

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

66th Legislative Day

June 20, 1983

Speaker McPike: "The House will come to order. Members will be in their seats. The chaplain for today will be Reverend Ophilis McCoy, Pastor, Grace United Methodist Church of Springfield. Reverend McCoy is a guest of Representative Mike Curran. Will the guests in the balcony please rise and join us in the invocation?"

Reverend McCoy: "Will you bow your heads where you are, please? Eternal God, Thou hast instructed us to be still and to know that Thou are God. Thou will be exalted in the earth. Thou will be exalted above the heathens. As we come, we pray Thy special blessing upon this Legislature, Lord, that they will ask Thee to be their guide, that they will ask You to direct their paths. For the wise man said 'In all thy ways acknowledge Him, and He will direct thy path.' We pray for each person here, whether he be Democrat or Republican or Independent or whatever his or her Party might be. Help them to realize that they all are God's children, and that the earth is thine in the fullness thereof. May they disagree with one another in their conviction, but may they not disagree in hatred and bitterness, but may they disagree in love. That when they leave this chamber, that they can walk hand in hand with each other, though some may have disagreed here and they may have argued heatedly, but help them to realize that they are not only accountable to those who have elected them, but they are accountable unto God. I pray for this day, oh Eternal God. I pray for those who have travelled from different parts of this state. I thank Thee that thy have guided them safely over the highway, and those who have to commute going back home this evening, I pray that Thou would guide them safely as they return to their home. And help them, our God, not to do things for their own

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

66th Legislative Day

June 20, 1983

glory, but may they do it for the glory of God. We thank You for this opportunity and we pray Thy blessing upon this Assembly, these hours that they are here. And may what they do, God, may they not do it with lightly, but may they do it with conviction, may they do it with fervor, may they work with all their heart, with all their might, because not only are they working for these, their people, but they're working for the King, and the King's business is serious. That when they come not only to the close of this chamber, but when they come to the close of their lives, they will hear the Master say "Well done, my good and faithful servant," because not only were you faithful over the little things, but you were faithful over the great things. And now we pray our Father, who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead these Legislators not into temptation but deliver them from evil, for Thine is the kingdom, the power and the glory for we give thanks in the Name of the Father, Son and the Holy Spirit, amen."

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

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

Speaker McPike: "Roll Call for Attendance. 108 Members answering the Roll Call, a quorum is present. Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Representative Christensen will be excused absent today for a reason of illness in the family. His key has been removed pursuant to the rules."

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

66th Legislative Day

June 20, 1983

Speaker McPike: "Thank you. Representative Vinson, do you have any excused absences?"

Vinson: "None that I'm aware of, Mr. Speaker."

Speaker McPike: "Thank you. Representative Yourell."

Yourell: "Mr. Speaker, Representative Bullock called me this morning and asked me if I would record him as being present. He is on his way, but his key is out of the thing."

Speaker McPike: "Thank you. Page 26 of the Calendar. Second Bill... Senate Bills Second Reading, Non-appropriation Bills, appears Senate Bill 25, Representative Levin. Out of the record. Senate Bill 89, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 89, a Bill for an Act to amend sections of the School Code. Second Reading of the Bill. This Bill has been read a second time previously. Amendments #1 and 2 were adopted on the House floor."

Speaker McPike: "Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 206, Representative Bullock. Out of the record. Senate Bill 241, Representative Bullock. Out of the record. Senate Bill 294, Representative Jaffe. Representative Jaffe on the floor? Out of the record. Senate Bill 372, Representative Jaffe. Out of the record. Senate Bill 416, Representative Wolf. Out of the record. Senate Bill 515, Representative McAuliffe. Roger McAuliffe on the floor? Out of the record. Senate Bill 526, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 526, a Bill for an Act..."

Speaker McPike: "Excuse me, Mr. Clerk. Take this Bill out of the record. Senate Bill 527, Representative Richmond. Out of the record. Senate Bill 532, Representative Stuffle. Read

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

66th Legislative Day

June 20, 1983

the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 532, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "Motion to table Amendment #1, by Representative Nelson."

Speaker McPike: "Representative Nelson. Is Representative Nelson on the floor? Representative Stuffle."

Stuffle: "Yes, I don't know the nature of that Motion, but I would move to lay her Motion on the table."

Speaker McPike: "Here she is now, Representative Stuffle. Representative Nelson, on a Motion to table Amendment #1 to Senate Bill 532. Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, the reason that I moved to table Amendment #2... excuse me, to table Amendment #1 is that it is an unnecessary Amendment, and actually because of the way the School Code is set up, does nothing and changes nothing in the law. Under the School Code, we have a... one section which has to do with powers of school boards. We have another section which has to do with duties of school boards, and it is my belief that this Amendment attached to the Section that it is, will not change anything under Illinois law and, in fact, will not change it one whit. That's the reason that I have put in my Motion to table Amendment #1 to Senate Bill 532, and I'd be glad to answer any questions."

Speaker McPike: "The Lady has moved to table Amendment #1. On the Motion, Representative Stuffle."

Stuffle: "Yes, I rise to oppose that Motion. The Amendment was overwhelmingly approved in Committee. The Bill with the Amendment was overwhelmingly approved in the Committee."

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

66th Legislative Day

June 20, 1983

Representative Nelson was there. The vote was 13 to 2 on the Bill with the Amendment. I would point out to you I think that this does have effect. I think it's an important Amendment. I think it should be kept on the Bill. Clearly, I think it is a directive with regard to the School Code, and if you followed her logic, then it wouldn't be a problem anyway, because she assumes it has no effect. I believe to the contrary. The Amendment's very important to those school districts and those teacher groups - those teachers that have picked a bargaining agent under the current law, and I think the Amendment should stay in place and we should defeat her Motion to table, given the fact that the Amendment had a full and complete Committee hearing, was adopted overwhelmingly, and the Bill came out 13 to 2. We ought not to fly in the face of the Committee. The Bill is in place, and I would urge all of the Members, Democrat and Republican, to sustain the Committee process that overwhelmingly put the Amendment on. Leave the Amendment on, and vote 'no' on her Motion to table."

Speaker McPike: "Further discussion? There being no further discussion, the Lady from DuPage to close, Representative Nelson."

