benefits. There will be avoidance of duplicate payments by private carriers and by the state insurance plan. If you get rear ended at a stop light, the insurance plan of the State of Illi... of Illinois that you're under will pay your medical expenses; however, the third party insured will be liable for some recovery under that plan. The savings will be a million two to a million five in the first year. There is no declination in benefits. It's like finding money in the street. And if you want to increase benefits for state employees, you will save money on this kind of thing from the private carrier in those limited circumstances, very limited circumstances of accident recovery of medical expenses and avoidance of duplication, so that you will have more money to increase the base fringe ben... or the base benefits in the hospital plan. If you want to increase benefits, you should adopt this Amendment, and I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 43 voting 'aye' and 62 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Winchester, amends Senate Bill 1256 on page one and so forth."

Speaker Breslin: "Representative Winchester."

Winchester: "Thank you, Madam Chairman (sic Speaker). This Amendment is also brought to us by the Department of

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Central Management Services. It estimates that the General Revenue Fund and the Road Fund cost for state employee group insurance programs would decrease by approximately four million dollars. Current statutory language refers to trusts or federal trusts paying group insurance cost, and certain funds are classified as special, state, or in other categories. This Amendment would make it clear that all funds other than General Revenue or Road are to pay their own group insurance costs, and I would move do adopt."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4. And on that question, Representative Satterthwaite."

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

Speaker Breslin: "The Gentleman indicates he will yield."

Satterthwaite: "Representative, does this mean that if the University of Illinois, for instance, wanted to take money from some other portion of their budget that that could be used to supplement this program?"

Winchester: "I think what it means, Representative, that is the University is getting federal funds, and there are employees that are being employed through those federal funds instead of Road Fund monies or General Revenue Fund monies paying for their group insurance, then the money should be deducted from the federal funds. And the feds give us that authorization to do it. It's just not being implemented."

Satterthwaite: "But doesn't it also mean that if we were simply to cut back, that then the university or other groups might also find that they would have to take money even if it were state money to supplement this?"

Winchester: "Well, I'm not sure exactly how to answer that question other than to say that if this Amendment is adopted, then the university is going to be paying more for



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group insurance than what they are now, because they're going to be using federal funds to pay for the group insurance instead of state GEF funds."

Satterthwaite: "Well, Mr. Speaker and Members of the Hou... Madam Speaker and Members of the House, I think we're on dangerous grounds if we adopt an Amendment like this. If, in fact, we are meaning that we should be taking money that is appropriated for some other purpose within the university systems and divert that to insurance coverage, then, in fact, we are not being up front about the cost of these policies. And I think it would be a much more direct and better system if we were simply going to provide the money through the front door, rather than trying to get it somehow from the backdoor and disadvantaging other programs that we think we have funded for another purpose. And I would strongly urge the Members to reject the Amendment."

Speaker Breslin: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Madam Speaker. I rise in opposition to this Amendment. The Amendment sounds innocent enough. The problem with it is that it really will hurt the University of Illinois. The University of Illinois has told us it'll be a four million dollar Amendment. And what you'll be doing if you vote for this Amendment, you'll be voting to cost the state... the University of Illinois four million dollars that they can no longer apply to education. If you want to cut the University of Illinois budget another four million dollars, that's something we might want to do in here. I don't know, but we shouldn't do it in this backward way. We shouldn't back up to this kind of a cut. If we want to cut them four million, cut them four million, but don't take this cowardly approach. I strongly oppose this Amendment."

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Speaker Breslin: "There being no further discussion, the Gentleman from Hardin, Representative Winchester, to close."

Winchester: "I think, Madam Chairman, what this Amendment will do is it just simply says that everybody's going to have be responsible for their group insurance, not just the General Revenue Funds. But if... but if you're receiving federal funds, then you're going to have to pay your group insurance out of the federal funds. And the universities and those others that are going to be affected by this Amendment will simply put another line item in their appropriation bills for group insurance. The money will be set aside. This will result in four million dollars more for the General Revenue Fund, and that, I think, is what it's all about in these last two weeks, finding more money for the General Revenue Fund. I would again renew my Motion to adopt this Amendment."

Speaker Breslin: "The Gentleman moves to adopt Amendment #4. And on that question, all those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 43 voting 'aye' and 64 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Pullen, amends Senate Bill 1256 on page two and so forth."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Amendment #5 would delete the Amendment that the Senate added to this Bill providing that benefit levels after July 1, '83, in the next fiscal year, must be at least equal to, if not exceeding, the benefit level in effect as of January 1, '83, on employee, state employee insurance. I move its adoption."

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Speaker Breslin: "The Lady moves for the adoption of Amendment #5. And on that question, the Gentleman from Sangamon, Representative Curran."

Curran: "Of all the Amendments we've heard this afternoon on this Bill, this is the worst. We've defeated all the others, and this is the worst. I'm sorry, Penny. I love you like a sister. This is terrible. This deletes the Bill. Now, if we want to ruin our relationship with state employees, we can pass this Amendment. If we think in this room that we are State Government, we're dead wrong. Those people who carry out our wishes, those hundred and forty thousand state employees or however many there are who carry out our wishes, they are State Government. We are not State Government. And if we attempt to cut those peoples' health benefits more and more, year after year, we're going to have a sad relationship with those people. It is unfair. It is unkind. It is immoral. We should not put this Amendment on in any way. This kills the Bill. This is a silly Amendment. We defeated everything else. I ask for a 'no' vote."

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

Terzich: "Well, to the contrary of the last Speaker, this is a very good Amendment. It's absolutely ridiculous to say that you have to freeze the benefits. Everyone should be aware that health care costs go up approximately 20 to 25% a year; and, if there isn't any control on the health group benefits, then the next thing, it's just simply going to increase the cost to every member. It's going to take the cost out of the pockets that you cannot afford to purchase health insurance, and this is all you're doing. If the costs go up, you either reduce the benefits, or adjust them, or you increase the cost. This is a very good

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Amendment that the... no one wants to increase cost. If you take the... in Chicago, the room rate for Michael Reese Hospital is 400 dollars a day, and someone's got to pay for it. So if you don't adjust the benefits properly, you're just going to have to increase the costs and take it out of the hands that the people cannot afford to pay a hundred dollars a month that they're presently paying, and this is simply just forcing. It's a very irresponsible Bill, and this is a very good Amendment that should be adopted."

Speaker Breslin: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, Members of the House... Madam Speaker, Members of the House, I think the last speaker's comments need to be taken in the context of which they're presented. You can argue that if the costs go up, the benefits have to go down. The point of it is this Bill does not freeze benefits necessarily. It provides for them to go up. It is true that they may go up in terms of premium cost, but the whole point is, as we talk to our state employees out there, their benefits keep going down. They keep getting cut. The premiums keep going up. They seem to be in an unjustifiable situation. I think we know who's making the money on this program, and we know who's being hurt. Representative Curran's Bill is clean at this point. It ought to stay clean. I don't think we should gut his Bill by deleting the heart of the matter that's on page two, and that's what this Amendment does. We ought to defeat this Amendment, as he's indicated. We ought to have some faith with our state employees. We ought to be working, even in this time of recession and lack of revenue, to at least support some reasonable level of insurance benefits without having the roof come off on the costs. We ought to be taking an even closer harder look at

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who's making the money in this program, and whose ox is being gored. We know whose ox is being gored. We know who's making the profits, and we know who's getting the advantages. And they aren't the workers. We should defeat the Amendment."

Speaker Breslin: "There being no further discussion, the Lady from Cook, Representative Pullen, to close."

Pullen: "Thank you, Madam Speaker. I'm glad to know there's so much interest in this little Amendment. Actually it's not we who are the State Government, and it's not the state employees who are the State Government. It's the people who are the State Government, and it's the people that are already paying over a 108 million dollars a year, over a 108 million dollars a year for state employee group health benefits. Now, who's getting that money, Ladies and Gentlemen? Is it the state employees? It's not the state employees. It's the health care industry, Ladies and Gentlemen. And if you care anything about the rising costs of health care, if you want to drive them up further, just keep making sure that there's lots of public money chasing the services, lots of free money that nobody has to pay for, and you will find the costs going up for not only the state employees, but everybody else in society, because there's lots of free money chasing those health care services. What the Bill does without this Amendment is to make sure that there can be lots more of free money chasing those health care services. And actually it will mean, this Amendment, if it is not adopted, this Bill will cost the taxpayers 19.3 million dollars right off the top from money that we ain't got. Now, if you want to vote for a massive income tax increase for new spending programs and everything that that means, then please, don't vote for this Amendment. But if you think that the people of

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Illinois are being taxed enough and if you think that they're already spending enough for health care services that goes into the pockets of health care providers, not state employees, if you think they're already paying enough for that and that they should not be made to pay more for it, then do support this Amendment. It is a responsible Amendment to attempt to get some control over priorities in state spending in just one little area, and maybe even not continue to drive up the cost of health care in Illinois. I urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment #5 be adopted?' All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 44 voting 'aye' and 62 voting 'no', 3 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "There are no further Amendments. A fiscal note request has been filed, Representative Curran. So the Bill will stay on Second Reading. With leave of the Body, the Chair would like to go back one Bill to Senate Bill 1237. Representative Dunn is now in the chamber. Hearing no objections, read the Bill."

Clerk Leone: "Senate Bill 1237, a Bill for an Act to amend an Act in relationship to the welfare of wage earners. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1257, Representative Christensen. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 1257, a Bill for an Act to amend an Act relating to the interstate compacts and agreements concerning nuclear waste. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any further Amendments?"

Clerk Leone: "And no Floor Amendments."

Speaker Breslin: "Third Reading. Excuse me, I believe there is a fiscal note requested, the Clerk advises me, on Senate Bill 1257, Representative. So the Bill will stay on Second Reading. Senate Bill 1258, Representative Christensen. 1258."

Clerk Leone: "Senate Bill 1258, a Bill for an Act in relationship to handling spent nuclear fuel. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1260, Representative Homer. Is Representative Homer in the chamber? Out of the record. Senate Bill 1264, Representative Hawkinson. Read the Bill."

Clerk Leone: "Senate Bill 1264, a Bill for an Act to amend the Illinois Controlled Substances Act and the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments?"

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Hawkinson, amends Senate Bill 1264 on page one and so forth."

Speaker Breslin: "Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Amendment #1 to Senate Bill 1264 is a technical Amendment. It makes reference to four other Sections in deleting a term that's deleted in the original Bill; and, in the part that exempts pharmacists, it adds the word 'lawful' after

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'manufacturer'. I would urge it's adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "No further Amendments. Third Reading. Senate Bill 1272, Representative Ronan. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1272, a Bill for an Act to amend the State's Attorney Appellate Commission Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1274, Representative Mays. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1274, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1276, Representative Terzich. 1276. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1276, a Bill for an Act in relationship to the sale of new motor vehicles. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"



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Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1279, Representative Homer. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1279, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton - Hawkinson, amends Senate Bill 1279 and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, this Amendment was also discussed in Committee. This would allow for the state's attorney and the Attorney General to prosecute violations of this Act, and I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? Representative Homer."

Homer: "Yes, Madam Speaker, Members of the House, it's my understanding that Representative Hawkinson has withdrawn or has asked to withdraw as a Sponsor. Is that correct? Can I ask for that clarification?"

Speaker Breslin: "Mr. Clerk, do you have any notification of that?"

Clerk Leone: "Clerk has nothing in writing."

Speaker Breslin: "The Clerk has not been notified that Representative Hawkinson wishes to withdraw as a Sponsor."

Homer: "Alright. May I... would the..."

Speaker Breslin: "Representative Hawkinson, for what reason do you rise?"

Hawkinson: "Madam Speaker, thank you. I was handling another Bill. I had intended to ask leave to withdraw, and I would ask leave to withdraw as a Cosponsor of this Amendment. There was a misunderstanding with Representative Cullerton,

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and the Amendment is not drawn exactly to my liking."

Speaker Breslin: "Does the Gentleman have leave to be withdrawn as the Sponsor of this Amendment? There being no objection, the Gentleman has leave. Representative Mautino on the question."

Mautino: "Will the Gentleman yield, please?"

Speaker Breslin: "The Gentleman indicates he will yield to a question."

Mautino: "Representative Cullerton, I did not hear your explanation. There was a little bit of a din. I would like to have you re-explain Amendment #1 to 1279, because I think I have two questions."

Cullerton: "Yes, here's the language that I'm striking, 'The administrator', which in this case means the Attorney General, 'with such assistance as he may from time to time request of the state's attorneys in the several counties shall investigate suspected criminal violations of this Act and shall commence and try all prosecutions under this Act'. Now, that's what we're striking."

Mautino: "You're striking that."

Cullerton: "The current law allows him to investigate criminal violations of the Act. What the current law says, however, is that the state's attorney is the one that commences prosecutions, not the Attorney General. But if the state's attorney wishes the aid of the Attorney General, all he has to do is to ask him for that help. Now, you may recall, last year, we had a debate over the statewide grand jury, and we spent a good portion of the Session trying to explain to then Attorney General Fayner that we needed uniformity in the prosecution of these types of criminal offenses. If you allow the state's attorney and the Attorney General..."

Mautino: "Madam Speaker. Madam Speaker, I did not want to get

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back into last year's Session. I just wanted to know what you were doing, because I had a couple questions."

Cullerton: "Okay. All right. I'm sorry. Right. Okay. Do you understand what I'm doing?"

Mautino: "Yeah, now, I've got the questions, Representative. I don't happen to be an attorney. But I have a concern that since you are very knowledgeable in the field of law, I'm trying to figure out why you want to take away that provision that has been in the statutes since, as long as I've been here, that allows that investigation and program, as it pertains to consumer fraud, to be removed from the Attorney General's Office. I don't quite understand that rationale. I will respond to your prior question, as it pertained to... your prior statement as it pertained to last Session's statewide grand jury provisions which this is not in the same category and covered very specific items. In this one, I don't see where you can even justify removing this avenue that's available to the Attorney General's Office. I'm not an attorney, but I want you to tell me why we're doing it, or why you're trying to do it."

Cullerton: "Okay. It's not an attempt to remove the Attorney General from investigating criminal violations of the Act. He has the right to do that. He still has the right to do that. What we're talking about is how you go about prosecuting a person for a criminal offense. The state's attorneys have jurisdiction. The Attorney General has jurisdiction. They both perhaps, can conduct a separate investigation. They both could give immunity to two people, two wrong doers to testify against the other one, and in which case, the case would be totally blown. There is absolutely no rationale for having the Attorney General be the chief prosecutor. He should have to coordinate his prosecutorial efforts with the local state's attorneys.

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The local state's attorneys is where the case has to be tried. You have to use the, in most cases, you'll use the local assistant state's attorney's to assist in the prosecution. This is just backwards. This current language is just backwards to have the Attorney General be... be... have concurrent jurisdiction, and that... my point is that's the argument that we had as one of the problems with the statewide grand jury last Session."

Mautino: "I thank you for your explanation. Then I would like to address the Amendment as presented. Since I'm not an attorney, but since we have many constituent inquires about consumer fraud in the downstate counties of which I serve, this is the normal procedure. Those complaints come to us. We contact the state's attorney. We are then informed that the proper person to contact is the Consumer Fraud Division of the Attorney General's Office. And in almost every case, that is the avenue that has been taken as it pertains to people sending out these little bingo cards and asking for five dollars for coupons, et cetera. And in most cases, it has been very successful. In that regard, and since I'm not really qualified to make a judgment call on how the prosecur... prosecutions do take place and in what regard, I think we should leave it just where it is. And I stand in opposition to Amendment #1 to 1279."

Speaker Breslin: "The Gentleman from Fulton, Representative Honer, on the question."

Honer: "Would the Gentleman yield?"

Speaker Ereslin: "The Gentleman indicates he will yield."

Honer: "I would like to know of Representative Cullerton whether any state's attorney in the 102 counties in this state or anyone in the Attorney General's Office has asked for this Amendment that he proposes, which would purport to rearrange the authority in the allocation of discretion

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between those two various agencies? Has... has the Gentleman received a request to introduce this type of legislation?"

Cullerton: "No."

Homer: "Madam Speaker, to the Bill. The reason that the Gentleman has not received any requests to make such an Amendment is that this law, which he seeks to amend, has been on the books for a number of years. It has been successfully utilized by previous Attorney General administrations without dissent from any of the 102 state's attorneys in the State of Illinois. The Bill, which it seeks to amend, does not even address the Franchise Disclosures Act. The Bill, itself, has to do with the Consumer Fraud and Deceptive Practices Act. His Bill would change existing law and reallocate and rearrange the jurisdiction authority between the various state's attorneys and the Attorney General. This is a very highly specialized area. It's an area that no state's attorney in the State of Illinois wants to have thrust back upon his shoulders or her shoulders. And there's absolutely no basis whatsoever for doing so; therefore, we would certainly ask that you oppose this Amendment. And, in fact, it is... the philosophy of it is inconsistent with the Gentleman's Amendment yesterday which would have required the state to repay the counties for incarcerating prisoners for DUI offenses, and now this Amendment would impose on the state's an obligation... or on the counties the state's attorneys further obligation they don't want and which the Attorney General's Office has long, successfully handled. So we... I would urge your opposition."

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

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Vinson: "Madam Speaker, Ladies and Gentlemen of the House, I rise for the purpose of questioning the germaneness of Amendment #1 to this Bill. The Bill is an Act to amend Section 2(E) of the Consumer Fraud and Deceptive Business Practices Act. The Amendment, naturally, has substantially changed the title of the Bill to deal with the protection of franchisees, because it's so totally off point. What it does is to deal with grand juries and prosecutions under other Acts. For those reasons, I believe that it goes far beyond the scope of the original Bill, completely inundates the existing Bill and ought to be declared nongermane and would so request the Chair to rule."

Speaker Breslin: "We will study the Bill and get back to you on your inquiry, Representative Breslin (sic - Vinson). Until that time, is there any further discussion? There being no further discussion, we will recognize Representative... Representative Vinson, for what purpose do you rise?"

Vinson: "Just to make the point that I'm Representative Vinson, not Representative Breslin."

Speaker Breslin: "I'm sorry. Excuse me. That's obvious, Representative. Representative Cullerton to close."

Cullerton: "Well, I... I won't close until I have a ruling as to whether or not it's germane."

Speaker Breslin: "Ladies and Gentlemen, the question before the Chair was whether or not Amendment #1 was germane, Represen... as pointed out by... as requested, rather, by Representative Vinson. And Representative Vinson's point is well taken. The Amendment is ruled not germane. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1301, Representative Madigan. Representative Madigan. Are there any other Sponsors on this Bill, Mr. Clerk? Out of the

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record. Senate Bill 1308, Representative Oblinger. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1308, a Bill for an Act to create the Hospice Program Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1311, Representative Greiman or Representative Currie. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1311, a Bill for an Act in relationship income tax deductions to businesses. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1312, Representative Terzich. Clerk, read the Bill. Representative Terzich is here."

Terzich: "Senate Bill 1312, a Bill for an Act in relationship to occupation and use tax on high-rise fire safety systems. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No further... no Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1316, Representative Nash. Is Representative Nash in the chamber? Out of the record. Senate Bill 1324, Representative Nash, again, or Representative Bullock. Representative Bullock. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1324, a Bill for an Act to amend the Illinois Credit Card Act. Second Reading of the Bill. No

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Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill 1324 on page one and so forth."

Speaker Breslin: "Representative Cullerton on Amendment #1."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 changes 150 to 300 dollars to bring it in conformity with the changes that we made last year with respect to the difference between misdemeanor and felony theft, by increasing the numbers from 150 to 300, and I would ask for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Erien: "Floor Amendment #2, Piel - Nash, amends Senate Bill 1324 on page one and so forth."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 to House Bill... Senate Bill 1324 picks up the provisions of House Bill 451 which passed out of here about two weeks ago. There was some minor problems that we picked up, and it's basically clarifying some court case information. And I ask for a favorable adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2, I believe. Could we ch... Amendment #2. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed



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'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill... Representative Nash, would you like us to go back and pick up 1316? No. We're holding 1316. Senate Bill 1328, Representative Slape. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1328, a Bill for an Act in relationship to corneal tissues transplants... corneal tissues transplants. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Slape, amends Senate Bill 1328 on page one and so forth."

Speaker Breslin: "Representative Slape."

Slape: "Yes, Madam Speaker, House Amendment #1 to Senate Bill 1328 strikes some language that enumerates different groups that could request corneal transplant, instead just brings the Act under those groups. They're covered by the Uniform Anatomical Gift Act. I would ask for adoption of Amendment #1 to Senate Bill 1328."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the Opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1332, Representative Currie. Out of the record. Senate Bill 1333, Representative Barnes. Representative Currie."

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Clerk, read the Bill."

Clerk Leone: "Senate Bill 1333, a Bill for an Act to authorize withholding income to secure payment of support. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1336, Representative Kulas. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1336, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1343, Representative Braun. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1343, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1344, Representative Hicks. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1344, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. Senate Bill 1347,

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Representative Fopp. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1347, a Bill for an Act to amend an Act in relationship to adults and continuing education. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. The Chair will now go to Senate Bills Second Reading, Short Debate Calendar. On your Calendar on page 20, Senate Bill 16, Representative White or Representative Churchill. This is Senate Bills Second Reading, Short Debate Calendar on page 20, Representative Churchill. Clerk, read the Bill."

Clerk Leone: "Senate Bill 16, a Bill for an Act to amend Sections of the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 41, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "Senate Bill 41, a Bill for an Act to amend an Act to revise the law in relationship to criminal jurisprudence. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill 41 on page one and so forth."

Speaker Breslin: "Representative O'Connell."

O'Connell: "In Representative Cullerton's absence, may I have leave to handle this Amendment?"

Speaker Breslin: "Does the Gentleman have leave? There being no

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objection, the Gentleman has leave. Representative O'Connell on Amendment #1."

O'Connell: "Representative Cullerton is here to handle the Amendment, Madam Speaker."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Oh, yes. Thank you, Madam Speaker and Ladies and Gentleman of the House. The original Bill, I believe, inadvertently left out business offenses as covering under this particular Bill which allows for cost of prosecution to be assessed against the defendant. So the Amendment includes business offenses."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion. There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 63, Rep... Does the Gentleman have leave to keep this Bill, Senate Bill 41, on Short Debate? There being no objections, the Gentleman has leave. Senate Bill 63, Representative White. Clerk, read the Bill."

Clerk Leone: "Senate Bill 63, a Bill for an Act concerning art auction houses. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading."

Clerk Leone: "Pardon me. Floor Amendment #1, Cullerton, amends Senate Bill 63 by deleting Section 4 and so forth."

Speaker Breslin: "Okay. This Bill is still on Second Reading."

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Representative Cullerton is recognized for the Amendment."

Cullerton: "Yes, thank you, Madam Speaker. This Bill has to do with art auction houses maintaining separate bank and savings and loan accounts, and violation is a Class 4 felony. The Amendment simply adds the word 'knowingly' to the criminal Sections of the statute. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion. There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Does the Gentleman have leave to keep this Bill on the Order of Short Debate Calendar? There being no objection, the Gentleman has leave. Third Reading. Senate Bill 70, Representative McMaster. Representative McMaster. Is the Gentleman in the chamber? Out of the record. Senate Bill 76, Representative Kechler. Clerk, read the Bill."

Clerk Leone: "Senate Bill 76, a Bill for an Act in relationship to chymopapain. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Vinson, amends Senate Bill 76 by deleting lines one, and two and so forth."

Speaker Breslin: "Representative Vinson."

Vinson: "I withdraw Amendment #1."

Speaker Breslin: "Does the Gentleman have leave to withdraw Amendment #1? There being no objection, the Amendment is withdrawn. Are there any further Amendments?"

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Clerk Leone: "Floor Amendment #2, Vinson, amends Senate Bill 76 as amended."

Speaker Breslin: "Representative Vinson."

Vinson: "I withdraw Amendment #2."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #2. There being no objection, the Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Vinson, amends Senate Bill 76."

Speaker Breslin: "Representative Vinson."

Vinson: "I withdraw Amendment #3."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #3. Are there any objections?, There being no objections, the Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 128, Representative Preston. Clerk, read the Bill."

Clerk Leone: "Senate Bill 128, a Bill for an Act to amend an Act in relation to the sale of kosher meat and meat preparations. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Preston, amends Senate Bill 128 on page one and so forth."

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 makes technical corrections in the Bill. It inserts on page one, line 29, the word 'meat', which was inadvertently left out, and it deletes the words 'strictly, and genuinely', and genuine, which were improperly put in the Bill, makes no substantive changes."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being no

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discussion, the question is, 'Shall Amendment #1 be adopted? All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Preston, amends Senate Bill 128 on page two and so forth."

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker. I'd like to withdraw Amendment #2."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #2. Does the Gentleman have leave? There being no objection, the Gentleman has leave. Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, amends Senate Bill 128 on page one and so forth."

Speaker Breslin: "Who is the Sponsor?"

Clerk Leone: "Preston. Preston."

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #3 to House Bill...excuse me, to Senate Bill 128 deletes... The main import of the Bill...of the Amendment is to delete the words 'milk, meat or poultry derivatives' and take those items out of the purview of the labeling provisions of this Bill. And I'd ask for your 'aye' vote."

Speaker Breslin: "The Gentleman asks leave... Strike that. The Gentleman moves for the adoption of Amendment #3. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed 'nay'. And the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Breslin: "There being no further Amendments, does the Gentleman have leave to have this Bill remain on the Order of Short Debate? There being no objections, the Bill will go to Third Reading Short Debate. Senate Bill 433, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 433, a Bill for an Act in relationship to condominiums. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 454, Representative White. Clerk, read the Bill."

Clerk Leone: "Senate Bill 454, a Bill for an Act to amend the Lead Poisoning Prevention Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 454 on page one and so forth."

Speaker Breslin: "Representative Cullerton. Representative Cullerton on Amendment #2."

Cullerton: "Yes... This Amendment has to do with the prosecution of a person violating the Lead Poisoning Prevention Act. And it takes out the Attorney General from the Bill. I move for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' The Gentleman from Bond, Representative Slape,



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on the question."

Slape: "Yeah, will the Gentleman yield?"

Speaker Breslin: "The Gentleman indicates he will yield."

Slape: "I just like to know the reason why he would want to take the Attorney General out of the provisions of the Act."

Cullerton: "It would be inappropriate to have him in there."

Slape: "I'm sorry, would you repeat that?"

Cullerton: "It's inappropriate to have him in there."

Slape: "Well do you... By the Amendment, do you revert everything back to what the state attorneys?"

Cullerton: "Right."

Slape: "Thank you."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the question is, 'Shall Amendment #2 be adopted?' Representative Cullerton to close."

Cullerton: "Move for the adoption."

Speaker Breslin: "All those in favor vote 'aye'. Strike that. All those in favor say 'aye', all those opposed say 'nay'. in the... in the... We'll have a Roll Call. All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Clerk, take the record. On this Motion, there are 84 voting 'aye', 9 voting 'no', and 4 voting 'present, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, Senate Bill 454 will remain on the Order of Short Debate. Ladies and Gentleman, we would like to go to the Order of Senate Bills Second Reading, page 27 on your Calendar, and call Senate Bill 1237. And Mr. Clerk, I would like you to explain what happened on that Bill when it was called previously. Senate Bill 1237."

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Clerk Leone: "Senate Bill 1237 was inadvertently tabled in Committee. Committee Report should have read that it passed out of Committee on a 7 to 5 vote, 'do pass as amended', with Amendment #1. Correction. It was moved to Third Reading, and the Clerk reported that there were no Committee Amendments; however, there was an Amendment that was adopted in Committee, Amendment #1."

Speaker Breslin: "The Chair will, therefore, rule that Senate Bill 1237 is back on the Order of Second Reading. Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Representative Dunn, for what purpose do you rise?"

Dunn: "Just to make certain that the record this time does, in fact, reflect that Amendment #1 was adopted in Committee. Thank you."

Speaker Breslin: "Mr. Clerk, can you confirm that?"

Clerk Leone: "Yes, I'll read the Bill. Senate Bill 1237, a Bill for an Act to amend Sections of an Act to promote the welfare wage earners by regulating the assignment of wages and describing the penalty for the violation thereof. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Representative McCracken, for reason do you rise?"

McCracken: "I... I am not taking a position on the Bill, Representative Dunn, but I was a Member of that Committee. That Bill was defeated twice on a 'do pass' Motion in Committee. It was tabled. It was taken from the table by Representative Dunn last week. No Amendment was put on in Committee. It failed twice. We still need to put the

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Amendment on."

Speaker Breslin: "Representative McCracken, the Clerk has indicated otherwise. Representative Cullerton, can you enlighten us on this subject?"

Cullerton: "Well I believe that the Amendment, the Committee Amendment, is not printed. So, I think we should take the Bill out of the record. Committee Amendment that was adopted in Committee is not printed."

Speaker Breslin: "Representative Dunn."

Dunn: "I... I don't think we have a problem with the Bill. Now let's just hold it until if... If the Amendment does need to be printed, well, we will hold it until it's printed and distributed, but the Amendment was, in fact, adopted in Committee. We've checked the Clerk's records and verified that it... I don't know what happened, but it was adopted in Committee. So let's wait till the Amendment is printed, and then if we can have the consideration of the House to move the Bill to Third when we get the printed copy of the Amendment, I would appreciate it."

Speaker Breslin: "With leave of the Body, we will then hold Senate Bill 1237 on the Order of Second Reading. Leave being granted, this Bill will remain on the Order of Second Reading. Representative McCracken, for what reason do you rise?"

McCracken: "I was mistaken. Rep... Representative Dunn is correct, the Bill failed, but the Amendment was adopted in Committee. My apologies."

Speaker Breslin: "Now we will return to page 20 on the Calendar, where we left off previously, and go to Senate Bill 454. Have we done 454 yet, Mr. Clerk? Then Senate Bill 490, Representative Flinn. Clerk, read the Bill."

Clerk Leone: "Senate Bill 490, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No

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Committee Amendments."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "Floor Amendment #1, Brunsvold, amends Senate Bill 490 on page five and so forth."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Madam Speaker, I'd like to withdraw Amendment #1."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #1. Hearing no objections, the Amendment is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Brunsvold, amends Senate Bill 490 on page five and so forth."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Amendment #2 for Senate Bill 490 would leave the four dollar rate for senior citizens 69 years and older, instead of increasing it to five dollars as indicated by the Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. And on that question, the Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Madam Speaker, I reluctantly rise to oppose the Amendment, because Joe Brunsvold is a very good Legislator. He's already done a good job this year and will do better in the coming years. But this Amendment is rather ridiculous. What we have done in the Bill is change the three years drivers license to four years, and we've upped the senior citizens from four dollars for three years, or a dollar and a quarter a year, to five dollars in four years, or we've cut it eight cents per year for the senior citizens in the Bill. It would only cost a dollar and a quarter a year to drive. He is suggesting that we cut twenty-five more cents a year. Well if the senior citizens can't make it without having this cut back of twenty-five cents, they are in dire straits. I would ask that we defeat the Amendment and leave the Bill alone like it is."

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Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Rock Island, Representative Brunsvold, to close."

Brunsvold: "A few weeks ago, we voted in this House to increase license plate fees for senior citizens as well as everyone else. I know this is... I'd like to take the four dollars and have the senior citizens pay nothing for their drivers license, but I think that's also a little bit tough to swallow. The least we can do is show the senior citizens, or at least maintain them at the four dollars instead of increasing it to five dollars. I know it's not much, but at least a signal to the senior citizens that we know they're there. So I'd ask for your support in this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'nos' have it, and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 496, Representative Hoffman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 496, a Bill for an Act in relationship to financial support of certain children. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Excuse me. Representative Brunsvold, for what reason do you rise?"

Brunsvold: "Madam Speaker, I... You're not allowing a Roll Call on that situation?"

Speaker Breslin: "We have already moved to the next Order of Business, Representative. I believe the vote was overwhelming."

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Brunsvold: "Overwh... Okay."

Speaker Breslin: "Representative... Are there any Motions filed on Senate Bill 496, Mr. Clerk?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends Senate Bill 496 as amended."

Speaker Breslin: "Representative Cullerton. Representative Cullerton."

Cullerton: "Yes, this is a simple Amendment. It has to do with the Department of Children and Family Services, the Bill, with regard to tightening up parental responsibility for a child support payment for stricter enforcement. This simply says that the Attorney Gen...that the state's attorneys should be the ones in charge of enforcing this particular Act."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. The Gentleman from the DuPage, Representative Hoffman, on the question."

Hoffman: "I accept the Amendment."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 522. Excuse me. Does the Gentleman have leave to keep Senate Bill 496 on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 522, Representative Virson. Out of the record. Senate Bill 576, Representative Leverenz. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 576, a Bill for an Act to revise the law in relationship to the practice of veterinary medicine and surgery in Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Leverenz, amends Senate Bill 576 on page one and so forth."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. The Amendment #1 would primarily put the Bill in the same shape as we passed out of here, almost unanimously, the same Bill, 1344, which did two or three essential things. One, it makes the Board subservient to the Director as the Auditor General recommended for all Boards and Commissions under the Department of B and E. The second major thing it does is provide for the reimbursement of expenses on administrative hearings, and I would ask for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. In on that question, Representative Vinson."

Vinson: "Will the Spncsor yield?"

Speaker Breslin: "The Gentleman indicates he will yield to a question."

Vinson: "It's my recollection that we did deal with the Bill, the House Bill, that related to this subject, and we put it in a particular form that you and I both thought was right. And I'm wondering if this is being put in the same form."

Leverenz: "Your question is right on the mark. The Senate Bill, which came with no Amendments, was much cleaner to amend rather than the hodgepodge we had to go through on House Bill 1344. It is the same Amendment, does exactly the same things, and the Association has approved of the Amendment."

Vinson: "Okay, thank you. I certainly support the Bill."