Nelson: "Thank you very much. Ladies and Gentlemen of the House, I believe that I am right and that if you will look at your analysis, you will see that it adds Section 10-21.6 to the School Code, which is the Section that specifies powers of school boards, gives them authorization that they already have. This Amendment is unnecessary and I would very much appreciate your support of my Motion to table."

Speaker McPike: "The Lady has moved to table Amendment #1. All those in favor of the Motion signify by voting 'aye', opposed voted 'no'. Representative Mulcahey, to explain

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

66th Legislative Day

June 20, 1983

his vote."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. I would urge a 'no' vote. I think we have enough right there now. This is a duty Section, of course, and not... it has nothing to do with the power, and the Committee... the Bill did go on. The Amendment went on in Committee, and I would urge that we all vote 'no' and leave the Bill in its proper form."

Speaker McPike: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 41 'ayes', 62 'nos', none voting 'present'. The Motion fails. Further Amendments."

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

Speaker McPike: "The Lady from DuPage, Representative Nelson, Amendment #2."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 532 allows the Board of Education to conduct teacher institutes in counties over one million. As it is now, when there are institutes scheduled for local school districts, they are set up so as to help increase teachers' knowledge of their field. At some points, they may wish to go study computer science. Other times, they take tours and will go to see particular vocational projects so they can come back and discuss vocations with their students. They might, for instance, go visit the headquarters of either the Chicago Tribune or the Chicago Sun-Times. It is necessary at the moment to get approval to do this, and I would suggest to you that the proper place to get approval to take an institute day is with the State Superintendent of Education. The Amendment that I'm suggesting is permissive and would allow either the Regional Superintendent or the

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

66th Legislative Day

June 20, 1983

State Superintendent to arrange for regional in-service training workshops, and I would appreciate your support."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. On that, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker. Would the Sponsor yield to a question?"

Speaker McPike: "She will."

Stuffle: "Representative, I didn't hear the first part of your explanation, Representative Nelson. I understand your intent, but let me ask you this question. Was it your intention to gut my Bill when you put this Amendment on?"

Nelson: "Well, it was my intention to do away with that last Amendment if I was unable to table it. If I had tabled it, I would have withdrawn this Amendment, Representative Stuffle."

Stuffle: "Are you aware that this Amendment guts everything that's in the Bill now - takes everything out, replaces it with your Amendment, instead of my Bill?"

Nelson: "Right."

Stuffle: "Mr. Speaker, to the Amendment."

Speaker McPike: "Proceed."

Stuffle: "I believe if you go back and look at the Bill, the original Bill - and my Amendment left in what was in the original Bill - it added to that. This Amendment guts the Bill, deletes everything after the enacting clause, uses my Bill for her purposes, and I think that it's obvious that we should defeat that without even talking to the merit. She can run #3, which does the same thing if she wishes, if she doesn't want to withdraw this one, and I'll argue the points on her Amendment at that time. I think it's rather unfair to gut my Bill to put this in place on hers. #1 was an important Amendment that we just retained, and for that

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

66th Legislative Day

June 20, 1983

reason, I rise in opposition to Amendment #2, which deletes everything in the Bill."

Speaker McPike: "Any further discussion? There being none, Representative Nelson, to close."

Nelson: "Thank you very much, Mr. Speaker. What Representative Stuffle said is true. We have a disagreement over whether or not Amendment #1 is a power or is a duty and precisely what the effect of that is. It is because of that disagreement that I have chosen to present my Amendment this way, and I would very much like to urge you to vote 'yes'. I believe that this would be a better Bill in the form with Amendment #2 on it. It would make more sense educationally for the children of this state. Thank you."

Speaker McPike: "The Lady has moved for the adoption of Amendment #2. All those in favor signify by voting 'aye', opposed voted 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 40 'ayes', 64 'nos', none voting 'present'. Amendment #2 fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Nelson, amends Senate Bill 532..."

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

Nelson: "Thank you very much, Mr. Speaker, Members of the House. Amendment #3 is precisely identical to Amendment #2, except for the fact that it does not gut the Bill. I came prepared. Amendment #3 does, as I have explained, that is, it is permissive and it allows the State Board of Education - well, actually, the State Superintendent of Education - to approve teacher institutes in Cook County. I believe that this is a good idea, and that it will prevent blockage of some institutes that have previously been scheduled in order to increase teachers' understanding of a wider world. They do not, under legislation passed by this House now,

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

66th Legislative Day

June 20, 1983

necessarily have to either hold these institutes at their local schools or at other places, but it is a way for teachers, not just math and science teachers that we've been talking a lot here on the floor about, but all teachers in our public schools, to increase their learning. Education is a life-long project that we all engage on... in, and we do that down here in Springfield. I'm hopeful that with passage of Amendment #3, teachers who will have more choices, I believe, of institutes and regional in-service training workshops, will take advantage of them, will be able to increase their knowledge, feel better about themselves and pass that information back to their students in many ways. I would appreciate support for Amendment #3 to House Bill 532."

Speaker McPike: "The Lady has moved for the adoption of Amendment #3. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "The Sponsor yield?"

Speaker McPike: "She indicates she will."

Cullerton: "Why are all the of those laudable goals only applicable to Cook County?"

Nelson: "The problem with approval of some institutes has only arisen in Cook County."

Cullerton: "So it's not... there's no reason to mandate it for the other 101 counties."

Nelson: "That's right, and this is not a mandate anyway, Representative Cullerton. This is permissive legislation because it allows both."

Cullerton: "Well, then why don't we make it permissive in the other 101 counties?"

Nelson: "If you would like to draft an Amendment to do that, I would certainly support it."

Cullerton: "Well, no, I'm just wondering why you drafted this

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

66th Legislative Day

June 20, 1983

Amendment this way."

Nelson: "As I explained, because the problem has only arisen in Cook County."

Cullerton: "Well, if it's permissive, how will it solve the problem?"

Nelson: "The State Superintendent would be able to overrule."

Cullerton: "Oh. Oh, I see. So that's what you mean by permissive. Thank you."

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

Stuffle: "Yes, I rise in opposition to this Amendment. It's identical in language to the last Amendment, except for its gutting the Bill. There's no difference in the language, whatsoever. If it's such a good Amendment, it ought to apply statewide. It's part of the ongoing vendetta of this Sponsor to get a certain elected public official's job, which is fine if she wants to, but I wish she'd do it on someone else's Bill, and I'd urge a 'no' vote."