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Speaker Breslin: "Is there any further discussion? There being no further discussion. The Gentleman from Cook, Representative Leverenz, to close."

Leverenz: "I would simply ask for everyone support for the adoption of Amendment #1 to Senate Bill 576."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 576 as amended."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes. I believe that with the adoption of Amendment #1, that Amendment #2 might be out of order. It's merely a technical Amendment that corrects some spelling mistakes."

Speaker Breslin: "Do you withdraw Amendment #2, Representative?"

Cullerton: "I'd have to ask the Parliamentarian if he believes that it's out of order."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I believe Amendment #1 corrected the problems. I withdraw Amendment #2."

Speaker Breslin: "Very good. Amendment #2 is withdrawn with leave of the Body, there being no objection. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 589, Repre... Does the Gentleman have leave to keep the Senate Bill 576 on the Order of Short Debate? There being no objection, the Bill remains on the Order of Short Debate. Now Senate Bill 589, Representative Leverenz. Clerk, read the Bill."

Clerk Leone: "Senate Bill 589, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of



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

Speaker Breslin: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Amendments?"

Clerk Leone: "Floor Amendment #2, Leverenz, amends Senate Bill 589 as amended."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. The Amendment would prohibit the Department of Transportation from making grants to any public transportation system, unless such system agrees not to engage in school bus operation, exclusively. This was an agreed Amendment in Committee which had to be removed to take care and get the Bill out of Committee. And I agreed that this portion of the Bill would be replaced on the House floor, and Representative Davis was in support of that and all the other Members of the Committee to my understanding. So at this time, I would ask for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep Senate Bill 589 on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 607, Representative Slape. Clerk, read the Bill."

Clerk Leone: "Senate Bill 607, a Bill for an Act to amend an Act to revise the law in relationship to coroners. Second Reading of the Bill. No Committee Amendments."

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Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Slape, amends Senate Bill 607 on page one and so forth."

Speaker Breslin: "Representative Slape."

Slape: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. House Amendment #1 to Senate Bill 607 puts the language that is found in Senate Bill 310 into Senate Bill 607. Senate Bill 310 strikes all references in the statute whereby a county can abolish the office of coroner. I'd ask for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 621, Representative White. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 621, a Bill for an Act to amend the Specialized Living Centers Act. Second Reading of the Bill."

Speaker Breslin: "Out of the record. Senate Bill 626, Representative Kustra. Excuse me. Representative Currie. Out of the record. Senate Bill 632, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 632, a Bill for an Act to revise the law in relation to Casimir Pulaski's birthday. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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Clerk O'Brien: "None."

Speaker Breslin: "Has the State Mandates fiscal note been filed?"

Clerk O'Brien: "A fiscal note has been filed, but the State Mandates Act note has not been filed."

Speaker Breslin: "The Bill, will then remain on the Order of Second Reading. Representative Terzich. On that question, Representative Terzich."

Terzich: "The Mandate request was withdrawn, if I'm not mistaken. I have a note right here."

Speaker Breslin: "Mr. Clerk, has the request for the State Mandates Act fiscal note been withdrawn? We will get that answer for you momentarily, Representative. Representative, the old State Mandates Act fiscal note was withdrawn; however, a new State Mandates Act fiscal note has been requested. Can you tell us who requested that note, Representative? Representative Nelson. The Bill, therefore, remains on the Order of Second Reading. Senate Bill 638, Representative Giglio. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 638, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #2 was withdrawn. Floor Amendment #3, Giglio, amends Senate Bill 638 as amended with reference to page and line numbers of House Amendment #1 and so forth."

Speaker Breslin: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #3, what it does, it says that no person drawing blood or urine from a subject at the request of a police officer made under this Section shall be civilly or

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criminally liable for such action. This part of the drunken driving law that was put in effect, and what's happening, some of the nurses and the people that are drawing blood are having a hard time at the request of the police officer for drawing blood to be criminally liable."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield to a question."

Cullerton: "Representative Giglio, does this deal with the situation where the person is stopped for drunk driving, and a police officer or a medical personnel is responsible for drawing blood or urine from that person?"

Giglio: "Yes, but it only retains to the ones that are permitted to draw the blood, the doctor or the nurse. And what is happening..."

Cullerton: "So what if...if a doctor or a nurse used a defective needle when they were withdrawing blood, and since that's not willful or wanton misconduct, there would to be no way in which the individual who was injured or who died could sue that doctor or that nurse."

Giglio: "Well, first of all, I don't think anybody that is in that profession would use a needle or a tool of that sort that would make them liable for anything. This is just to protect them on some that are, perhaps, unconscious, or somebody else tells them to do it, and then, they don't want to be held liable."

Cullerton: "Okay. Well, I think that given that explanation, that there is no need for the Amendment since no one would ever do that negligent act anyway. I don't see there being any need to provide for that. I would also point out that this particular Amendment was included on another Bill, and

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that it was soundly defeated in the Judiciary Committee. As a matter of fact, the vote was 11 to 4 'do not pass' on this particular Amendment. So I...I would be in... oppose the Amendment."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Just two brief questions, and then to the Amendment. The first is, apparent... The law is now, am I correct, Representative Giglio, that if an individual is stopped and charged with a DUI, they don't have to submit to the test, but if they don't, they're as is proper, their driving privileges are suspended for six months? Is that right? Well that's right, okay. I guess my question is in regard to the first part of the Amendment, which really doesn't bother me nearly as much as the second part of the Amendment, is that the language is, 'no person drawing blood or urine shall be civilly or criminally liable for any such action on a theory of lack of consent of the subject', which really seems to fly in the face of where we set up our statutes. We set up our statutes, and I think they're well done. And I think the changes that have been implemented by Secretary Edgar are good in terms of penalties. And then at the same time, we say, 'You don't have to take the test'. You can have your license suspended and; yet, if somebody forces you to give blood, takes blood from you regardless of whether you want them to or not, or takes urine from you whether you want them to or not, that they're not liable in any form for doing something that the statute clearly prohibits". My second question is, if...if...I presume this language would cover a whole variety of situations. I might as well address the Amendment. Somebody administering a test uses a rusty needle, or a dirty needle and causes hepatitis or a blood

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infection of the individual involved, a person receives the debilitating injuries, no recovery. In the same situation, a little bit different twist in securing urine for a test from an individual, either too much force or the wrong objects are used, and you render somebody sterile, or render them impotent because you don't perform the test right - no liability. Now I think that drunk driving is a very, very serious offense. And I think legislation we've passed and other legislation we're considering directs itself to the seriousness of that offense. But this doesn't have anything at all to do with that, and neither, in spite of, I'm sure, somebody's effort to try to try this in... tie this into a lawyer's issue, doesn't have anything to do with that either. What it is, is a situation where, in addition to being arrested and charged, you're saying that that individual, because he or she is arrested and charged, has absolutely no civil rights at all. They can be rendered impotent. They can have a serious blood infection or other disease caused to them by improper administration of a test, be rendered unable to support their family. They won't work for ten years, or the other consequences of that sort of action even though the action is rare, and there's no recovery. And so the bottom line is, after you've done all of this, you turn a person who's been debilitated physically into a ward of the state, and we wind up supporting them on public aid anyway. It absolutely doesn't make any sense at all. The people who administer these tests are well-qualified individuals. Nine hundred and ninety-nine times out of a thousand or more, they do it right. If there is one case out of a hundred thousand where they don't do it right, and somebody suffers from it, what sense does it make to have an Amendment that says the individual who administers that

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test isn't liable for it, isn't liable under the same standards, the same conditions that anybody else would be? As Representative Cullerton says, from a whole variety of votes from both sides of the aisle, this Amendment in another Bill was overwhelmingly defeated. It doesn't have anything to do with the effort to crack down on drunk driving. It's a horrible and inhumane Amendment, and I urge a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Berrios."

Berrios: "Mr. Speaker (sic - Madam Speaker), Members of the Assembly, I hate to disagree with some of my colleagues, but last week this same Amendment was passed in this House unanimously with no problems. If you read the Amendment, it says that they're exempt except for willful or wanton misconduct. Now, that protects that individual. And again, I say this passed last week, but the only thing was, the Bill was never called on Third Reading. So, it died. But this Amendment was passed before. Thank you."

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

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Just in reference to what the previous speaker said, though this Amendment does say that recovery is possible for willful and wanton misconduct, we're talking about negligent misconduct. The individual could not recover under the provisions of this Amendment for negligence. And as Representative Johnson articulately stated, when someone is in those rare, rare instances has been negligent in the performance of one these functions, and somebody is severely, even permanently injured, perhaps, maimed for life, perhaps conceivably even dies as a result of an infection that might be contracted through a

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negligent blood test that's taken, or even transmitting some terrible disease through the negligent use of a blood test, that's crazy to not allow the victim of that negligence to recover. I would urge that this Amendment be defeated."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Giglio, to close."

Giglio: "Thank you, Mr. Speaker (sic - Madam Speaker), Ladies and Gentlemen of the House. Well, I think you've heard enough argument on both sides. You heard Representative Berrios contradict some of the statements that were made by the distinguished lawyers of the House. And I think it's a good Amendment, and I'd ask for your favorable support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 23 voting 'aye', and 79 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? Excuse me. Since the Bill was not amended, the Bill remains on...moves now to the Order of Third Reading. With the leave of the Body, the Chair will like to go back to Representative McMaster's Bill, Senate Bill 70. Is there any objection? Hearing no objection, Senate Bill 70. Clerk, read the Bill."

Clerk O'Brien: "70. Senate Bill 70, a Bill for an Act to make uniform the penalties for removing or vandalizing traffic control signs or devices. Second Reading of the Bill. No Committee Amendments."



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Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton, amends Senate Bill  
70 on page two, line 14 and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "This Amendment was suggested by Representative Ropp.  
It adds the word 'knowingly' to the statute."

Speaker Breslin: "Is there any discussion on the Amendment? The  
Gentleman from Knox, Representative McMaster."

McMaster: "I have no objection to the Amendment, Madam Speaker."

Speaker Breslin: "The question is, Shall Amendment #1 be  
adopted? All those in favor say 'aye', all those opposed  
say 'nay'. In the opinion of the Chair, the 'ayes' have  
it, and the Amendment is adopted. Are there any further  
Amendments?"

Clerk O'Brien: "Floor Amendment #2, McMaster, amends Senate Bill  
70 on page one by deleting lines one and two, and so  
forth."

Speaker Breslin: "Representative McMaster."

McMaster: "Thank you, Madam Chairman (sic Speaker). This  
Amendment was an effort to reach agreement with  
Representative John Dunn, who had some objections to the  
Bill. The Amendment was supplied by the County  
Superintendents of Highways Association. It would reduce  
the minimum fine applicable to removing or vandalizing  
traffic control devices from \$500 to \$250, and it would  
reinstate the current penalties for actions of this nature,  
such as, such offenses can be presently classified as Class  
A, B or C misdemeanors. And this is what the Amendment  
does."

Speaker Breslin: "The Gentleman has moved for the adoption of  
Amendment #2. And on that question, is there any  
discussion? The Gentleman from Macon, Representative  
Dunn."

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

Speaker Breslin: "The Gentleman indicates he will yield."

Dunn: "Does this Amendment now provide for a certain minimum level of fine?"

McMaster: "Yes, it does. A minimum level of fine of \$250."

Dunn: "To the Bill, Madam Speaker. The Sponsor of the Amendment is, in fact, correct. We did have discussion in Committee, and we agreed we would try to work out an Amendment. And I do, in fact, disagree with this Amendment, but that is in... I want to state publicly, that I have no problem with the Sponsor of the Amendment or the people both he and I were trying to help. We did not have an agreement that we would not move the Bill unless I agreed. The Members may want to adopt this Amendment. But I do want to speak briefly in opposition to the Amendment, because I think what this Amendment will do is provide a situation for all intents and purposes where we may throw the baby out with the bath water. We have on our books now criminal penalties for tinkering with, and destroying, vandalizing and damaging traffic signs, and those penalties provide with discretion on the part of the Judge up to six months in jail perhaps or up to a thousand dollar fine, so that if some youngster gets out some night and turns a street sign around, or let's say, someone does, in fact, remove a stop sign at a four way stop intersection to take it up to his room to hang it up on his wall, shouldn't do that, of course. But if it's in a neighborhood where there's not much traffic, and where if... if no damage is caused, and no one is hurt, and it's a youngster and a first offense, perhaps, and if they're caught, the Judge has a discretion to scare the daylights out of them and present them with a fine that will be tough enough for them to pay out of their minimum wage job, which they're probably working nights

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and weekends and probably never happen again. If there is a damage caused, if someone removes a barricade on an interstate or on a busy highway doing something with reckless disregard for the consequences of their action, the law currently provides for flexibility for the Judge to sentence them to jail for, I don't remember whether it's up to six months or up to a year, to sock them with a heavy fine. So a Judge can lean on people who do really bad things and can be lenient on people who really aren't so bad. The philosophy of the Amendment is to provide for a minimum fine of \$250. And I think \$250 is a little steep for a first time offense, for someone who's never been in trouble before for someone who does something, of course, they shouldn't do, which doesn't cause damage and which, when they're confronted, and caught and scared, will never do it again. And yet, this Bill is going to say that there should be a minimum fine of \$250. So I respectfully agree with the attempt of the Sponsor. What they wanted to do is to impress upon people, don't do things to traffic signs and barricades which may cause injury to the motoring public. I agree wholeheartedly with that, but I think we should provide for some room for discretion for those who do things that don't cause injury and really aren't so bad. And I think this Bill imposes too stiff of a penalty which must be imposed in every instance for violation of the provisions of this Act. So I would urge a 'no' vote on this Amendment."

Speaker Breslin: "There being no further discussion, the Gentleman from Knox, Representative McMaster, to close."

McMaster: "Thank you, Madam Speaker. I think that the previous speaker made some statements in which he said that he agreed with the intent, but not with the size of the fine. Let me point out that we have had some very, very serious

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accidents, people killed due to the removal of these various traffic control devices. What we're trying to do with the minimum fine is put a little more, I guess, feeling of responsibility in these young people or anyone for that matter, and perhaps make them understand a little bit more clearly that they should not be tinkering with these devices. I think in one of the counties not too far from me, we had a family of four killed due to the removal of a sign. I see nothing wrong with putting a minimum penalty of \$250...\$250 for the removal of these traffic control devices. And I would urge a 'yes' vote very seriously and very strongly. Please give us a 'yes' vote on this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 94 voting 'aye', and 9 voting 'no', and 1 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Back to the regular Order of Call Senate Bill 727, Representative Christensen. Representative Christensen. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 727, a Bill for an Act to authorize the conveyance of certain state-owned property to the City of Manteno. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #1, Huff, amends Senate 727 on page one

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by deleting line two and so forth."

Speaker Breslin: "Representative Huff. Representative Huff. The Gentleman is not on the floor. Representative Christensen."

Christensen: "Madam Speaker, I talked to Representative Huff this morning, and he indicated he was going to withdraw his Amendments."

Speaker Breslin: "I believe the proper Motion then, in that case, now is to table the Amendment since the Gentleman is not on the floor."

Christensen: "I so move."

Speaker Breslin: "The Gentleman, therefore, moves to table Amendment #1. All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Huff on Amendment #2. Representative Christensen, what is your pleasure? Representative Huff is not on the floor to present Amendment #2."

Christensen: "Madam Speaker, I move to table Amendment #2."

Speaker Breslin: "The Gentleman moves to table Amendment #2. All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Steczko, amends Senate Bill 727 on page one by deleting lines one and two and so forth."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #2... or #3 rather, is the conveyance of property from the Department of Central Management Services

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to the City of Markham for a sum of 4,000 dollars. This piece of property is located in the City of Markham. It...on it is contained an old dilapidated state transportation garage that no one wants to take care of anymore, and the City of Markham is willing to take over and renovate that building. And the Department of Central Management Services has indicated they have no opposition to this Amendment. And I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman indicates he will yield."

Piel: "What's the exact location of the property described on Amendment #3, Representative?"

Steczo: "Representative Piel, it's located at 159th Street in Pulaski."

Piel: "Well... I beg your pardon? 159th Street in Pulaski?"

Steczo: "Correct."

Piel: "What's the appraised value of the property?"

Steczo: "The appraised value of the...of the...of the property... Well, there is no appraisal necessary in this case, because it's going from one governmental unit to another. There is...there is an appraisal value of the land, I believe, for somewhere on or about \$115,000. However, the renovations, that would have to place to the building are approximately half a million dollars, and based on the cost of those renovations, the state has indicated that they have no interest in keeping the building, and the couple attempts to sell the building to private individuals has gone for naught. So their only opportunity now to get rid of this surplus property it is listed as surplus property

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by the state is to transfer it."