Speaker McPike: "There being no further discussion, the Lady from DuPage to close, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. I object very strongly to the use of the word 'vendetta'. I would certainly admit that I have been critical of a particular educational superintendent, but with very good reason, and Representative Stuffle knows that very well. This superintendent who has denied certain teacher institute days, does it capriciously and with no reason. I would suggest to you that Amendment #3 is fair, it is being presented because of a problem that has arisen in Cook County when the Superintendent of the Educational Service Region has denied very, very reasonable requests for in-service training workshops. I would submit to you that it is a logical power for the State Superintendent of

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

66th Legislative Day

June 20, 1983

Education to have, to arrange for and to conduct these in-service training workshops, and I would certainly appreciate an 'aye' vote to Amendment #3."

Speaker McPike: "The Lady 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? Have all voted who wish? The Clerk will take the record. On this Motion, there are 45 'ayes', 61 'nos', none voting 'present'. Amendment #3 fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Stuffle, a fiscal note request has been filed. Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, I think it's obvious that the fiscal note request is not in order, and I would ask you to so rule. This does not at all deal with any state spending, if we could have the Parliamentarian look at that. This deals only with the school districts in a directive to school districts. It has nothing whatsoever to do with any state agency or any expenditure of state funds."

Speaker McPike: "Representative Vinson."

Vinson: "Mr. Speaker, I have seen some unusual rulings in the course of the year in regard to fiscal notes. I would make the point that I cannot believe the Gentleman does not think that this will affect state spending. There is no conceivable reason for collective bargaining, unless it affects the salaries of teachers, and as everyone knows, the state provides a very substantial amount of the funding of local school districts in this state. So there's no way that collective bargaining cannot have an impact on state spending. I think we ought to deal with that in an up-front fashion. I think we ought to have a fiscal note on the Bill. We may still want to vote for it, even though

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

66th Legislative Day

June 20, 1983

we know it's going to cost more money, as many of us do. But we ought to at least respect the procedure and the law that requires a fiscal note be filed on Bills that affect state spending. There's nothing wrong with that, and in this case it's totally appropriate."

Speaker McPike: "Representative Vinson, your point is well taken.

A fiscal note is required on this Bill. Representative Stuffle."

Stuffle: "Well, before you rule that, I would like to move, pursuant to the statute on the fiscal note, that a fiscal note does not apply to this Bill. I make that in the form of a Motion which is provided for in the statute. I don't believe that one is necessary. We don't pay for salaries directly, but I would now move that the fiscal note... that the Fiscal Note Act provisions... that a fiscal note is not needed on this Bill. I would so move at this time."

Speaker McPike: "The Gentleman moves pursuant to the Fiscal Note Act that a fiscal note is not applicable to this Bill. On that Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I rise in opposition to the Gentleman's Motion. I believe that we ought to have a fiscal note on this Bill. We ought to know what the cost is going to be. There are 10 days left in this Session. There's plenty of time to move this Bill to Third Reading. There's plenty of time to act on the Bill on Third Reading. Now, some people have supported collective bargaining. As a matter of fact, I voted for one of the collective bargaining Bills that deal with teachers, earlier in this Session, and I make no bones about that. That's not a vote that I'm ashamed of, but I do believe that people have a right to know what the cost is. The collective bargaining Bills like all other Bills that deserve to go through the appropriate processes

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

66th Legislative Day

June 20, 1983

of determining cost under the Fiscal Note Act. And for those reasons, I oppose the Gentleman's Motion."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I, too, want to oppose the Gentleman's Motion primarily because if every time that a request for a fiscal note comes up and the Sponsor says 'I move that that not be considered,' how are we as Legislators going to know whether or not there is a fiscal impact? If it's clearly the fact that there is a need for a fiscal note... if there is no need for a fiscal note, certainly that agency or that area that has direct concern with it can clearly say there is no fiscal impact, and we ought to know that. But where there is, very clearly, a fiscal impact on the state, this should not be allowed to be moved to not apply, and I strongly urge that this Body vote against this Motion, because where fiscal concerns are very valid, we, as Legislators, ought to know where every dollar is spent, whether it's going to cost the taxpayers additional money."

Speaker McPike: "Representative Nelson, on the Motion."

Nelson: "Thank you, Mr. Speaker. To the Motion. I believe that according to Rule 71-a, any Motion shall be reduced to writing if the Speaker or any Member desires it. I would like to ask if this Motion has been reduced to writing, because I would so desire."

Speaker McPike: "Representative Nelson, the Motion is in writing."

Nelson: "Thank you, Mr. Speaker, then to the Motion. If Representative Stuffle is right and if this Bill is the powerful Bill that he believes it to be, then there is no possible chance that this would not cost money, because if his interpretation is correct, and it requires exclusive bargaining representation with employees, it... no matter

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

66th Legislative Day

June 20, 1983

whether it costs a local school district or whether it costs the state, because the Mandates Act is... will be applicable in this case. There is a cost to Senate Bill 532 as it presently is amended, and I would ask for 'no' votes on the Motion of Representative Stuffle, that the fiscal note should not apply."

Speaker McPike: "The Gentleman from Vermilion, to close, Representative Stuffle."

Stuffle: "Just to point out to the Members that the last speaker talked about apples and oranges again. She talked about the Fiscal Note Act and the Mandates Act as though they were one and the same. They're not. The statute clearly lets us provide it not apply in terms of the Fiscal Note Act and the Mandates Act. We're on the Fiscal Note Act. The Fiscal Note Act refers only to the costs borne by agencies of state government. There are clearly no costs borne by agencies of state government under this Amendment. The opposition knows that clearly, and we know that clearly. The Fiscal Note Act should not apply, ought not to be applied to this Bill. It deals with the duties of local school districts only, and no state agencies whatsoever. There are no salary payments made by the State of Illinois to any school district, and there never were. We provide general state aid and categorical aid and that is all. There is no way that you can equate one with the other. The Acts should not apply to this particular Bill, and really doesn't. In fact, if we end up holding this Bill for a note, the fiscal note from the IOE will clearly say the cost of state government is zero. So I urge an 'aye' vote that the Fiscal Note Act not apply and reiterate we're only talking about that Act now, and no other."

Speaker McPike: "The Gentleman has moved that the State Fiscal Note Act not apply to Senate Bill 532. All those in favor

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

66th Legislative Day

June 20, 1983

of the Motion signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 67 'ayes', 45 'nos', none voting 'present', and the Motion carries. Representative Stuffle, a State Mandates Act request has been filed. Representative Stuffle."

Stuffle: "Well, now that we've argued the Fiscal Note Act, I, to save some time of the House, would merely again make the Motion that the State Mandates Act in this case not apply to the Bill. The point of it is, we already provide for negotiations. This would provide for recognition and bargaining in the local units of government. Would provide it in every case on the other Bills that deal with collective bargaining that there will be an exemption from the Mandates Act. I think it's important that this Bill go to Third Reading in the same posture as an extension in existing House Bill 701 language, and I would make the Motion that the Mandates Act Fiscal Note not apply, as per the written Motion, I have filed with the Clerk."

Speaker McPike: "The Gentleman has moved that the States Mandate Act not apply to Senate Bill 532. On that Motion, the Gentleman from Cook, Representative Piel."

Piel: "Mr. Speaker, a question of the Clerk. Has that been put in writing, and if it has..."

Speaker McPike: "Yes, it has."

Piel: "Okay."

Speaker McPike: "Representative Nelson, on the Motion."

Nelson: "Thank you very much, Mr. Speaker. I do not want to belabor this point, but I'm not talking apples and oranges. The point that I'm trying to get across to Members of this General Assembly is that there are consequences to our actions, and that the consequence of collective bargaining legislation such as this one is an increased cost either

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

66th Legislative Day

June 20, 1983

for the state or for local governments, and that is why I object very, very strenuously and have objected throughout this Session, to those exemptions to the Mandates Act that have been tacked on to all of the collective bargaining Bills. It is my feeling that this request is perfectly proper, and I would ask you for support. Thank you."

Speaker McPike: "The Gentleman from DeWitt, on the Motion. Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Mr. Speaker, Section 3 of the Fiscal Note Act provides for a procedure whereby the Gentleman may move that a fiscal note is not applicable to a Bill. However, I think if you examine the State Mandates Act, which is a different Act enacted at a different time with a different title, you'll find no place in that particular Act where the Gentleman may make a Motion such as he's offered today, and I would ask you to so rule that his Motion's out of order in this case because there's no procedure for that under the State Mandates Act or under the rules of the House."

Speaker McPike: "Representative Vinson, consistent with previous rulings, the Chair feels that the... that the State Fiscal Note Act refers to and incorporates the State Mandates... I'm sorry. The State Mandates Act refers to and incorporates the Fiscal Note Act and therefore, the Gentleman's Motion is in order. Is there any further discussion? The Gentleman from Vermilion to close, Representative Stuffle."

Stuffle: "Just so as not to belabor the time of the House, I appreciate the ruling. I would hope that we could have the same 67 votes we had on the last Motion to approve this Motion that the Act not apply to the Bill and move the Bill to Third Reading. I so move and ask for your affirmative

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

66th Legislative Day

June 20, 1983

vote."

Speaker McPike: "The Gentleman has moved that the State Mandates Act not apply to Senate Bill 532. All those in favor of the Gentleman's Motion signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 60 'ayes', 48 'nos', 3 voting 'present'. The Motion carries. Third Reading. Senate Bill 536, Representative Greiman. Out of the record. Senate Bill 547, Representative Friedrich. Read the Bill, Mr. Clerk. Excuse me, Mr. Clerk. Hold this Bill just a second. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, we have with us today a distinguished visitor, the Consul General of Italy, who will address the Body. And I would like all Members to please be seated, staff to leave the floor. Mr. Davis, would you take your seat? Representative Younge, would you take your seat? Mr. Clerk, I believe you have a Resolution - House Joint Resolution #62. If you could read that Resolution, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution 62. Whereas, the General Assembly is most honored to be addressed June 20, 1983, by the distinguished Dr. Claudio Ferrari, the Consul General of Italy in Chicago...in Chicago, Illinois; and whereas, Dr. Ferrari, who has been at his Chicago post since April 7, 1981, brings to his work the familiarity with the United States, for he has previously served in Cleveland, Ohio, and a wealth of experience on behalf of the Italian people in such locations as Paris, London, Liverpool and Albania; and whereas, his illustrious career has also included high level administrative functions for the Italian Ministry of Foreign Affairs in Rome and the authorship of several definitive historical essays on European unity; and

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

66th Legislative Day

June 20, 1983

whereas, born in Rome, Dr. Ferrari has by virtue of his talents, the abilities long been acquainted with well-deserved praise and platitudes, for he graduated at the top of his class from the University of Rome with a degree in law. He earned a bronze medal for military valor as a lieutenant in the Armoured Corp during World War II and the War of Liberation, and his fencing skills garnered him victory in the Foil Division of the Italian Junior Championship; and whereas, a devoted husband and father, Dr. Ferrari is married to the lovely Giuliana Cavallero and they are the proud parents of Marco, Andrea and Carla; therefore be it resolved, by the House of Representative of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that we extend our most sincere and heartfelt welcome to the Consul General of Italy, Dr. Claudio Ferrari, expressing our appreciation of his esteemed expertise in foreign affairs and his unfaltering dedication to his fellow citizens and to the ideal of international cooperation as exemplified by his remarkable career of public service; and be it further resolved, that a suitable copy of this Resolution be presented to Dr. Claudio Ferrari."

Speaker Madigan: "Mr. Clerk, has that Resolution been adopted?"

Clerk O'Brien: "No, Sir."

Speaker Madigan: "All those in favor of the Resolution will say 'aye', all those opposed. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. It is my distinct honor to present to you the Consul General of Italy, Dr. Claudio Ferrari. Dr. Ferrari."