Piel: "To the Amendment, Madam Speaker. I do know the area that it's located on, Route 6 or 159th Street going through Markham which goes straight across all through your southern suburbs. It's a state route, a very, very busy route, and we're talking about a corner lot. We're talking about a very large parcel of land. The figures that we have come up with, the appraisal of the property, the buildings on it, et cetera, et cetera, range anywhere from a 113 thousand dollars up. And we're willing by this Amendment, if this Amendment is adopted, to give this to this City for four thousand dollars. At time of economic crisis, I think our generosity, you know, is a little shortsighted. I think what we have to do is look at this thing and say, 'Hey, you know, if it's a fair price, a fair market value it's one thing'. When you sit here and you offer a very large commercial piece of land to another...to a city, village, whatever the case may be for 4,000 dollars, I think it is just plain stupidity. And I will ask for a defeat of Amendment #3 on Senate Bill 727."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Breslin: "The Sponsor will yield."

Leverenz: "We are providing this property to the City of Markham for \$4,000, correct?"

Steczo: "Yes, correct."

Leverenz: "And on it are how many buildings?"

Steczo: "Right now there is one that's in a bad state of disrepair. It's piece of state surplus property that was formerly used as a transportation garage."

Leverenz: "Oh exactly. You're right on the mark there. Perhaps someday we should have a huge garage sale and sell off all

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of it. In the Amendment, however, does it provide that it would revert back to the state, should the City or Village of Markham not use it for its intended use and wants to, then, declare it surplus and perhaps sell it for a quarter or a half of million dollars to a developer?"

Steczo: "There is a reverter clause, Representative Leverenz. It will revert back to the state, should they attempt to do such a thing."

Leverenz: "We know that local governments are hurting, and that's because the Governor has taken out of their portion on a revenue sharing program. So I don't have too much quarrel for that, as long as the property comes back here, rather than the example we saw earlier this year. And just so the reverter provision is in there, because sometimes it's missing, I think you've done the proper thing, and I support the Amendment."

Speaker Breslin: "Representative Steczo."

Steczo: "If there are no further questions, to close, Madam Speaker?"

Speaker Breslin: "No, there are further questions. The Lady from Kane, Representative Deuchler."

Deuchler: "Will the Sponsor yield?"

Speaker Breslin: "The Gentleman indicates he will yield."

Deuchler: "Yes, well, Representative Steczo, I really have a problem here with this whole concept and note that in your first Amendment or in the first Amendment... Amendment 2, that the words fair market value were used, and now we're using the sum of 4,000 dollars, and it does seem that it's a tremendous bargain for Markham. And I'm sure that all of our cities would like to find these garage sale bargain also. But it hardly seems fair in these economic times. And I'm just wondering why the change was made, and then I would like to make a statement."



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Steczo: "To address the Lady's question, Madam Speaker. The reason that the amount of \$4,000 was used, and as we have done for other pieces of property in other parts of the state, that is the exact amount that the state used...or to purchase the property for, when the state purchased the property. So that's what the \$4,000 amount represents. And if I may, Madam Speaker, to address some of the other comments that were made. In terms of trying to sell this particular piece of property to a private business by the state, it has been tried, and as I had mentioned before, it's going for naught; because, first of all, the building is in dilapidated shape. It would cost approximately four to five hundred thousand dollars to renovate the building, if the building is renovated for any commercial purposes. There is absolutely no parking...additional land for parking purposes. In addition to that, if a company were to simply say; 'Well I will just tear down the building and move it away'. The cost estimates of tearing down the building, which the state said probably will have to be done, in any case, if the building goes through anymore deterioration, would cost in excess of about \$350,000. So it's a Catch-22. The City of Markham is willing to take over the building, and that's what the \$4,000 purchase price represents in this particular Amendment. And it's the same thing we have done for our state surplus buildings in other parts of the state to other local governments."

Deuchler: "To the Bill, Madam Speaker. I think that perhaps mistakes have made...been made in years passed, Representative, where properties have been conveyed for a very minimal sums of money. I have before me the list of state surplus in excess properties. And in looking over this list, I see many large items, acreage of twelve hundred acres, a nine hole golf course, other prime

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locations throughout the state. And when we have schools before us that are literally starving for additional funds, to not realize the maximum that we can realize from any of our assets, to me, seems extremely unwise, particularly, because the State of Virginia was able to work their way out of many of their tax problems by doing just this very same thing, selling business... or buildings and acreage. And I really am opposed to bargains at this point in time."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Steczo to close."

Steczko: "Thank you, Madam Speaker, Members of the House. Let me just reiterate some of the comments and maybe address some of the comments made by the previous speaker. This is not a nine hole golf course. This is not twelve hundred acres of property. This is a dilapidated, beat up, old transportation garage that's no longer being used. The cost for renovation of this building would be approximately four hundred to five hundred thousand dollars. It's on the state surplus property list. And because the cost of renovation is so high, and the state can't get rid of it, it was thought that perhaps that if the City of Markham were willing to expend that amount of money, that the property could be conveyed for the price that the state purchased the property for when the property was purchased. It will put this building to good use and provide, probably, some good public works types of projects for the City of Markham. The Department of Central Management,

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again, has informed me that they have no problems. This Amendment would not have been introduced had the State Department of Central Management Services had problems with this particular Amendment. And I would urge the adoption of the Amendment, Amendment #3 to Senate Bill 727."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3. The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 66 voting 'aye', 37 voting 'no', and none voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 738, Representative McEike. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 738, a Bill for an Act to revise the law in relation to real estate brokers. Second Reading... This Bill has been read a second time previously."

Speaker Breslin: "Are there any Motions filed?"

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

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #2, Leverenz, amends Senate Bill 738 on page 15, line 15 and so forth."

Speaker Breslin: "Representative Leverenz on Amendment #2. Representative Leverenz on Amendment #2."

Leverenz: "One second, please."

Speaker Breslin: "Can someone provide Representative Leverenz with a file?"

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Leverenz: "Withdraw the Amendment. Oh, the other one we want to withdraw, yes. On Amendment #2, we are changing three to five. Exactly..."

Speaker Breslin: "Representative Vinson, for what purpose do you rise? Excuse me, Representative."

Vinson: "I'd request that you direct the Democrat staff to be more cooperative with the Gentleman. He's the Chairman of an Appropriations Committee, is an important Member of the House, and he deserves to have good staff work. And I'd ask that you make sure that occurs."

Speaker Breslin: "Representative Leverenz deserves everything he gets. Representative Leverenz."

Leverenz: "Well, we certainly appreciate Mr. Vinson's comments and certainly yours from the Chair, Speaker. And it was totally my fault on not having the Amendment in front of me and being prepared, but, thank you anyway. As I said, it would provide for a change in years in the Bill from five, I'm sorry, to five from three in the case of a person having to take a fifteen hour refresher on a license going from inactive to an active status. We have made an agreement with all parties, I understand, are interested and the Sponsor of the Bill, also. I would ask for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Leverenz."

Leverenz: "Yes, I'm withdrawing Amendment #3."

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Speaker Breslin: "Does the Gentleman have leave to withdraw Amendment #3? There being no objections, the Gentleman has leave. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, McPike, amends Senate Bill 738 on page 32 and so forth."

Speaker Breslin: "Representative McPike on Amendment #4."

McPike: "Thank you, Madam Speaker. Amendment #4 allows brokers to recover from the Real Estate Recovery Fund if a court finds they suffer a loss. I know of no opposition to the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 768, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 768, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, Mays, amends Senate Bill 768."

Speaker Breslin: Representative Mays."

Mays: "Thank you very much, Madam Speaker. This Amendment allows a Member under an alternative retirement annuity of the state employees retirement system to transfer credits among the alternative retirement formulas positions. I've

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cleared this Bill with the Senate Sponsor, the House Sponsor, the staffs on both sides of the aisle. I know of no opposition. I'd urge this adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 773, Representative Yourell. Representative Yourell on Senate Bill 773. Out of the record. Senate Bill 795, Representative Terzich. Representative Terzich on Senate Bill 795. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 795, a Bill for an Act to amend the Illinois Notary Public Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 862, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 862, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 879, Representative Klenm. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 879, a Bill for an Act to amend

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

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #1, Hastert, amends Senate Bill 789 on page one, by deleting lines one and two, and so forth."

Speaker Breslin: "Representative Hastert."

Hastert: "Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 simply determines a method of capitalization for determining the value of existing municipal... or utilities to be purchased by municipalities. It's a clarifying language. I ask for the positive vote of the Assembly."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Hoffman, amends Senate Bill 879 as amended by changing the title and so forth."

Speaker Breslin: Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 879 is the contents of that Amendment. It's the same as the contents of House Bill 557, which passed this House on the 27th of May, 114 to nothing. It permits water commissions to issue general obligation bonds by referendum and addresses the issue in DuPage County of eventually accessing ourselves to Lake Michigan water. And I would move for the adoption of this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2. And on that question, is there any

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discussion? The Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

Speaker Breslin: "The Gentleman indicates he'll yield to a question."

O'Connell: "Representative, there was a similar measure in a House Bill that came up, and my understanding of that was that it was optional as to whether a municipality wished to participate in the purchase of the bonds or the general program. Is that still the case in this Amendment?"

Hoffman: "Yes, it is. It's exactly the same thing."

O'Connell: "Thank you."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from DuPage, Representative Hoffman, to close."

Hoffman: "Appreciate an affirmative vote, Madam Speaker."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Hoffman, amends Senate Bill 879 as amended in the introductory clause and so forth."

Speaker Breslin: "Representative Hoffman."

Hoffman: "I'd like to withdraw Amendment #3."

Speaker Breslin: "The Gentleman asks leave to withdraw Amendment #3. Does the Gentleman have leave? There being no objection, the Gentleman has leave. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, W. Peterson, amends Senate Bill 879 on page one, lines one and five, and so forth."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker and Members of the House."



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Amendment 4 provides for the Illinois Commerce Commission to fix the water rates when a municipality and the procurer are not in agreement regarding set rates. This Amendment is not applicable to municipalities that procure water directly from Lake Michigan. I move for adoption of Amendment 4."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 950, Representative Wait. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 950, a Bill for an Act to amend the Boiler and Pressure Vessel Safety Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Leverenz, amends Senate Bill 950 by deleting the title and inserting lieu thereof the following."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Yes, the Amendment would take the boiler inspection and put it in the Department of Law Enforcement."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Yeah, thank you, Madam Speaker. I would stand in opposition to this. Actually, I think the intent of the

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Sponsor is to reduce the total number of backlog inspections that was reported in Appropriations Committee. And I think, if you'll recall the history of this whole proposal some seven or eight years ago, the boiler inspection operation was in the Department of Law Enforcement, and they transferred it then, because they had three and four times the backlog of boilers being uninspected. The Director of the Department of... or the Fire Marshal indicated that he was consistently reducing the number of people who are in that area. And I think the intent here is not necessary, in that should the Department have sufficient personnel, they would be able to clear that up. And I don't think... We've not added anymore people. So, I don't think that this Amendment ought to be adopted.

Speaker Breslin: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Madam Chairman (sic Speaker). I agree with Representative Ropp's comments. It was brought out in Committee that the Fire Marshal's Office has generated nearly five hundred, will be generating nearly five hundred thousand dollars in fines and so forth for the General Revenue Fund. It was indicated by the Director of the Department of Law Enforcement that he did not want this responsibility, did not feel that this responsibility should be under his agency and that the proper and appropriate agency for these types of inspection should be the Fire Marshal's Office. And for that purpose, I would all the Members to unitedly defeat Amendment #1."

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

Terzich: "Yes, I would urge a 'no' vote on Amendment #1. The State Fire Marshal's Office is repeatedly requesting additional inspectors. Their budget is continuously

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limited, even though they are supposed to be the recipient of approximately seven million dollars from the insurance...Insurance Premium Fund. However, continuously going through the appropriation process, they are continuously reduced. I know that they do a commendable job. It may not be to the satisfaction of all the Members of the House, but they've done a good job on boiler inspections. And certainly, this is no place for the inspections to be put as in the Department of Law Enforcement. And I will urge a 'no' vote."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Leverenz, to close."

Leverenz: "Thank you, Madam Speaker. I would like to correct the assistant to the Assistant Minority Leader in Appropriations I on just a small point, and that is that the Department of Law Enforcement is the place where this little operation used to be housed prior to the State Fire Marshal's Office. Time and time again, in the audits of the State Fire Marshal, it has been proven that the gentleman that is the State Fire Marshal has a difficulty in; one, filling the vacancies that exist, because it's the Bureau of the Budget that performs the ax cutting in the area of who goes on and who doesn't, or the second and a half floor on who goes on and who doesn't. And the audits continually show vacancies and backlog, backlog, backlog, and it is the Director of Law Enforcement that said he would prefer having a different operation of the State Fire Marshal's Office and really was neutral on this position. I think the whole State Fire Marshal's Office has become a joke under the gentleman that is supposedly the Assistant Director, who's paid about six thousand more than the Director, who tried to engineer the top job, but failed, too, at that. It's about time we quit fooling around with

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something that is a possible hazard to property and people in the state and get the job done. These folks only inspect or have the required law to inspect one-third of all the pressure vessel boilers in the state. Insurance companies do the other two-thirds. They can't get their act together, and I think this is a better place to have it. I would move for the adoption of Amendment #1 to Senate Bill 950.

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. Representative Mautino, for what reason do you rise?"

Mautino: "A very unique and touchy situation. I have a comment or two to make on Amendment #1 as it pertains to Senate Bill 950."

Speaker Breslin: "Representative Mautino, Representative Leverenz has already been recognized to close. We will have..."

Mautino: "No, I'm not closing. I have a comment and a position to take which is in opposition to this Amendment, since I was the original person who transferred the boiler safety provisions prior to the last enactment."

Speaker Breslin: "However, Representative, the Gentleman as the Sponsor has already been recognized to close. We will, therefore, have to go to the vote, and we will recognize you to explain your vote. Representative Vinson, for what purpose do you rise?"

Vinson: "Now we've been bouncing all over the Calendar. We've gone back to let people pick up their Bills to have their say, their day in court. Why don't you give Representative Mautino a chance to make his feelings known on this thing?"

Speaker Breslin: "Representative Mautino will be given that chance. The question before us, Ladies and Gentlemen, is whether or not Amendment #1 shall be adopted. All those in favor vote 'aye', all those opposed vote 'no'."

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Representative Mautino to explain his vote."

Mautino: "Since I originally sponsored the transfer of this proposal to the Department of Law Enforcement, and it's under the same gentleman who did it before, Mr. Dwayne 'Gallop', I find that it probably should have a little more time, since the original transfer was in '77, the last one to the Fire Marshal's Office in '80. I think, if they've gotten the message, and I'm sure they'll do a much better job, but the Amendment I don't think is needed."

Speaker Breslin: "Have all voted who wish? Clerk, take the record. On this Amendment, there are 18 voting 'aye', 70 voting 'no', and none voting 'present, and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 966, Representative Rea. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 966, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1030, Representative Hicks. Out of the record. Senate Bill 1031, Representative Terzich. Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1031, a Bill for an Act to amend the Boundary Street Commercial Zone Renovation Act and the Civil Administrative Code of Illinois. Second Reading of the Bill. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Piel, amends Senate Bill 1031 on page one by deleting lines 21 and 22 and so forth."

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Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 arose after House...Senate Bill 1031 passed out of Urban Redevelopment, unanimously was put on the Consent Calendar. And it was brought to our attention by the staff that there were some clarification problems with the Bill. We talked this over with Representative Terzich. And this Amendment #1 to 1031 just clear...clears up some problems with the Bill and is an Agreed Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Strike that. I understand, Representative Terzich. Alright, excuse me. Representative Terzich, that a fiscal note has been requested, and it is not on file. Therefore, the Bill has to remain on Second Reading. Senate Bill 1075, Representative McAuliffe. Representative McAuliffe. Out of the record. Senate Bill 1120, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1120, a Bill for an Act to amend the Use Tax Act and the Service Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Panayotovich - Laurino, amends Senate Bill 1120."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Amendment #1 is

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designed to solve the problem of a merchant in a foreign state that may experience if he inadvertently reported sales tax collection in foreign states. In other words, a foreign state retailer has made a bonafide error, which would result in the payment of tax to foreign state rather than in Illinois. The Department of Revenue shall provide a credit for the taxes paid, if the foreign state statutes of liminations for refunds has expired or the time period for filing the amended return has run out."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that Motion, the Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield, Madam Chairman?"

Speaker Breslin: "The Gentleman will yield to a question."

Hastert: "Mr. Sponsor, I have a couple of questions. First of all, I think you're very well intentioned in this, but I do have a question, in that will this cost the State of Illinois money?"

Panayotovitch: "I'm not sure whether it'll cost the State of Illinois money or not."

Hastert: "I beg your pardon?"

Panayotovitch: "I don't know if it'll cost any money."

Hastert: "Alright. Well...Second thing, was there a difference...would you say a bonafide error as opposed to error with criminal intent? No, that wouldn't be an error would it?"

Panayotovitch: "We...we assume that all business is honest; and, if it is a bonafide error, it would be a button pushed by mistake. We would consider that a bonafide error."