Dr. Ferrari: "I would like to open my remarks by conveying the warmest greetings of the Italian Government to you, Mr. Speaker, and to all you Representatives of the State of Illinois. Please excuse my broken English, but believe me,

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

66th Legislative Day

June 20, 1983

I'm trying to do my best. The theme on which I would like to entertain you, what Italy expects from the United States, is undoubtedly a sensitive and a challenging one. Indeed, the fact that I'm here before you as a friend, and among friends show how much the relation between our two countries are a two way relationship which thrives on a mutual give and take in the creation of a solid partnership. In fact, from whom one be entitled to expect something if not from a friend. And friendship is the first and foremost factor in the Italy - America relationship. I would say that friendship for the United States, as seen from our prospective, is something more than a matter of policy. Although, all democratic governments to which... have succeeded themselves in Italy in the last 35 years have constantly adhered to the American friendship as a fundamental tenant of our foreign policy. It is a spontaneous attitude which is shared by the great majority of the political forces represented in the Italian Parliament. It is a genuine feeling which has widespread, deep, strong roots in the great masses of the Italian people, irrespective of political affiliation and doctrine. Perhaps, even more than that, it is a general aspect of life of the contemporary Italy. Since 1946, when at the peace conference in Paris, the Secretary of State 'Burns', he and he alone, got up and shook the...hand after our Prime Minister had pronounced his impassionate speech in defense of Italy in the cold silence of the audience. Italy has always found a friend, a helping hand, a partner in the United States of America. The Italians have not forgotten this, as they have not forgotten that twice in this century, American boys come to the rescue of liberty and democracy which where threatened in Europe. Political ideas, common interest, natural affinities bind us

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

66th Legislative Day

June 20, 1983

together. The Alliance binds us together, but I'm convinced that there is also something else. There is another important factor, maybe the most important. It is you - the American people, who constitute a strong, irresistible human bond between our two countries. What do we expect from the United States? To ask a foreign envoy such a question almost means to invite him to come up with a ready made shopping list and read out from it. I will do nothing of the sort. I would rather confine myself to a few essential points. First, we expect understanding for what contemporary Italy really is today. We would like to see a better and, we think, a truer image of Italy projected in this country. As all you are aware, there is still a traditional remnant of an imaginary Italy made up of old cliché which it does not reflect the reality of today, nor does justice to it. We need your help toward this image corrected. In fact, a growing attention has been devoted in recent years to some flamboyant aspects of Italian life - creativity, excellence in art, in the world of fashion and design, the taste for beauty, the Italian way of life, the 'dolce vita', which are all aspects linked to our individualism, to the history of our culture and our cities. At the opposite end of the spectrum, attention has been focused on political factionalism, on the Mafia, on terrorism, on the earthquakes, but not comparable attention has been devoted to the progress achieved by Italy in the last 35 years as the modernization in society. And this is precisely the aspect to which we would like to see reflected with your help in the new image of Italy in the American place in public opinion. Of course, we have our share of the problems which all industrial democracies in the world today are afflicted by. But the awareness of our own difficulties should not hide the fact, neither in our

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

66th Legislative Day

June 20, 1983

own eyes, nor in those of our friend, that within the consistent framework of an eternal democracy, Italy has undergone, in the postwar period, a tremendous process of modernization, as few other developed countries have undergone in such a short time. From agricultural society, which Italy still was at the beginning of the '50's, she has become today one of the great industrial democracies of the world, the sixth largest industrial democracy. The seventh largest economy with a gross national product of 394 billion dollars, equivalent to 6,480 dollars per capita, according to the World Bank. We are, today, not far behind the economy of Great Britain, in spite of almost total lack of oil and raw material, and entirely dependent as we are on the processing economy. Some Italian interests have gained a leading position in Europe and we are responding with creativity and success to the tremendous challenge of the economic recession. We also have reached brilliant position in several fields of advanced technology as shown by our participation of joint venture with American companies. The tertiary sector of the Italian economy is expanding fast, as that of other major countries entering into the postindustrial age, which is another sign of success. I can only limit myself to a very summary sketch, but let me stress that the economy transformation has entailed some dramatic changes in many aspects of our society. Millions of people moved from the south to the north and from countryside to the cities. The crust of old tradition was broken. The patterns of social behavior had changed, as also the role of the Church in Italy has changed. The middle class has expanded. A new Italian society has emerged - more affluent, more open, more free. The modernization of the economy has made the way of like of the Italian must closer to the standard of

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

66th Legislative Day

June 20, 1983

any major industrialized democracy, and this, of course, has had its profound bearing, also, on the political life of the country. In spite of the frequent government crisis, which, unfortunately, weakened the authority of the executive and spread inflational political instability, I would say that a much broader national consensus has developed in Italy over the last year. Because of a change of attitude in the political parties and, in particular, the progressive modernization of the mobilization of the Italian left, I think that the new coalition never before has strengthened the Italian society. I repeat, many serious problems remain unsolved and may add that the progress of the last 30 years have been uneven and, yet, by themselves they have contributed to many inadequacies of the public structures. The very rapidity of the transformation has contributed to the generation of new social tension which also helps to explain the phenomenon of terrorism, but on the whole, the changes have been enormously positive. In a sense, we have made a new Italy. The diversity of the pluralism, the richness of the city which has still the center of eternal life, the humanity of the individual, the quest for classical sense of beauty and harmony, all represent the continuity of a tradition of centuries. We would like to see all of this reflected in American perception of the Italian society. Italy deserves more attention, also, beneath the superficial appearances, which will help. We will be able to make our real face more familiar and more understandable to the American public. The effort is worthwhile, because it concerns an industrial democracy of 56 million people, which is your friend, your partner and most of everything, your ally. There is still something that Italy expect besides understanding and that is to always to be acknowledge and

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

66th Legislative Day

June 20, 1983

treated by you, the American people, the American Government, as a major ally, one of the four major European parties in the United States. Let me briefly amplify this point. The awareness of the contribution given by Italy to western civilization, the meaning of Italian national unification in political and economic and democratic terms, the key strategic position of Italy in Europe and the Mediterranean, the perception that we have of our national identity, all these factors bring the Italian to consider their own country, despite some historic weakness, not yet entirely overcome, to tell you the truth, to be one of the great nationalities in Europe, belonging to the same category as that of Great Britain, France and the Federal Republic of Germany, even if we don't have the same nuclear weapons status that Great Britain and France have, or the same economical potential that Germany has. Such a perception of our national identity is at the very heart of the Italian determination to play a role in international affairs. I might be allowed to point out in this connection that for more than 30 years the Italian foreign policy has remained firmly committed to the pro-western choice made after the war. Allegiance to the western world means for us, the Italian, means European unity, Atlantic solidarity and friendship for the United States. In more recent years, as Italy has grown, our interest and determination to assume larger responsibilities in the Western Alliance have also increased. Let me mention, as an example, the rapid and substantial growth of Italian aid to developing nations, our determination to take our share of burdens for the restoration of a military balance in Europe, the Italian decisive contribution to the double track NATO decision of 1979 for the modernization of the 'theatre' nuclear forces in Europe, the construction work

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

66th Legislative Day

June 20, 1983

of the cruise missile bases in... Italy, the active role played by Italy within the Alliance to maintain unity and solidarity in the post-Poland phase, the Italian participation in multinational force for the Sinai Peninsula and now our participation in multinational force for Lebanon, in strict alliance with the United States of America. As I said, the political and psychological foundation on which this attitude is based is our perception of the Italian national identity, as a nation having the capability and the responsibility to play an important role in international affair. We can help in Europe and in the world for the preservation of security and the promotion of peace and economic development. The exclusion of Italy from any restricted groups which might be formed in any way or the other within the west for the discussion of matters of common concern would be neither understood, nor accepted by Italy. Any such discrimination would be taken in Italy as a rejection by our friend of our own identity as a nation, and would set in motion centrifugal forces which would kill the spirit of Italian participation in the Alliance. We count, therefore, on our friends to see that this will never happen, as President Reagan promised to President Pertini when they met at the White House last year. Furthermore, we expect to see our trade relation not only resist the temporary difficulties of the adverse economic situation, but also grow much above the present level. We want to buy more from you. Coal is just an example of how much our imports from the United States can grow. But in order to do so, we have to be able to sell more. We expect to see also our cultural relation grow much above their present level. The influence of American culture in Italy is immense. You will never understand how many records, how many books, how many

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

66th Legislative Day

June 20, 1983

students are coming from the United States to Italy. They're most welcome. I don't pretend that the Italian culture should have an equal impact in America, but certainly, it could have a greater impact than it has now. Today, there is a greater demand on your part of Italian culture, and you must tell us in which direction we have to move in order to satisfy this demand. I'm almost through. We expect to see, as another example, the splendid community of American of Italian descent and, please, let me, at this moment, to pay tribute to the people of my heritage. We expect to see, as another example, the splendid community of American of Italian descent become always more prosperous and numerous and to see other relatives and families join them from Italy. In this connection, may I be allowed to mention briefly a heartfelt hope of ours that some restrictive provision of legislation presently under consideration should be modified by Congress, so as to safeguard that principle of family reunion which stems from our heritage. I realize that I have spoken much too long, but you will grant that the theme 'What Italy expects from the United States' is one that an Italian envoy seldom has the opportunity to express to a distinguished Assembly like this one. In conclusion, I would like to summarize my talk by saying that what we would like to see is something like a privileged relationship growing between the United States and Italy. Maybe my aspiration is ambitious, but I firmly believe that the ties and common interest between us are so strong that we can aim high. The Italian Government has always maintained that the bond between Italy and the United States must be an unbreakable one. We believe, therefore, that whatever the difference and the difficulties may be, they must be equitably resolved through consultation in our

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

66th Legislative Day

June 20, 1983

common interest. In the interest of the preservation of western unity, which is in turn an essential condition for the preservation of the equilibrium between east and west, and therefore, our stability and peace in Europe and in the world. In this spirit, Italy remains firmly committed to European unification, to Atlantic solidarity and friendship with the United States, that friendship which was symbolized by the kiss given by President Pertini to the American flag at the White House on March, 1982. Thank you, Ladies and Gentlemen. Thank you."

Speaker Madigan: "Ladies and Gentlemen, please be advised that there will a reception for Dr. Ferrari in Room 212 beginning at about 1:15 this afternoon. So for those of you who wish to meet him personally, he'll be in room 212 at approximately 1:15. Representative McPike in the Chair."

Speaker McPike: "Continuing on the Calendar. Representative Vinson, for what reason do you rise?"

Vinson: "Mr. Speaker, I would direct the Chair's attention to page 38 of the Calendar, the Consent Calendar Resolutions SJR 52, which pursuant to Rule 9, may not be carried on the Consent Calendar, and I would think that it would be advisable to get it carried at the appropriate place in the Calendar so the Sponsors can have appropriate action on it."

Speaker McPike: "Mr. Clerk, would you note that? Continuing on the Calendar, Senate Bills Second Reading, appears Senate Bill 547, Representative Friedrich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 547, a Bill for an Act to amend the Illinois Industrial Development Authority Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

66th Legislative Day

June 20, 1983

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Friedrich - Keane, amends
Senate Bill 547."

Speaker McPike: "Representative Friedrich on Amendment #2."

Friedrich: "Mr. Speaker and Members of the House, there was some concern by the bonding people that the Bill might need this Amendment. We're not sure that it does, but just in case, this Amendment says 'Under no circumstances shall any bonds or evidence of indebtedness issued by the Authority be or become an indebtedness of the State of Illinois.', and that affects the Illinois Industrial Development Authority. I think there's no opposition. I move the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 564, Representative Daniels. Represen... Out of the record. Senate Bill 565, Representative O'Connell. Representative O'Connell on the floor? Out of the record. Senate Bill 774, Representative Karpel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 774, a Bill for an Act to amend the Illinois Municipal Code and Acts relating to county zoning and the Township Zoning Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Fraun, amends Senate Bill

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

66th Legislative Day

June 20, 1983

774."

Speaker McPike: "The Lady from Cook, Representative Braun, Amendment #1."

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

Speaker McPike: "The Lady withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "The Lady from Cook, Representative Braun, Amendment #2."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is essentially the same as Amendment #1 was, except that it cleans up a technical error. The Amendment essentially says that the award of attorneys' fees will be... will require showing of willful and wanton conduct by the local government authorities. I urge your support."

Speaker McPike: "The Lady moves for the adoption of Amendment #1. On that, the Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Braun, you're familiar, as you've demonstrated in the past, with..."

Speaker McPike: "The Lady indicates she will yield. Proceed, Representative Johnson."

Johnson: "Can you.... Can you tell me how the 'willful and wanton' that we usually make applicable to tortious conduct, that terminology and usage would be applicable to pages two and four and the zoning purposes behind this Amendment?"

Braun: "Thank you, Representative. Quite simply, as you well know, it is not part of American jurisprudential history that we award attorneys' fees to prevailing litigants in all circumstances. The way the Bill is drafted it would

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

66th Legislative Day

June 20, 1983

allow for such an award in all circumstances. This Amendment simply clarifies the intent so that a higher standard of proof is required with regard to that specific award. It does not preclude the... any... it does not change the standard for winning the case or for a party to prevail - under which a party may prevail. However, it does change the standard with regard to awarding of attorneys' fees."