Hastert: "Alright. Thank you. Well...Mr. Spncsor, I... To the Bill, Madam Chairman. I see you're interested in foreign states here, but I do have a problem with the Bill. I think this Bill will cost the State of Illinois

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money...what... or the Amendment will. And let me just take a second and talk about the intention of the Bill and how this affects it, if I may. The Bill says that states that are foreign states, otherwise, states other than the State of Illinois, who are businesses doing states...businesses doing business in those states, should pay sales taxes due to the State of Illinois when services are delivered. This would give forgiveness to those states in paying taxes due to the State of Illinois when there is some type of mistake. And if we take the states of Missouri and Illinois, the State of Missouri has a two year statute of limitations. The State of Illinois has a three year statute of limitations. And when you start... those two different situations, the State of Illinois really could lose money. I think this is probably a well-intended Amendment, but a bad Amendment, and I ask for your negative vote on this piece of legislation."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Panayotovich, to close."

Panayotovich: "Thank you, Madam Speaker. All we just want is we don't want to have a Catch-22 here, and I would like for a favorable vote on this. Thank you very much."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'nos' have it, and the Amendment is lost. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? He doesn't need it, excuse me. The Bill is, therefore, on the Order of Short Debate. Third Reading. Senate Bill 1156,



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Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1156, a Bill for an Act relating to the State Fire Marshal and an Act relating to investigation and prevention of fire. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Mautino, amends Senate Bill 1156 on page two, lines 30 and 31 and so forth."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Amendment #1 to Senate Bill 1156 makes the changes in the substantive legislation for the Rural Fire Prevention Program for cities under 10,000 in the State of Illinois. The Federal Government has no longer funded the Program, which was under the auspices of the Department of Conservation Division of Forestry. In that regard, the legis... the legislation and the Amendment, which I have presented, puts the program as it was before, in the State Fire Marshal's Office and removes the designations of the Department of Conservation. In that regard, it is a controversial issue. To that end, I have received a commitment from Mr. Carter, the Department of State Fire Marshal's Office - the Director, and the Appropriations Committee, that he would continue the hand-in-glove workings with the Department of Conservation on this question. I have also received a written commitment from him on this same provision. Therefore, I am taking the Department at their word that they will work with the individuals who were formerly under the auspices of the Department of Conservation Division of Forestry in implementing the grant program that makes available funds on a 50 percent matching basis with cities under 10,000 population."

Breslin: "The Gentleman has moved for the adoption of Amendment

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#1. And on that question, the Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I find myself in a unique position here on this piece of legislation of opposing my good friend, Representative Mautino, but I'd like to review for you that in going back, since 1975, the RCFP Grant Program has provided the incentive for many small rural communities to upgrade their firefighting capabilities. I have witnessed this over the years; and, as a direct result of the RCFP Program, many rural communities have been able to upgrade their fire protection capabilities and have also improved their insurance rating for the citizens of the rural communities. And I think that this should stay within the Department of Conservation, because the Department has administered the RCFP Grant Program since 1975. The audit findings have shown that the Program is and has been administered in a clean and effective manner by the Department of Conservation. Also, if the Federal RCFP Grant Program is funded for FY 1984, both the federal and the state-funded Programs should be administered from the DOC offices to ensure continuity and the overall effectiveness of both programs, and that continuity is very, very important, and the Department of Conservation also administers the Federal Excess Property Program, which provides rural fire departments with various types of equipment which helps them upgrade their department. The DOC has field-based personnel who assist rural fire departments with fire related problems, and I might also add that the Department of Conservation is the only agency that really works with the small rural fire departments in Illinois on a day-to-day basis, and this is very crucial for this type of Program. So I would certainly urge a 'no'

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vote on this Amendment."

Speaker Breslin: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker Breslin: "The Gentleman will yield to a question."

Koehler: "Representative Mautino, having sat in the Appropriations Committee, I can understand the thoughts behind your moving this particular Program from the Department of Conservation to the... to the Office of the State Marshal. However, it has been my understanding, as Representative Rea stated, that the Department of Conservation has done an excellent job in administering this Program, and I was wondering as to your thoughts as to why you would now take it out from underneath the Department of Conservation, which has done a good job administering it."

Mautino: "In response to your inquiry, three factors come into play. First of all, there's no more federal dollars to implement the Program in the Department of Conservation. The funds for the Program are under the Fire Prevention Fund, which are in the Department of the Marshal. That's where the money comes from, okay? Number two, there's no other way I could get the Bill out of the Committee in the first place. Okay?"

Koehler: "Well, thank you very much. However, I'm concerned that if you do move the Program over to the Department of... of the State Marshal, that we might end up with two different sets of bureaucrats administering and that I... I think that it is important that we continue to leave the Program in the Department of Conservation, because they have administered it over the past several years. They are... have done an efficient job with it, and I think that it

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might be more appropriate to transfer the funds over to the Department of Conservation and allow them to continue the administration so that we do not have two sets of administrators. Thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm advised by a chief from a fire protection district in my area that this may work to the detriment of those metropolitan and non-downstate fire protection districts. As you know, the fire protection districts which will benefit from this Program are those only which serve communities of less than 10,000. Where I come from, we don't have any fire protection districts of that size. They all exceed 10,000. Now, when that funding mechanism Program was under the Department of Conservation, that was okay, because those small fire protection districts were not drawing from a statewide fund administered by the Marshal for the benefit of all fire protection districts. Now, however, since the funding will be from that fund - a fund which formerly was for the benefit of all fire protection districts - it will be depleted, and those larger fire protection districts will suffer to the extent that this Program has moved into this new fund administered by the State Marshal. I submit, therefore, that the proper move here is to find some other source of funding, some new source of funding, if we are interested in preserving the Program. To move it to a current Program administered by the State Marshal works to the detriment and unfairly, I believe, to the detriment of all those larger fire protection districts. I, therefore, oppose the Amendment."

Speaker Breslin: "The Gentleman from Knox, Representative McMaster."

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McMaster: "Thank you, Madam Speaker. I rise in support of this Amendment. I certainly feel, since the drying up of the federal funds and the financial condition of the State of Illinois, that this Program should be consolidated with the Marshal's Office. I would... could go further to give my opinion to the Department of Conservation; but, at this time, I suppose it would not be expeditious to this Amendment. I could, for instance, say that perhaps the way the Department of Conservation has mishandled money for the Rock Island Trail; that certainly I see nothing wrong with the Marshal handling this fund, and I rise in support of the Amendment."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. I rise in support of the Amendment, also, and just as a... so everyone understands, the Fire Prevention Fund, that money is accumulated every year, and every year we - see, and I believe the last amount that was transferred from that fund to General Revenue was, I believe, a little over a million dollars, because it was not used on the programs within the Marshal's Office. So, I would support the Amendment and ask for your support."

Speaker Breslin: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Would the Gentleman yield for a question, please?"

Speaker Breslin: "The Gentleman will yield."

Winchester: "Representative Mautino, is this... what you're trying to do is replace the funds that the Department of Conservation used to send out to our small rural fire departments to help and... and I think that that money now has been eliminated, because the Federal Government's eliminated the funding. And it's been such a popular

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Program that what you want to do now is just put it under the jurisdiction of the Marshal's Office and take the money out of the Fire Premium... Fire Protection Fund to... to fund those small grants to our rural fire departments and so forth. Is that... that's the intention of the Bill?"

Mautino: "Exactly. Yes. That's the intention of it."

Winchester: "Well, then may I speak to the Bill?"

Speaker Breslin: "Proceed."

Winchester: "I think most all the downstaters, and I'm sure many others in the other parts of the state have from time to time received grants from the Department of Conservation for various... to their small communities for various fire prevention matters; and, because the Federal Government cut off funding to the Department of Conservation, those programs are going to be eliminated. And as I understand the purpose of this Amendment, the Marshal's Office will be able to take funds, and I believe it's a couple... up to a couple of hundred thousand dollars, out of the Fire Protection Fund, a special fund that does not involve General Revenue funds and we'll be able to continue making those small grants to our rural fire departments. And based on my experience with rural fire departments and their need for additional dollars, I would urge that we cast a favorable vote on this Amendment."

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

Terzich: "May I ask a question of the Spncsor? Are you saying that state... from the Marshal's Office be given to the Department of Conservation?"

Mautino: "What I'm saying is the Program that was in the Department of Conservation now go into the State Marshal's Office."

Terzich: "Very good. Thank you."

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Speaker Breslin: "There being no further discussion, the Gentleman from Bureau, Representative Mautino, to close."

Mautino: "Thank you, Madam Speaker. In response to Representative Koehler's concerns, she was in the Appropriations Committee, I believe, when that question concerning the continuation of the Program under the Marshal's, with the individuals who are running the Program in the Department of Conservation, was submitted. The answer was yes to the question, that it would be ongoing and operating in the same fashion as before. It doesn't do anything other than continue the program. We have what is called a turf battle at this time on this question. In regard to the two employees that are of concern to Representative Rea, I also have the commitment from the Director that those individuals will still be running the Program. That should solve the problem. And it goes for funding to those rural communities under \$10,000 (sic - 10,000 population) on a 50 percent match. If that is not the specific case, I will be happy to next year reverse it back, and I will tell that to Mr. Carter and the Department of the Marshal's Office."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 97... 98 voting 'aye', 7 voting 'no', and none voting 'present'. The Amendment passes. The Amendment is adopted, excuse me. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "There are no further Amendments. This Bill will move to Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? The

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Gentleman has leave. Senate Bill 1195, Representative McFike. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1195, a Bill for an Act in relation to revolving credit transactions. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 1199, Representative Klemm. Representative Churchill, Representative Klemm? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1199, a Bill for an Act to amend an Act to create the Chain of Lakes-Fox River Waterway Management Agency. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Cut of the record. Senate Bill 1238, Representative Curran. Out of the record. Senate Bill 1263, Representative Ewing. Representative Hastert. Are either Representative Ewing or Hastert in the House? Out of the record. Senate Bill 1313, Representative Farley. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1313, a Bill for an Act in relation to the Chicago Park District. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #1, Farley, amends Senate Bill 1313 on page one, line one and six, and so forth."

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Amendment #1 does is provide that the Park District able... or... will provide the Park District the ability to lease property from the state. What this Amendment is geared to is the Broadway Armory, which the state wants the Park District to lease from them and then



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provide as a facility. I talked to Representative Ebbesen about this the other day. He's the Spokesman on Cities and Villages. He has no problem with it, and I would move for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objection, the Gentleman has leave. Senate Bill 1315, Representative Brummer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1315, a Bill for an Act in relation to the Illinois... Illinois Commerce Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Rea, amends Senate Bill 1315 by deleting the title and so forth."

Speaker Breslin: "Representative Rea."

Rea: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment is designed to permit Electric Energy, Incorporated of Metropolis the opportunity to borrow money for working capital and cash purposes; and, under the current law, public utility corporations cannot borrow money for working capital. EEI is experiencing some cash flow problems particularly related to the purchase and storage of coal and has indicated that unless it is granted authority to borrow money for working capital purposes, the company could fold. I have discussed this with the Sponsor

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of the Bill and also the Chairman and Minority Spokesman of the Public Utilities Committee, and they are in agreement with the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. And on that question, the Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Chairman... Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield to a question."

Klemm: "Just one question that I have - In case of the definition down on page three may need Amendments, would you bring it back then to correct that, and would the Sponsor of the Bill do that also?"

Speaker Breslin: "Representative Rea."

Rea: "Yes, I would be happy to bring the Amendment back to narrow it if it becomes necessary or to ask that that Amendment be struck if... if it would, you know, be a problem."

Speaker Breslin: "Representative Brummer. The question put by Representative Klemm is, 'Would you bring this Bill back for an Amendment if it's necessary?' Representative Klemm."

Klemm: "We have a question only in the definition on the Amendment. There's no problem with the Amendment, but there is possibly a change in language, just to clarify what it's doing. I had agreed that there was no problem with it, but that if, in fact, a more narrow definition could be drafted, that we may need that. And I just wanted the assurance of the Sponsor of the Bill, which is you, that we could bring it back from Third to Second to correct that."

Rea: "Well, we... we can always move it back and table the Amendment, if that..."

Klemm: "No, as long as you agree, that's no problem. Thank you."

Speaker Breslin: "The Gentleman has moved to adopt Amendment #1."

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Is there any discussion? There being no further discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Does the Gentleman have leave to keep this Bill on the Order of Short Debate? There being no objections, the Gentleman has leave. Senate Bill 1318, Representative Mulcahey. Representative Mulcahey. Out of the record. Senate Bill 1318 is out of the record. The Chair will now go to the Order of Senate Bill, Second Reading, on page 22 of your Calendar. Representative Braun in the Chair."

Speaker Braun: "Thank you, Representative Breslin. On the Order of Senate Bill, Second Reading, non-appropriation Bills, appears House... Senate Bill 25. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 25, a Bill for an Act to amend an Act relating to shared work unemployment benefits. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "For what purpose does Mr. Levin rise?"

Levin: "It's my understanding that the Republican Leadership has asked to have this Bill held; and, as a courtesy, I'll be happy to hold it. Myron, is that still the case?"

Speaker Braun: "Representative Levin, are you asking that the Bill be put out... called out of the record? Out of the record. On page 22 of the Calendar, Senate Bills Second Reading, appears House... Senate Bill 30. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 30, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the floor?"

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Clerk O'Brien: "Floor Amendment #1, Hoffman, amends Senate Bill 30 on page one, by inserting between line 23 and 24 the following, and so forth."

Speaker Braun: "Is Representative Hoffman on the floor? Representative Hoffman."

Hoffman: "Yes, I would like to withdraw Amendment #1."

Speaker Braun: "The Gentleman asks leave to withdraw Amendment #1. Is leave granted? Leave is granted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Kirkland, amends Senate Bill 30 on page one in line 20, by deleting 'school' and inserting in lieu thereof after January 1, 1984, 'school'."

Speaker Braun: "The Chair recognizes Representative Cullerton."

Cullerton: "I don't believe the Amendment has been distributed, Madam Speaker."

Speaker Braun: "That is correct. Representative Hoffman?"

Hoffman: "I'd like to move the Bill to Third Reading."

Speaker Braun: "Representative Hoffman, are you moving to table Amendment #2?"

Hoffman: "Has it been distributed?"

Speaker Braun: "No, Sir. Representative Hoffman, I've been advised that the Amendment still has to be tabled, under those circumstances."

Hoffman: "Yes."

Speaker Braun: "Alright. The Gentleman asks leave to... to table Amendment #2. Is there any discussion? The Chair recognizes Representative Cullerton. The Gentleman has asked leave. Is leave granted? Leave is granted. Amendment #2 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar on page 22, on Senate Bills Second Reading, non-appropriation Bills, appears Senate Bill 89, Representative Stuffle. Out of the

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record. On the Calendar, on Senate Bills Second Reading, appears Senate Bill 176. Representative Hastert."

Hastert: "Madam Chairman."

Speaker Braun: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 176, a Bill for an Act in relation to equalization of property tax assessments. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Hastert, amends Senate Bill 176 on page one in line five, and so forth."

Speaker Braun: "Representative Hastert."

Hastert: "Madam Chairman, Ladies and Gentlemen of the House, Amendment #1 is an agreed Amendment at the request of Representative McPike and members of the Democratic Staff. What it basically does is to delete the revenue sharing penalties that were in the Bill. It also goes along and clarifies the role of the Board of Review and the Supervisor of Assessors and their roles of changing the multipliers or the equalization within townships in a county and bringing it up to the level of 33 1/3 percent. And it also clarifies some language as requested by the Department of Revenue. I ask for its passage."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 176. Is there any discussion? There being none, all in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 3... Senate Bill 206, Representative Bullock. Representative Bullock? Out of the record. Senate Bill 241, Representative Bullock. Out of the record. Senate Bill 247, Representative Leverenz. Out of the record. No? Oh. Read the... Read the Bill,

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Mr. Clerk."

Clerk O'Brien: "Senate Bill 247, a Bill for an Act to amend an Act in relation to the system of toll highways and create the Illinois State Toll Highway Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Are there any Amendments from the floor?"

Clerk O'Brien: "No Motions relating to Amendment #1 and no Floor Amendments."

Speaker Braun: "Third Reading. On the Order of Second Reading appears Senate Bill 280, Representative Bowman. Oh, I'm sorry. 294, Representative Jaffe. Out of the record. 323, Representative Yourell. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 323, a Bill for an Act to revise the law in relation to local public library districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Are there any Motions with respect to Amendment #1?"

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

Speaker Braun: "Representative Karpel? Representative Karpel?"

Karpel: "Yes, that's my Motion to table Amendment #1?"

Speaker Braun: "Yes, it is."

Karpel: "I ask leave. The Amendment... The Amendment is technically out of order. So, I want to leave to table it."

Speaker Braun: "Representative Yourell."

Yourell: "The Lady has moved to table Amendment #1 to House... Senate Bill 323."

Speaker Braun: "The Lady has... Is there any discussion?"

Yourell: "No."

Speaker Braun: "Alright. The Lady having moved to table Amendment #1 to Senate Bill 323, all in favor say 'aye',

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opposed. In the opinion of the Chair, the 'ayes' have it.

The Amendment is tabled. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Yourell, amends Senate Bill 323 as amended on page four and so forth."

Speaker Braun: "The Chair recognizes Representative Yourell."

Yourell: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 was drafted to take the place of Amendment #1 that was tabled. This Amendment is technical in nature by conforming the Bill's election requirements to the General Election Law as well as correcting technical Amendments... errors contained in Amendment #1. I move the adoption of Amendment #2 to Senate Bill 323."

Speaker Braun: "Is there any discussion of the Amendment? The Chair recognizes Representative Panayotovich. Is there any discussion... any further discussion? There being none, the Gentleman has moved for the adoption of Amendment #2 to Senate Bill 2... 323. All in favor say 'aye', opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Yourell, amends Senate Bill 323 as amended and so forth."

Speaker Braun: "Representative Yourell."

Yourell: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #3 adds additional language to include the board of trustees of the district in which the territory is located shall certify the question to the proper election officials. And I move for the adoption of the Amendment #3 to Senate Bill 323."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 323. Is there any discussion? There being none, all in favor say 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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Clerk O'Brien: "Floor Amendment #4, Yourell, amends Senate Bill 323 on page 47 and so forth."

Yourell: "Yes, there was some... Thank you, Madam Speaker, Ladies and Gentlemen of the House. There was some questions as to whether a referendum would be required for... in this Bill relative to the construction of new libraries and capital improvements, and we've taken that language out by changing '16' to '15' in line 35, so that there will be no referendum required, because there will be no building construction involved in this Bill now. I move for the adoption of Amendment #4 to Senate Bill 323."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 323. Is there any further discussion? There being none, all in favor say 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar appears Senate Bill 327. Mr. Clerk, Read the Bill."

Clerk O'Brien: "Senate Bill 327, a Bill for an Act to amend the Illinois Credit Union Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Braun: "Third... Third Reading. Senate Bill 346. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 346, a Bill for an Act to amend sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed? I mean, any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Senate Bill 372. Mr. Clerk, read



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the Bill."

Clerk O'Brien: "Senate Bill 372, a Bill for an Act to amend the Crime Victims' Compensation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "The Sponsor of the Bill is not here. Out of the record. Senate Bill 416, Representative Wolf. Senate Bill 459, Representative Nash. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 459, a Bill for an Act to amend the Illinois Municipal Code and the Counties Act. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Braun: "Any Floor... Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Amendments?"

Clerk O'Brien: "Floor Amendment #3, Nash, amends Senate Bill 459 on page one by deleting line 27 and so forth."

Speaker Braun: "The Chair recognizes Representative Nash."

Nash: "Madam Speaker, Ladies and Gentlemen of the House, I move to withdraw Amendment #2 and 3. I move to table Amendment #2 and withdraw Amendment #3."

Speaker Braun: "The Gentleman has moved to table Amendment #2 to Senate Bill 459. Is there any discussion? There being none, all in favor say 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is tabled. The Gentleman has further moved to withdraw Amendment #3. Is there any discussion? Leave given... Leave is granted. Amendment #3 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, Senate Bills Second Reading, appears Senate Bill 474, Representative Stuffle. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 474, a Bill for an Act to amend an Act to create the State Universities Civil Service System."

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

Speaker Braun: "Any Motions filed?"

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

Speaker Braun: "The Chair recognizes Representative Stuffle."

Stuffle: "Yes, Madam Speaker, Members of the House, Amendment #1 adopted to this Bill, I think, flies in the face of the intent of the Bill. I think, rightfully so, with good intention, the Sponsor of the Amendment advanced it in Committee. Frankly, I don't think it belongs on this Bill. I don't think we're in a position to question its germaneness, due to the fact that it was adopted in Committee. The fact of the matter is that this Bill - the Amendment to this Bill - provides for a change in the powers of the various university governing systems. In fact, the underlying Bill does not. The underlying Bill deals with the Universities Civil Service Merit Board; and, because of that and because I believe that the Amendment does severe damage to the intentions and the purposes of the Bill, which is to provide for a uniform set of rules for negotiation processes across the university systems where employers negotiate with employees, and because we've had problems in those areas of not having a patterned set of rules or one that's known at the time of negotiations, and because of the fact that that's occurred in such a manner that indeed the rules are changed in the middle of the game, I would urge the Members of the House to support my Motion to table Representative Keane's well-intentioned but, I think, an Amendment that does not belong on this Bill and defies the purposes of the Bill, flies in the face of the Bill and ought not to be supported. The employee groups in the university system are very opposed to the

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Amendment for the reasons I've cited. It's been advanced as a compromise when, in fact, it is not. We're attempting to put together a uniform set of rules. This would provide for at least four sets of negotiating rules, and perhaps five, if effect is given to the Bill we passed to create a new system for Northern Illinois University. So I would ask you to consider tabling Amendment #1 in support of my Motion."

Speaker Braun: "The Gentleman has moved. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Keane."

Keane: "Thank you, Madam Speaker. The Amendment was my Amendment put on in Committee, and the reason I put it on was the Committee was told that the purpose for the Bill was to prevent universities, in their negotiations, from changing the guidelines in the middle of the negotiations. It seems that that occurred in one negotiating session with one of the boards. My Amendment, I believe, takes care of that situation. I offered those who opposed my Amendment that I would open... be open to an Amendment which would lock in each of the university systems to guidelines that would last for a definite period of time. That was not acceptable to them. The Merit Board, as you may know, is one... is one Board which serves all of higher education. They are not a collective bargaining unit. They have never been a collective bargaining unit. They are not set up as a collective bargaining unit. They don't know the history of the different systems in their collective bargaining processes. I personally believe that the negotiations belong with each system. The system, the collective bargaining needs and the needs of the Board of Governors are definitely different than that of the U of I or SIU. That's the reason I put the Amendment on the Bill and why I

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support it... I would oppose the Motion to remove it.  
Thank you."

Speaker Braun: "Is there any further discussion? The Lady from  
Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, I rise in  
support of the Motion to table Amendment #1. It is true  
that there was no ruling in Committee on the germaneness of  
the Amendment. I was not in the Chair at that time, but I  
believe had I been in the Chair at that time, that I would  
have ruled the Amendment nongermane. The question arises  
as to whether or not we can, as this Amendment purports to  
do, direct the individual university systems for how they  
handle these matters when, in fact, we are amending the  
portion of the Code that relates to the Merit Board for the  
entire university systems. I believe that regardless of  
which side of the issue you are on, this Amendment is  
inappropriately placed in the Wrong section of the Code;  
and, for that reason, I would support Representative  
Stuffle's Motion to table Amendment #1."

Speaker Braun: "The Gentleman has moved to table Amendment #1 to  
Senate Bill 474. On that question, is there further  
discussion? Representative Stuffle to close."

Stuffle: "Just to close and clear up one point. Representative  
Keane and I have a legitimate difference of opinion here,  
but let me point out to you Representative Satterthwaite's  
remarks are on point. As I indicated, there is a  
germaneness question. I don't raise it, because it's  
already on... the Amendment's already on. Clearly, though,  
to give university governing boards a power under the duty  
Section of the law that covers the Merit Board seems a  
little ridiculous. Most importantly, one thing needs to be  
said in moving to table. As I indicated, the employee  
groups are opposed to the Amendment as I am, as Chairman

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Satterthwaite is; and, as she indicated, she would have ruled it to be nongermane, had she been in the Chair. The point is that the Merit Board is aware of what's going on, and the point is that the Merit Board is indeed made up wholly of members from the various systems. If we want consistency in not changing the rules and one set of rules to negotiate, then we ought to table the Amendment and move the underlying Bill, and I renew my Motion to table Amendment #1 to Senate Bill 474."

Speaker Braun: "The Gentleman has moved to table Amendment #1 to Senate Bill 474. All in favor say 'aye', opposed. All in favor vote 'aye' and opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 54... 44 voting 'aye', 54 voting 'no', 1 voting 'present'. The Motion fails. Any further Motions?"

Clerk O'Brien: "No further Motions."

Speaker Braun: "Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar on the Order of Senate Bills Second Reading appears Senate Bill 54... 515, Representative McAuliffe. Out of the record. Senate Bill 521, Representative O'Connell. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 521, a Bill for an Act to amend the Illinois Abortion Law. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #3, O'Connell, amends Senate Bill 521 on page four, line two, and so forth."

Speaker Braun: "Representative O'Connell."

O'Connell: "Madam Speaker, I'd like to table Amendment #3."

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Speaker Braun: "The Gentleman asks leave to withdraw Amendment #3. Is leave granted? Leave is granted. The Amendment is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Nelson, amends Senate Bill 521 on page two, line 19, and so forth."

Speaker Braun: "The Chair recognizes Representative Nelson."

Nelson: "Thank you very much, Madam Chairman (sic Speaker). Amendment #4 to Senate Bill 521 would add to the Bill what I consider to be equality. I would like everyone to understand that I do not support the concept embodied in this Bill. But I believe that if the Bill were to pass, it would be better off if Amendment #4 were a part of it, because Amendment #4 adds the provision that if the parents of the girl are to be notified, then the parents of the boy should also be notified. That is basically all Amendment #4 does, and I would be glad to answer any questions that you have on it."

Speaker Braun: "Lady has moved for the adoption of Amendment #4. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative O'Connell."

O'Connell: "Madam Speaker, I would oppose Amendment #4. What we're trying to address in this Bill is a legal interest or a legitimate interest that the state has in... in a situation where a child under 18 is seeking an abortion. We feel there's a legitimate interest for, number one, because it involves a surgical operation on a minor. We feel a parent should be notified. If we are going beyond that and asking that the parent of the boy who impregnated the child, his parents be notified, we're going far afield from the legitimate purpose of the Bill. I would submit that the Amendment, while it may be well meaning, it certainly does not have any reason to be in this Bill, other than to scuttle the Bill entirely."

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Speaker Braun: "Chair recognizes... Is there any further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Representative Nelson addresses, I think, what is a serious and legitimate issue and that is one of accountability, and I agree that it takes two to tango and that the accountability to both parties has to be preserved. However... I was being polite. However, I think she misapprehends and... the legitimate interest and the only legitimate interest by which the state can intervene. I think probably that if the same people who support this Amendment were confronted with the situation where the government had to be notified... or required notification of the simple act of sex, then we would find that very offensive. Therefore, the accountability and the responsibility that the male truly shares does not, in and of itself, serve as a legitimate state interest for the government interference. The only thing that serves as a legitimate state interest, and we are reminded of this many times on the floor, is the fact that the female is confronted with a medical or surgical operation. In that instance, it has been held that the legitimate state interest can require that the parent of the minor, on whom the procedure is to be performed, be notified. That is the only basis on which the state has the right to interfere into very private decisions. While the accountability is a serious problem and one which should be encouraged, I believe that the state does not have the legitimate interest necessary to require that notification. I suggest that if, in fact, the accountability is a factor to be addressed, it must be done in another way, because this is clearly unconstitutional. I, therefore, must object to the

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means that Representative Nelson employs, although I understand the gravity of the problem she addresses. And I, therefore, ask you to vote 'no' on the Amendment."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, I find it interesting that we are saying, in opposition to this Amendment, that the state has no interest in what happens in regard to the father of the child in question or the fetus in question. I think that for too long the state has neglected the interest it has in establishing paternity of children. We had testimony recently in Committee to the effect that the Department of Public Aid now has on its rolls over a hundred thousand children for whom the Statute of Limitation for determining paternity has already expired. It seems to me that if, in fact, we are concerned about more children being born in the State of Illinois, more children being born out of wedlock in the State of Illinois, then certainly there is an interest on the part of the state in getting parenthood and, in this case, fatherhood established early on. And if we are, in fact, to encourage young women to have children out of wedlock, then we certainly should be bringing in the male responsibility in the conception of that child. And for that reason, it seems to me that there is a great deal of merit and a great deal of state interest in supporting Amendment #4 to Senate Bill 521."

Speaker Braun: "The Lady has moved for the adoption of Amendment #4 to Senate Bill 521. Is there any further discussion? There being none, all in favor say 'aye', opposed. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the



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record. On this question there are 28 voting 'aye', 76 voting 'nay', none voting 'present'. The Amendment fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, O'Connell, amends Senate Bill 521 on page four, line 20 and so forth."

Speaker Braun: "Representative O'Connell on Amendment #5."

O'Connell: "Thank you, Madam Speaker. #5 addresses two questions really. During the debate on the companion Bill, House Bill 720, there was a good deal of discussion as to the situation that might occur on an incestuous relationship. During the Committee, Representative... hearing in Judiciary, Representative Johnson offered an Amendment which would provide that if in an incestuous relationship situation if the mother of the impregnated child were to take the child to the hospital and certify that the father of this unborn child happens to be the father of the minor child, or to put it simply, an incestuous relationship, there would be no need for the minor child to go to a court of competent jurisdiction to obtain a waiver of the notification. It seems to me that this is a legitimate, logical method to avoid the hardship that might involve the child in an incestuous relationship. The... Also, the Amendment simply puts back in the penalty provisions which were in the original Bill that was sponsored in the House."

Speaker Braun: "Gentleman has moved for the adoption of Amendment #5. Is there any discussion? The Lady from Sangamon, Representative Oblinger."

Oblinger: "Will Representative O'Connell yield to a question, please?"

Speaker Braun: "He indicates he will."

Oblinger: "I also serve on the Judiciary Committee, and I thought I asked you a question that you indicated you would address. The number of people I know that have been in

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this situation, and unfortunately there have been a number of them, the mother is not about to turn against the father and say, "Yes, you had relations with my daughter". The father should be notified, too. Somebody has to besides the mother. In the cases I've been acquainted with, the mother has said it couldn't possibly happen between my daughter and my husband and; therefore, nothing ever occurs. Why is this cut off at that point?"

O'Connell: "Well, I think your question has no answer, except that if we don't try to address the situation in a law that can apply if the mother is so inclined, it can go a long way in avoiding the hardship that would befall the minor child. Your experience that you related in Committee represents two or three people that you've encountered. I cannot, in drafting legislation... When the potential of the horrible situation is presented, if we don't try to address some avenue to get around that situation, at least we've got it in the law. And if the individual mother is reluctant to give that information, that's the individual's objective decision. That's not our position to address."

Oblinger: "I think it is your position to address. Is there no such thing as having a guardian appointed?"

O'Connell: "Well, what would you suggest I do?"

Oblinger: "Have a guardian appointed to represent this child who then could make these statements."

O'Connell: "Now, that means..."

Oblinger: "You're not leaving it to anybody but an interested party who's not going to ever admit to it."

O'Connell: "Representative... The arguments that were raised by many people in this Body was that if we went to the court of competent jurisdiction, number one, the child would not be capable of going through the procedure of a court. Number two, it would take time. Number three, the

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embarrassment would keep the child from doing that. I tried to address that situation with this Amendment. Now, you're asking to go right back into the situation, go to court, have the court appoint a guardian ad litem. The guardian ad litem would review the situation. More time spent. More embarrassment. I think Representative Johnson had a very logical Amendment, and that's all we're trying to incorporate into this Bill."

Oblinger: "Well, all I know is that the Department of Children and Family Services has taken over for these children and represented them. They did not have to go to court. The Department of Children and Family Services represented them. Why do we have to have either... either/or way out on one side or way out on the other - get the mother who won't admit it, or else say the child has to go to court? There are other means, and I was hoping you would bring in the fact that there could be this kind of an intervention by the Department which would save the child embarrassment, but which also overcomes this reluctance of the mother. And I don't think you've done this."

Speaker Braun: "Representative Oblinger, would you... Are you finished? Thank you. Is there any further discussion? Representative O'Connell."

O'Connell: "I was simply going to continue the dialogue with... the questioning with Representative Oblinger in that if we allowed the option of the mother to bring in a third party, be it the Department of Children and Family Services, I might be so inclined to do this. We feel that it's a legitimate Amendment, and I'd ask for its adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #5 to Senate Bill 521. All in favor say 'aye', opposed. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? The Clerk will take the record. On this question there are 60 voting 'yes', 34 voting 'no', 5 voting 'present'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "For what purpose does Representative O'Connell rise?"

O'Connell: "Madam Speaker, it's been brought to my attention that I need to obtain leave to table Amendments 1 and 2, since Amendment #5 incorporated Amendments #1 and 2, and it would be duplicitous if we were to leave Amendments 1 and 2 in the Bill."

Speaker Braun: "The Gentleman has asked leave to table Amendments #1 and 2 to Senate Bill 521. Is leave granted? Leave being granted, the Amendments are tabled. Any further Motions? Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, on Senate Bills Second Reading, appears Senate Bill 526, Representative Terzich. Out of the record. Senate Bill 527, Representative Richmond. Out of the record. Senate Bill 532, Representative Stuffle. Out of the record. 536, Representative Greiman. Out of the record. 554, Representative Friedrich. Out of the record. 564, Representative Daniels. Out of the record. 565, Representative O'Connell. Representative O'Connell? Mr. Clerk, read the... read the Bill."

Clerk O'Brien: "Senate Bill 565, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Amendments from the floor? Representative

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O'Connell."

O'Connell: "Can I take it out of the record?"