Johnson: "You don't mean standard of proof, you mean quantum of proof or nature of, don't you? You don't any difference between clear and convincing, or anything like that."

Braun: "By the Amendment, it... the standard provides to... the standard applies to the standard of proof... the standard of proof in terms of the awards of attorneys' fees only."

Johnson: "Doesn't the Bill itself, unamended, provide that the action by a municipality constitutes unreasonable exercise of police power by the municipality, and so forth? Doesn't... Doesn't that seem to be, with that standard, sufficient to... to cover what you really want to do by Amendment #2? Doesn't... Isn't that language sufficient?"

Braun: "No Sir, it isn't. Quite frankly, as you well know, any 10 lawyers will disagree over what constitutes 'unreasonable' and because..."

Johnson: "Well, I think any 10 lawyers would disagree on what 'willful and wanton' is, too."

Braun: "Well, I think that 'willful and wanton' is a more clear and expressed standard than 'unreasonable'."

Johnson: "Well, tell us then..."

Braun: "Again, particularly... particularly, Representative, particularly as it applies to a change in our entire body of law on the issue of award of attorneys' fees."

Johnson: "Tell me, then, an example of what... First of all, under the Bill, as Representatives Karpriel and Homer

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

66th Legislative Day

June 20, 1983

introduced it, what... an example of what kind of conduct by a municipality would be prohibited and would subject the municipality to the remedies under this Bill, number one; and number two, tell me an example of what different situation would subject the municipality to the remedies under Senate Bill 774 as amended by your Amendment; and thirdly, if you would, tell me how those differ from one another."

Braun: "Thank you, Representative. I generally try to stay away from creating straw men or giving... creating examples of conduct. I can tell you, however, that the difference propounded, I think, is very clear. Should a municipality abuse its police powers in the exercise of the zoning authority, this Amendment would allow for the award of attorneys' fees, and the abuse would have to be, as defined in the Amendment, 'willful and wanton'."

Johnson: "But, what's 'willful and wanton' abuse? Give me an example of what it would be."

Braun: "Willful and... Well, again, you're asking me to make up something, and I don't think that's appropriate for the purposes..."

Johnson: "No, I'm not. I'm just asking. You're introducing an Amendment to change the Bill that Representative Karpel and Homer have introduced, and I'm just interested to know what kind of use of the zoning power by a municipality would constitute 'willful and wanton' abuse. I've just never heard of that concept."

Braun: "Representative, 'willful and wanton conduct' is spelled out in a number of different statutes, and it is a higher standard - it requires a higher standard of conduct or improper conduct than does the term 'unreasonable'."

Johnson: "It does with respect to negligence, but I want to know how that... that terminology... that... that 'willful and

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

66th Legislative Day

June 20, 1983

wanton' concept would be applicable to this Bill."

Braun: "Representative, I believe that insofar as we are changing the law pertaining to the award of attorneys' fees, that it is appropriate for this General Assembly to require a standard of proof that goes beyond the kind of slippery word 'unreasonable' or 'reasonable' which may carry with it any number of varying interpretations. I believe that in terms... insofar as local governments are concerned, the 'willful and wanton' category will protect local governments from the... from the ordinary exercise of their authority, but will leave them exposed to the award of attorneys' fees in the extraordinary case. I believe that that is the distinction this Amendment makes. I believe anyone in this chamber who is concerned about the liability or potential liability of local governments will support this Amendment. I understand this is a controversial Bill. May I finish, Sir, please? I understand..."

Johnson: "You've answered my question. I appreciate your answer. To the Amendment, then, Mr. Speaker and Members of the House. What this Bill does, just so everybody, in light of the dust that was raised last week, is perhaps not sure. This Bill was introduced, a bipartisan Bill supported by the Illinois Association of Realtors, a major part of their package, and it basically provides that if you own property..."

Speaker McPike: "Excuse me, Representative Johnson. Would you address yourself to the Amendment?"

Johnson: "I am."

Speaker McPike: "Thank you."

Johnson: "The Bill provides... The Bill provides that if an individual owns property that's zoned a particular way, allows the property to be used a particular way, that it adds a certain value to it, and that when municipalities

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

66th Legislative Day

June 20, 1983

downzone that property so it can't be used for the purposes that it was originally zoned for, that reasonable compensation to the owners to be granted. And now, we come in and take a term 'willful and wanton', that's a lawyers' term, that so far as I know is only applicable in the negligence personal tort scenario, and apply it to a zoning situation. The net result is, number one, the whole Bill will probably be stricken down because it's vague; and number two, nobody knows what it means. The Sponsor of the Amendment, with all apparent good intentions, doesn't have any idea as to how this Amendment would differ from the thrust of the Bill. And the bottom line of the Amendment would be that an individual's right to use his or her property coincident with the zoning that... that has been existent prior to the enactment of this Bill, is going to be so watered down and this Amendment, make it so meaningless that none of the remedies of this Bill, none of the substance of the remedies would be applicable. I would submit to you that Representative Karpziel and Representative Homer and Senator Bruce, a bipartisan team, and the Illinois Association of Realtors, have an opportunity, or ought to have an opportunity, to have their Bill voted up or down based on... based on meaningful standards, and based on a concept that's been around for a long time. We interject this other Amendment into it. It makes the Bill totally ununderstandable by anybody - the Sponsors, the courts, the municipalities, and I would submit to you that by... by Representative Braun. It's simply an effort to try to muddy the waters. Let's give them an opportunity to vote the Bill up or down on Third Reading. I urge a 'no' vote on this Amendment."

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

Karpziel: "Well, thank you, Mr. Speaker and Ladies and Gentlemen

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

66th Legislative Day

June 20, 1983

of the House. I think you're all aware of this Bill after what went on here last Friday, and I am very grateful that the Bill has finally been called on Second Reading. However, these Amendments that have been filed on this Bill were filed last Friday, and I think it's pretty obvious that the reason that these Amendments were filed is to kill the Bill, is to gut the Bill. If the Amendments go on, it changes the Bill substantially. What this Amendment does, it stipulates that the unreasonable exercise of police power by a municipality in zoning matters must have been 'willful and wanton' for the courts to be required to award the successful owner court costs and attorneys' fees. I think anyone who pays attention to this Amendment and to the Bill and what the Bill is doing, realizes that this Amendment has no place on the Bill. It doesn't strengthen the Bill, it weakens it. As a matter of fact, it doesn't even make sense. I don't know about your communities, but in my communities we don't use unreasonable police power in zoning matters, and I would urge a 'no' vote on this Amendment, which will ruin and gut Senate Bill 774, and I ask for a Roll Call vote."