Speaker Braun: "Out of the record. Senate Bill 613, Representative Berrios. The Chair recognizes... The Chair recognizes Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 613, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "The Chair recognizes the Gentleman from DeWitt, Representative Vinson."

Vinson: "Speaker, as I read my Calendar, this is a Bill sponsored in the House by Representative Berrios and Domico, and I don't see them on the floor. How can we move the Bill without the Sponsor being here?"

Speaker Braun: "Representative Vinson, is this in the nature of an objection to the Bill being handled by Representative Cullerton?"

Vinson: "Representative Cullerton's handling the Bill? Has he cleared that with the Sponsors?"

Speaker Braun: "Representative Cullerton asks leave... asks leave to handle this Bill for Representative Berrios."

Vinson: "I suppose so."

Speaker Braun: "Is there any further discussion? The Chair recognizes Representative Levin. Representative Levin."

Levin: "I'm just waiting for the Amendment."

Speaker Braun: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Levin - Alexander - Berrios, amends Senate Bill 613 on page one, in line one, and so

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forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Leave to withdraw Amendment #1."

Speaker Braun: "The Gentleman asks leave to withdraw Amendment #1. Is leave granted? Leave is granted. Amendment #1 is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Levin - Alexander - Berrios, amends Senate Bill 613 by deleting the title, and so forth."

Speaker Braun: "The Gentleman from Cook, Representative Levin, on Amendment #2."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 613 adds a provision... language to the Human Rights Act, that the provisions of any ordinance enacted by any municipality or county which prohibits broader or different categories of discrimination than those prohibited by the Human Rights Act are not invalidated or affected by this Act. This is intended to overrule a Fourth District Court decision of 'Hutchcraft and Servicink vs. the City of Urbana' that held that the provisions of the Human Rights Act acted as a limitation on home rule jurisdiction. This is the... This provision was initially contained in House Bill 2213, which was reported out of Cities and Villages on a 12 to nothing vote and just was not called on Third Reading. It's... It's supported by the Department of Human Rights, the Municipal League and various other groups. I ask for the adoption of Amendment #2."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 613. Is there any discussion? The Chair recognizes the Gentleman from DeWitt, Representative Vinson. "

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Vinson: "Madam Speaker, Ladies and Gentlemen of the House, I rise to question the germaneness of Amendment #2. The underlying Bill we're dealing with is an Act to add Section 7... 7-105a to the Illinois Human Rights Act. The Amendment would completely strike that title, create a new title and would amend the Municipal Code. Now, I don't believe that we can be using the Human Rights Act as a vehicle for the Municipal Code. The scope is completely different. The purpose and the subject matter are totally unrelated, and I would ask the Chair to rule the Amendment nongermane."

Speaker Braun: "The Chair rules that the Amendment is germane. Both the Bill and the Amendment pertain to the subject of human rights and define and amend... and pertain to the Human Rights Act. So I would rule that they are germane. The Chair recognizes the Gentleman from DeWitt again, Representative Vinson."

Vinson: "Madam Speaker, I would ask you to take a look at the Amendment. The Amendment does not relate to the Human Rights Act in any fashion. The Amendment deals with the Municipal Code, something very different from the Human Rights Act. Now, we shouldn't get into the practice of ruling Amendments germane, because the Chair likes the Amendment."

Speaker Braun: "The Chair has ruled, Representative Vinson, that the Amendment is germane in that they both deal with the same subject; and, with that ruling, that ruling will stand. The Chair... Is there any further discussion? The Chair recognizes the Lady from DuPage, Representative Karpiel."

Karpiel: "Yes, Madam Speaker. Representative Levin, Amendment 2 - does it do anything different than Amendment 1 did? I know we discussed Amendment 1 and Amendment 2 - I have

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something here about it adds penalties."

Speaker Braun: "Representative Levin."

Levin: "Yeah. Let me first, if I might, just clarify the question that was raised by Representative Vinson. I think if he reads the full Amendment, on page two, the main part of the Amendment does amend the Human Rights Act. It amends Chapter 68, Paragraph 7-108. The other provisions are simply references to that Amendment on Section 7-108. The... Representative Karpziel, the... When we were debating House Bill 2213, the issue came up of what was the most proper form in which that Amendment should be put, and without references in the Cities... the Counties Act, there was some question whether or not a county would have the authority to promulgate penalties for a violation of its ordinance. In the Cities and Villages Act, there is an expressed Section that provides that the violation of any ordinance that a city has the authority to promulgate, there can be a penalty. There is not similar language in the Counties Act, and that is the reason why there is the reference in this Amendment. So, the effect is exactly the same. It's just to clarify that you can have penalties for a violation of an ordinance so acted."

Speaker Braun: "Representative Karpziel."

Karpziel: "Alright. My confusion is that I had thought that the original Amendment simply allowed municipalities or, you know, local governments to enact an ordinance that was broader than the present Human Rights Act, and that would sort of negate the court decision you referred to. When I see penalties now, you're just saying that in the ordinance... I mean, in the statutes now, in the Municipal Code, but not the County Code or vice versa?"

Levin: "Yeah, it..."

Karpziel: "There is reference to penalties? I mean, I don't..."



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Are we going now into penalties of anyone who violates the human rights ordinance passed by this local government?"

Speaker Braun: "Representative Levin."

Levin: "Okay. The purpose of the Bill is to clarify that home rule jurisdictions... local jurisdictions can go beyond the Human Rights Act. The reference... the incorporation of the Counties Act is so that if, in fact, there is the authority to promulgate an ordinance, as we're doing in the Human Rights Section, that the county would have the authority to enforce it and to add penalties. That's correct."

Speaker Braun: "Is there further discussion? There being none, Representative Levin, to close."

Levin: "I would just ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #2 to House... Senate Bill 613. All in favor say 'aye', opposed 'no'. All in favor vote 'aye', opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 29 'yes', 63 'no', 4 voting 'present'. The Amendment is lost. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, Senate Bills Second Reading, appears Senate Bill 620, Representative Krska. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 620, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Braun: "Third Reading. Senate Bill 643, Representative Hensel. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 643, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Amendment #1 lost in Committee. Floor Amendment #2, Zwick - Braun, amends Senate Bill 643 on page one, line... page one, by deleting line one and two and so forth."

Speaker Braun: "The Chair recognizes the Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker. I'd like to withdraw Amendment #2 at this time, please."

Speaker Braun: "The Lady asks leave to withdraw Amendment #2. Leave is granted. Amendment... The Amendment is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Chair recognizes the Gentleman from DuPage, Representative Hensel."

Hensel: "Yes, Madam Chairman (sic - Speaker), I would ask leave to move Senate Bill 643 to Third Reading with the understanding that I could bring it back to Second Reading for an Amendment that's being drafted now."

Speaker Braun: "Thank you, Representative, I apologize... Representative, I apologize for not calling on you. The... Leave is granted. The Bill will be moved to Third Reading - to the Order of Third Reading. Senate Bill 644, Representative Brummer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 644, a Bill for an Act to amend an Act concerning public utilities. Second Reading of the

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Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Braun: "Any... Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Klemm, amends Senate Bill 644 as amended by deleting the second sentence and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Amendment #3 is an attempt to have the providing utilities who offer the gas to other utilities through the interconnect, to be able to have them provide that gas at no increased cost to the consumers of that utility who is supplying the gas. This Bill had a great deal of discussion in Committee. It's a... I think, a good concept in trying to help our neighbors, and this particular Amendment would be assuring the utilities such as People's Gas and Northern Illinois Gas that their customers would not have to pay increased utility charges because they would be sending their gas to other utility companies. Since 84 Members of this House are served by NI Gas or People's, it certainly is of concern to many of us who come to me and wanted this assurance. This Amendment simply does that, and I ask for its adoption."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 644. Is there any discussion? There being none, all in favor say 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Senate Bill 645, Representative Brummer. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 645, a Bill for an Act to amend an

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Act concerning public utilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Klemm, amends Senate Bill 645 as amended by deleting the last paragraph of Section 50, and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Again, Senate Bill 645 is a... really a companion piece of legislation to 644. This Amendment #2 does exactly the same as 644 Amendment did in the previous issue, and it's again for the assurance that the gas that is supplied by the utilities, that that increased cost would not be passed on to the supplier's customers, and I ask for its adoption."

Speaker Braun: "Is there any discussion? The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 645. All in favor say 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the Calendar, Senate Bills Second Reading, appears Senate Bill 669, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 669, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments? The Chair recognizes the

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Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker, the Bill was heard yesterday on Second Reading; and, at that time, Amendment #2 was ruled out of order."

Clerk O'Brien: "This Bill has been read a second time previously. Amendment #2... 2 was ruled out of order."

Speaker Braun: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Marzuki, amends Senate Bill 669 on page one by inserting between line 20 and 21 the following and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Marzuki."

Marzuki: "This Amendment puts a little better perspective on this Bill, I believe. It allows a certain segment of the student body who would be penalized by these... or could possibly be penalized - I can't say they would absolutely be penalized - allows them to pursue their vocational work and also alternative programs where students have special problems who could not necessarily qualify for a degree because of factors that would preclude their learning. It is designed to make reasonable, I think, the items that are contained in this Bill. I would urge an 'aye' vote on it."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #3. Is there any discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. (sic - Madam) Speaker. Will the Sponsor of the Amendment yield to a question?"

Marzuki: "Yes."

Speaker Braun: "Yes, he indicates he will."

Hoffman: "Presuming that your Amendment is... is adopted, and considering the exemptions that are provided in the other Amendments to this Bill, to whom is the requirement in this Bill going to apply?"

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Marzuki: "It will apply mainly to the vast majority of students now enrolled in the schools. Only a small fraction are enrolled in sequential vocational programs."

Hoffman: "But we are... Is it not true that their Amendment to the Bill in the Senate exempted all people involved in special education?"

Speaker Braun: "Representative Marzuki."

Marzuki: "I believe so. Special education, of course, is a special program outside of alternative programs and outside the vocational program."

Hoffman: "I understand that, but you exempt... You know, as the Bill is drafted, you're... we're going to exempt students who have... are enrolled in the special education programs. We're going to exempt people who are enrolled in the alternative programs. We're going to exempt people who are enrolled in the vocational programs, and so you set these... this part of the student population aside and say, because of the programs that these people have chosen to pursue, they should be exempt from the standards, but all the rest of you who don't fall into these three categories, we will make a state mandate on the rest of you. Now, is that an accurate description of what this Bill's going to look like?"

Marzuki: "I can't really say that that is an accurate description. It certainly does outline the people who are excluded or, I should say, who may be excluded. It does not direct that they are automatically excluded - may be excluded."

Speaker Braun: "Representative Hoffman."

Hoffman: "Alright. I think that the discussion in terms of the continuation of the discussion should take place on Third Reading, and I have no further questions."

Speaker Braun: "The Lady... Is there any further discussion? The

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Lady... The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, I realize that the Sponsor of the Amendment is trying to make what he considers to be a more workable system for those schools or superintendents of schools or principals who feel that somehow the Bill itself would be too restrictive. Let me indicate to you, however, that the purpose of the Bill really is to set up a core curriculum, and I think that it would be a mistake for us to be exempting vocational educational students from that program, even if it is at a local board option. As the testimony in Committee indicated, we are really giving quite a lot of latitude to the school districts to set up a variety of levels of programming within their own school district to comply with these regulations. It seems to me that we should not permit a vocational education program or an alternative education program to be watered down to the extent that they are not providing the three years of English, for instance, and I would hope that the Members of the House would agree and reject this Amendment in order that we may consider the main Bill in its current form."

Speaker Braun: "Is there further discussion? The Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Madam Chairman. A question of the Sponsor, please?"

Speaker Braun: "He indicates he'll yield."

Nelson: "Thank you. Representative Marzuki, I would like to ask you if, in your Amendment, alternative education is defined."

Marzuki: "In my Amendment, of course it is not defined."

Nelson: "And then, what... how do you define it, or how is it defined in the School Code?"

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Marzuki: "I define it as those kinds of programs that are offered in lieu of the regular school program. It may be that these are youngsters with special learning difficulties, or they may be youngsters who are far beyond what the high school can do for them. In essence, they are too bright to be held in the regular program. I would allow those kinds of people to be exempt from going through a lockstep system that might preclude their full development in special programs, which might include university work. It might include many other things. The alternative program is left open. In other areas, it may not be to the best advantage of the student to necessarily meet these requirements for his well-being. I think we're dealing with a wide variety of students, and perhaps I'm a little concerned about the Bill because we do not define exactly how these standards are to be applied. I realize that there is a lot of latitude when you look at it. After listening to the testimony of the superintendents, principals and various other school officials, I'm afraid they do not understand the kinds of latitude that could be made. Therefore, I offered this simple Amendment."

Nelson: "Then it's your belief that some voc-ed students are not bright enough and should be exempted, and that other students who are too bright should be exempted from taking math and science and English, is that right?"

Marzuki: "No, I'm...I'm afraid that I did not mention vocational students. I was talking only about alternative students. I did not mention anything about the possibility that they were not bright enough. I said that may not be to their advantage. I did mention the idea that some students who were very bright and were going on to other programs might be penalized, but the idea of their brightness and so on, was not necessarily meant that they could either not learn



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or learn. Vocational students were not included. The vocational students are people who have special programs often far away from the home school. There is a lot of travel time involved, and it would cut back, perhaps, on certain progressions if this were absolutely enforced. The... We are jumping from no science requirement to two years of science. We're going to make everyone literate in computer science. Atari can make you literate in maybe a ten page pamphlet in those kinds of things that you want to do, and I don't think anybody in this General Assembly believes that everyone in this state should be a computer programmer."

Nelson: "Thank you. To the Bill, Madam Chairman."

Speaker Braun: "Representative Nelson."

Nelson: "There is nothing in this Bill any longer that speaks to the question of computer literacy. That has already been amended out. What the Bill does is say, as the Sponsor indicates, that there should be a core curriculum, and I think that to start exempting more and more students from that core curriculum, runs directly counter to the President's Commission recommendations. I'm in support of the Bill, but I would urge all of you to vote 'no' on Amendment #3. I believe, certainly, that a person who is enrolled in a vocational educational program can take at whichever, his core high school or at the vocational training institute to which he travels, a math course or a science course or an English course that will help him or her in her vocation. And I would urge a 'no' vote on Amendment 3."

Speaker Braun: "Is there further discussion? The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. I guess, with somewhat mixed emotions, I think we have already passed a Bill out already

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that sets up the specific hours of credit in order to graduate. I'm not so sure that that was in the best interests of the student when we now reassess the entire situation. What we are attempting to do is to increase or improve the skills that those students have when they graduate. Just the mere fact that you have four years of English or three or two or anything, really doesn't mean that you are too proficient; that we probably ought to be dealing with some kinds of scores or some measure or some yard stick as to the abilities that those students have. What we are doing in this particular Amendment, which I think is not necessarily a bad one, because it still is permissive, and since we have so many students who will probably not go to college anyway, that there ought to be areas for them to learn or to develop skills in a particular vocation. And since it's permissive, and since so many young people should be trained in the areas of a vocation, I'm sure that the local unit of school boards will not totally exempt them from, first of all, having a certain amount of skills in English, in math and in skills that are needed for that vocational training. And so, I say that this is an Amendment that should be given some favorable support and that we ought to overall give some consideration as to a level of learning that all students have for the best interests of that student."

Speaker Braun: "The Gentleman from Cook, Representative Marzuki, to close."

Marzuki: "I would hope that the House would look with favor upon this Amendment. It is permissive. I would just allow, or like to allow the local school district to make the decision in these special cases. It does not mandate that they not follow the concepts that were laid out in a Bill, which I think is good, but would allow some decision making

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that may be in the best interest of the students. Thank you."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 669. All in favor say 'aye', opposed. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 27 voting 'aye', 75 voting 'no', none voting 'present'. The Amendment is lost. Further Amendments?"

Clerk O'Brien: "Amendment #4, Bullock, amends Senate Bill 669 on page one, line eight and so forth."

Speaker Braun: "Representative Bullock. The Chair recognizes the Gentleman from Cook, Representative Bullock, on Amendment #4."

Bullock: "Thank you, Mr. (sic - Speaker) Speaker and Ladies and Gentlemen of the House. Amendment #4 to House Bill 669 addresses a very important subject in our public school system. We all understand that the Legislature is being called upon immediately to consider tax increase proposals for public education. I submit to this Assembly that many of the citizens and taxpayers of this state are concerned about the quality of education in our public school system. And Amendment #4 addresses the subject of computer science and preparing the students for positions of tomorrow, not just in the high tech field, but moreover, preparing them in the public school system to compete with their counterparts throughout the world. And so, Amendment #4 essentially says that by 1988, five years from now, that each school district, in grades nine through twelve, shall offer at least one course in computer science to high school students. I think that this is an objective that all of the Members of this Assembly can support. I certainly think that it's an idea whose time has come, and

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I would respectfully urge an 'aye' vote on Amendment #4."

Speaker Braun: "Gentleman has moved for the adoption of Amendment #4 to Senate Bill 669. Is there any discussion? The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, the concept involved in this Amendment is good. However, what we are trying to do with the basic Bill is simply to put in force a basic core program. There is no reason that I can see why some of the core courses that we are asking for in the basic Bill could not include computer science. However, at this time it is really my purpose simply to talk in terms of the Bill as it stands now for a basic core program. While I think that many of the school districts would already qualify for the kind of program that Representative Bullock is suggesting, I think there is already enough concern about the basic program and whether or not that is adequately in place that I would prefer that we wait until we have the basic program in force before adding on these alternative things which definitely are good, are goals that I would hope our individual school districts would be aiming for, but I think to mandate it, even though it is in the future, is not appropriate at this time or on this Bill. And for that reason, I would ask you to reject the Amendment."

Speaker Braun: "The Chair recognizes...Is there any further discussion? The Chair recognizes the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Madam Chairman. I would like to echo Representative Satterthwaite's comments, because I believe that although this Amendment is well-intentioned and does not force our students to take computer science, it is a mandate. It does force our high schools to offer

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computer science courses, and I believe that they can do that now and that many, many high schools in this state are doing that already. I think the Bill should stay clean. I think it should be a Bill that creates a core curriculum, and I would urge a 'no' vote on Amendment 4."

Speaker Braun: "Is there any further discussion? There being none, Chair recognizes the Gentleman from Cook, Representative Bullock, to close."

Bullock: "Thank you, Madam Speaker. I certainly think that the two previous speakers have indicated that they support the concept and the best way to support the concept is to put the force of law behind the teaching of computer science courses in our public schools. So often we hear talk about foreign exports and foreign imports coming into America, and we hear talk about why we are not competitive in the marketplace with some of our foreign counterparts. We hear an awful lot of talk about why schools are not teaching children. I submit to you probably the reason that they are not teaching children is that we don't have curriculums that are relevant, and we don't have the force of the law behind courses that actually will enable them to live a meaningful life and, of course, improve the overall quality of life in our society. The teaching of computer science, the mandating of that five years hence is a laudable objective. We ought to be encouraging our school kids to become familiar with modern-day technology and techniques. It wouldn't hurt if some of us in the General Assembly became more familiar with those techniques. Mr. Speaker or Madam Speaker, I certainly would urge an 'aye' vote, and I have not heard any argument on this floor that says that computer science teaching in public schools is not a laudable public objective."

Speaker Braun: "For what purpose does the Gentleman from DuPage,

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Representative Hoffman, rise?"

Hoffman: "Just to explain my vote."

Speaker Braun: "We haven't voted yet, Representative."

Hoffman: "Pardon?"

Speaker Braun: "Nothing. Alright, the Gentleman has moved for the adoption of Amendment #4 to Senate Bill 669. All in favor say 'aye', opposed. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 24 voting 'aye', 82 voting 'no', none voting 'present'. The Amendment is lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Bullock, amends Senate Bill 669 on page one, line eight and so forth."

Speaker Braun: "Gentleman from Cook, Representative Bullock, on Amendment #5."

Bullock: "Well, thank you, Madam Speaker. I just want to say that I certainly will take a copy of the last Roll Call and give it to the Mayor of Chicago, because he supports Amendment #4. I'd like to withdraw Amendment #5."

Speaker Braun: "The Gentleman has asked for leave to withdraw Amendment #5. Is leave granted? Leave being granted, Amendment #5 is withdrawn. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Bullock, amends Senate Bill 669 as amended by inserting immediately after Section B, so forth."

Speaker Braun: "On Amendment #6, Representative Bullock."

Bullock: "Madam Speaker, I can understand some of the people voting against Amendment #4, and if you liked that one, you'll love this one. Certainly, I think those of us who are crowding the theaters to see 'Return of the Jedi' probably thought that Amendment #4 related to 'E. T.' or to

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'Jedi'. Amendment #6, however, is a different twist to the subject. If we can't teach the kids to operate computers, perhaps we can teach them to speak a foreign language. In 1988 and beyond, I submit we ought to require that grades nine through twelve...that at least the schools will offer two years of a foreign language to the high school students. As I said before, the Mayor of Chicago just recently came out in support of mandating computer science in public schools, as well as one year of foreign language, and I certainly think those of you who support the Mayor of the City of Chicago would want to be on a Roll Call for these two Amendments in order that we could enlighten the school kids in Chicago and throughout the state. We need to make certain that our school kids are competitive. Most other modern, industrialized nations of the world do, in fact, have bilingual students graduating from the public school system. This would not cost the state any money at this present time. It would give them five years in which they could phase in the particular curriculum. Madam Speaker and Ladies and Gentlemen of the Assembly, I would urge an 'aye' vote."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment #6. Is there any discussion? The Chair recognizes the Gentleman from Dupage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House. Had I had an opportunity to explain my vote on the last Amendment which lost, it would be the same as my explanation as on this particular Bill. I support the Sponsor in this Bill. I can't think of a better way to close up these little high schools around this state than to increase these requirements so that you have to have a decent-sized student body to accomplish the

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educational task. If...if there is anything we can do to improve the quality of education in this state on the high school level, it is to get rid of these little high schools around the state that don't have enough students in them to offer foreign language and offer computer science and offer a kind of a basic curriculum which all students should have an opportunity to. If any community does anything that does a greater disservice to their young people than providing inadequate educational opportunities to...for them, I don't know what it is. Those young people do not have the same opportunities as those students from larger high schools, and, Mr. Sponsor, you have a fine Amendment here, and I rise in support of it."

Speaker Braun: "Is there any further discussion? The Chair recognizes the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment #6 to Senate Bill 669. I think it's a good Amendment, and I applaud Representative Bullock for introducing this Amendment. We all understand that the status of foreign language in America is very, very poor. That's why we have problems with our foreign relations. We have problems with our foreign trade. We have problems throughout the whole world, because one in ten Americans maybe speaks a little bit of another language. I think this is a good Amendment, and I think this Amendment should be adopted."

Speaker Braun: "The Chair recognizes the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Friedrich: "Is there any prohibition that you know of, Representative Bullock, from a school board putting...deciding what the curriculum is and deciding if



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this should be part of the curriculum?"

Bullock: "Not to my knowledge, Representative."

Friedrich: "Alright, then the City of Chicago, the School Board of Chicago could mandate this in the schools' programs. But they don't do they? Why don't they? If it's such a great thing, and it's holding Chicago back, why doesn't this great School Board of the City of Chicago do something about it? A fourth...third of the kids in the State of Illinois, a fourth of them are in the City of Chicago, and this School Board up there is depriving these kids of what they should have. I can't believe that happens in the City of Chicago, because you've got such a great City there."

Speaker Braun: "Representative Bullock."

Bullock: "Well, Madam Speaker and Ladies and Gentlemen of the House, to respond to Representative Friedrich, he is absolutely correct on all counts except the last one. Many of the school kids in the City of Chicago should be afforded an opportunity. Unfortunately, Representative Friedrich, I'm not just a Chicago Legislator. I am a State Legislator, and I'm concerned about the entire State of Illinois. I don't want to have dual citizenship in this country. I'm concerned about Cahokia and Marion, Decatur. I'm concerned about Virden and Westchester. I'm concerned about Deerfield and Northbrook. I'm not just legislating for Chicago. I'm legislating for the entire state, and I think that this Body, in it's infinite wisdom, should go on record and support, as a matter of public policy, the simple teaching of a foreign language to high school students so that we can be competitive. Sure, the kids from Pocahontas, and the kids from Pecria, where ever they may hail from, are bright kids. Many of them are going to grow up to be Senators and Presidents and business people competing in foreign markets. And we want to make

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the...and Congressmen, yes."

Speaker Braun: "May we have some order, please? It's almost time for adjournment, and we can get out of here if we can get this Bill finished."

Friedrich: "Well, Mr. (sic - Madam) Speaker, I just want to say that we've got a new Mayor in Chicago. He appoints the Board of Education; and, if he is really for this, he ought to appoint a Board that mandates it in the City of Chicago. We had it in Salem High School fifty years ago. So I don't know how far behind you are up there."

Speaker Braun: "The Chair recognizes the Gentleman from Cook Representative Fiel."

Piel: "I move the previous question."

Speaker Braun: "Previous question being moved, the Chair recognizes Representative Bullock to close."

Bullock: "Thank you, Madam Speaker. To defend the great Mayor of the City of Chicago that I have tremendous respect for, he is, in fact, bilingual, speaks very good Spanish. And I submit to you, Representative Friedrich, if you brought a delegation to his office, he would greet them in his native tongue, which is Swahili. The fact of the matter is, however, I submit, Ladies and Gentlemen of this Assembly, that foreign language, as Representative Kulas has said before - we live in a global community. We are an international community. The modern age of technology has brought us closer together in a matter of seconds. We are witnessing what is happening in Poland. We're witnessing what's happening in El Salvador. We witness what happens in France and so forth. We have international summits all the time. The school kids of America are expected to compete against foreign and international students, and foreign language is a worthy objective. I urge an 'aye' vote, and I trust that you will support me in this fashion

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perhaps better than you did with the last Motion. Thank you, Madam Speaker."

Speaker Braun: "For what purpose does Representative Giorgi rise?"

Giorgi: "Madam Speaker, I'd like to ask a question of el senor Bullock when I explain my vote." (Continues with question in Spanish)

Speaker Braun: "The Gentleman has moved...has moved for the adoption of Amendment #6 to Senate Bill 669. All in favor vote 'aye', opposed vote 'no'. To explain her vote, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Well, Madam Speaker, and Members of the House, simply in line with my previous comments, the Bill's purpose is to set in place a core program. There will be plenty of time between now and 1988 to put in further mandates, if we so choose. I've nothing against foreign languages being offered in high schools. Most of our high schools do offer them already, but I would suggest to you that it is not the purpose of this Bill to deal with these optional programs that need to be offered. What we are simply doing with the Bill is putting core programs in place, and I would solicit a 'no' vote on this Amendment. If we do pass the Amendment, regretfully, I will ask for a verification."

Speaker Braun: "To explain his vote, the Gentleman from Macon, Representative Tate."

Tate: "Yes, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House, to explain my vote today...I've been a little confused on the debate today, because I thought earlier in this Session we passed a buy American Bill, and I'm sure now that we can teach the buy American in foreign languages. However, Representative Bullock prevailed upon me in the arguments today when he told me that the Mayor or

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Chicago supported this Bill. Because earlier today, the Mayor of Chicago...and he convinced me when he told me that he was speaking in bi...that the Mayor speaks bilingual language, because he called every Member of this General Assembly an anti-deluvian dodo bird. And that's what he thinks of all the State Legislators. So I'm sure that he's speaking in another language, and I'm going to vote 'yes'."

Speaker Braun: "In explanation...okay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 55 voting 'yes', 59 voting 'no', 1 voting 'present'. The Amendment is lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Davis, amends Senate Bill 669 as amended on page one, in line one and so forth."

Speaker Braun: "The Chair recognizes the Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Madam Speaker. This is one you can all vote for because now we are going to legislate for America and not necessarily for Illinois. America is the country that put a man on the moon in 1969 on the backs of a generation that grew up with good math and science teachers. Currently, the President of the United States is running around the country with A Nation at Risk in his hand and talking about master teachers. This Bill simply recognizes a simple fact of life for this Amendment and says to establish separate salary schedules for math and/or science teachers, if the Board, the local board, determines that such schedules would be in the best interest of the district. And it's really very simply, since we have established minimum entry salary schedules around the state. South of I-80, at \$13,000 a year, you ain't getting much for an math or science teacher when they can get 22 starting up in the northern part of the northeast six

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county area. It's only simple equity. If we are going to continue to lead the world in technology and lead the world in every...in every area that we have in the past, we have to have a basic, sound foundation in math and in science, and this recognizes that and allows a district, if they can't attract the quality math and science teacher from the universities to start, they can establish a separate schedule. Darn good Amendment, and you ought to vote for it."

Speaker Braun: "Is there any discussion? Lady from Dupage, Representative Nelson."

Nelson: "Thank you very much, Madam Speaker, Members of the House. Yesterday, before Amendment...the other Amendment by Representative Davis was ruled out of order, I was explaining that I was going to vote 'no' on it, because there are other ways to encourage good people to go into math and science besides paying them more than their teachers that they are working with every day and who may be teaching another subject. I also suggested that we have already passed out of this House two Bills designed to encourage good math and science teachers. One had to do with scholarships and scholarship money, and the other Bill had to do with allowing teacher, whether they were math and science or any other teachers, to benefit from the sale of computer software. I think that it is a mistake to establish separate salary schedules just on this basis. I would have no objection to a merit pay system or a method of giving flexibility to the local board so that they might pay their better teachers a better wage. And I think in that way we could encourage our math and science teachers. But I think it is a mistake to discriminate against those other teachers who may be just as dedicated, who may put in longer hours, if they happen to be teachers of language

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arts. They have the best of them assign a theme a week and spend hours and hours after school hours grading those papers. I just think that this Amendment is not the best way to go about encouraging math and science teachers, and I would urge a 'no' vote."

Speaker Braun: "The Chair recognizes...Is there further discussion? The Chair recognizes the lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, again I urge you to reject this Amendment. I am a little concerned that we not mix the issue of salaries in with the main purpose of this Bill. The main purpose is simply to set up a core curriculum. I have no objection to Representative Davis or any other Member trying to do something to deal with the question of getting more prepared teachers in certain areas where we may have shortages. However, I think that that is a totally different issue from the main purpose of the Bill, and I would ask the Members to reject it on this Bill so that we may vote on Third Reading on the main issue in the Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Marzuki."

Marzuki: "I will not belabor the point. I would have to agree with the Sponsor of this Bill. If there is anything that is going to cause dissention in the ranks, it will be this Amendment. It can be handled in many other ways. We have already sent a couple of Bills out to attempt to handle this particular problem, but I submit to you that perhaps we ought to include the English teacher in this, if we were to go this way, because if they can't read the stuff, there's no use having the math/science teacher there."

Speaker Braun: "Is there further discussion? The Chair

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recognizes the Gentleman from Kane, Representative Kirkland."

Kirkland: "Sponsor yield?"

Speaker Braun: "He indicates he will."

Kirkland: "Would not local boards already have this option, unless..."

Davis: "Not at the entry level, no, Sir."

Kirkland: "What?"

Davis: "Not at the entry level."

Kirkland: "What's the entry level?"

Davis: "Well, it varies with the districts in the geographic location of the... of the districts themselves. This does not affect Chicago, however."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Shaw."

Shaw: "Madam Speaker, I move the previous question."

Speaker Braun: "The previous question having been moved, the Chair recognizes Representative Davis to close."

Davis: "Well, thank you, Madam Speakeress. The...the Lady from Champaign, I think, maybe is a little bit wrong despite the fact it's her Bill. The main point of her Bill is to establish the quality core curriculum, and the one problem in this state that overrides all others - and I agree somewhat with the English language, believe me, I do. I think it's very important. But the backbone of technology, the backbone of America has always been math and science. And the Lady from Western Springs, my distinguished colleague, the Minority Spokesman on Education has spoken against this Bill (sic-Amendment). She says there is no...it is not a good way to establish something by paying more money. It is not a good way to attract it. Ladies and Gentleman, I don't know any better way to attract good teachers to a school district downstate, anywhere

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downstate, and, incidentally, this does not affect the City of Chicago at all. It doesn't amend that Section of the School Code. So we are talking downstate. I don't know any better way than to allow permissively a school district to step outside of the salary schedule to attract the quality math and science teacher at the entry level coming out of the universities around this state. If you don't do it, you'll simply lose them to the northeast counties of this state where the salary schedules are higher, or you will lose them even worse to Missouri, and to Iowa, and to Indiana and wheresoever, and we will have lost them forever in the State of Illinois. And I find that tragic. Please vote for the Amendment."

Speaker Braun: "Gentleman has moved for the adoption of Amendment #7. All in favor say 'aye', all opposed. All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 40 voting 'yes', 63 voting 'no', none voting 'present'. The Amendment is lost. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Chair recognizes the Gentleman from Madison, Representative McPike, for an Adjournment Resolution. For what purpose does Representative Vinson rise?"

Vinson: "Mr. Speaker...Madam Speaker, Ladies and Gentlemen of the House, why is it that every time Senate Bill 774 with a Republican Sponsor comes up, you find some way to get away from that Bill? Why can't we consider that in the ordinary call of business, too? It just has to be moved to Third Reading. There aren't any Amendments pending. Why can't the Lady move her Bill to Third Reading. You've done that two days in a row now, and that's just not right."



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Speaker Braun: "Representative Vinson, everyone was earlier advised that we would adjourn at 7...at 6:30. The hour of 6:30 having passed, it's now quarter of 7, time to shut down. Representative McFike."

McPike: "Thank you, Madam Speaker. Appropriations I and Appropriations II will meet tomorrow morning at 8 a.m., 8 a.m. I move that the House stand adjourned until tomorrow at the hour of 11 a.m."

Speaker Braun: "All those in favor say 'aye'. The 'ayes' have it. The House is adjourned."

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