Speaker McPike: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to the Amendment, the effect of which is to gut the Bill. You know, it's very common in American jurisprudence to award attorneys' fees to the prevailing party where it's statutorily authorized. In the federal system, the antitrust laws are replete with attorney awards. There are other attorney award provisions in state statutes. The purpose of making attorney awards to the prevailing party in these cases is the furtherance of a social goal or a public policy which has enough

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

66th Legislative Day

June 20, 1983

importance to attach to it the award of attorneys' fees to the prevailing party. However, in those other circumstances, there is never a case where the prevailing party is put to a higher standard of proof - or greater quantum of proof - in order to be awarded those fees, other than that which the cause of action requires. There is no different standard for the award of attorneys' fees in precedent in American law. Now, what 'willful and wanton' means to me, in this context, is not the same as it means in... in a negligence case. What it means to me is bad intent. What it means to me, essentially, is a conspiracy. The prevailing party is not only going to have to prove that the zoning was not justified, that is prevail on the typical cause of action to get his relief, he's going to have to go beyond that. He's going to have to prove conspiracy. He's going to have to prove bad intent. He's going to have to prove something which he can never prove. He's going to have to prove something which no municipality can ever be found in violation of, and the reason for that is because he would not be able to subject the municipality or its officers to that type of scrutiny. The 'willful and wanton' standard is a guise - a guise to kill this Bill. If you require the 'willful and wanton' standard, you, in effect, have killed all of the good provisions of this Bill. Downzoning will become a reality. I urge you to oppose this Amendment."

Speaker McPike: "Is there any further discussion? There being none, the Lady from Cook to close, Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Representative McCracken in his remarks touched on the precise meaning and the reason why we should vote this... vote for this Amendment. He says that the Amendment raises the standard to require bad intent by

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

66th Legislative Day

June 20, 1983

municipalities. I think that that is an appropriate standard for a municipal government when we're talking about giving fees to lawyers in cases... in zoning cases. We are talking about establishing a standard in this Bill for the award of attorneys' fees where it was not statutorily authorized beforehand. If we're going to do that, to open the door and say any mistake, any error, any... any situation in which someone disagrees with the local government's zoning... exercise of the zoning power, in any of those cases, attorneys' fees should be awarded. I don't think that that's sufficient. I believe that this Amendment sets a clearer standard - one of bad intent, one of willful and wanton conduct by the local governments - and for that reason, I encourage an 'aye' vote on Amendment #2."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. The question is, 'Shall Amendment #2 be adopted?'. All those in favor, signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Yes, Representative Karpziel to explain her vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Well, we... I wonder if we could have the Assistant Clerk take over. The Clerk accidentally dumped the Roll. The question is, 'Shall Amendment #2 be adopted?'. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 63 'ayes', 50 'nos', 1 voting 'present', and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, Preston, amends Senate Bill 774 by changing the title, and so forth."

Speaker McPike: "The Gentleman from Cook, Representative Preston, on Amendment #3."

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

66th Legislative Day

June 20, 1983

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

Speaker McPike: "Excuse me, Mr. Preston. The Gentleman from Champaign, Representative Johnson, for what reason do you rise?"

Johnson: "Mr. Speaker, Members of the House, a point of order. I would question the germaneness of Amendment #3 to Senate Bill 774, and to be specific, point out to the Chair and the Parliamentarian that the Bill, as originally introduced, amends the Municipal Code and Acts relating to it, and so forth. This Amendment changes the title to provide that it's an Act to amend certain sections and to provide for and regulate the business of guaranteeing titles to real estate by corporations. It has nothing to do with the Municipal Code, county zoning or township zoning, as the original Bill provides; and further, in the substance of the Bill, the original Bill, as introduced, deals, as we know by now, with zoning classification, with challenges and with standards for challenge and the remedies therefore to zoning... downzoning. This Bill, which we've seen before in a different form, provides for granting the right to do business with certain title companies or eliminating or withholding the ability to do business with certain title companies and further with conflicts of interest in terms of control groups, and so forth. The Bills have absolutely no relation to one another. Neither do the titles, and I would submit that the Amendment is totally nongermane."

Speaker McPike: "Representative Johnson, your point is well taken. The Amendment is nongermane. Further Amendments? It was ruled that the Amendment is not germane."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "There is a request for a fiscal note as amended."

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

66th Legislative Day

June 20, 1983

The Bill will remain on Second Reading. Senate Bill 786, Representative Van Duyne. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 786, a Bill for an Act to amend sections of the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Van Duyne, amends Senate Bill 786 on page one and line 12..."

Speaker McPike: "Representative Van Duyne, Amendment #1."

Van Duyne: "Thank you, Mr. Speaker and Members of the House. Amendment #1 is technically incorrect, and I'd like to table that and go with Amendment #2."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Van Duyne, amends Senate Bill 786 on page one and line 12, and so forth."

Speaker McPike: "Representative Van Duyne on Amendment #2."

Van Duyne: "Thank you, Mr. Speaker and Members of the House. This Amendment was asked for by the Pollution Control Board and it simply states that the local rules promulgated by the local governmental entities would coincide with the rules adopted by the Pollution Control Board, and I ask for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "There is a request for a fiscal note. Representative Van Duyne, the Bill will remain on Second Reading. Senate Bill 787, Representative Braun."

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

66th Legislative Day

June 20, 1983

Representative Vinson, for what reason do you rise?"

Vinson: "Mr. Speaker, I believe you'll recall that in connection with Senate Bill 774 on Friday, we got into a problem regarding Senate Bills with Joint Sponsors on them in the House, and I wonder if you might have some intention at this point for disposing of that problem?"

Speaker McPike: "The... It would be the position of the Speaker that the Parliamentarian should meet with Ed Webb to discuss it."

Vinson: "Thank you."

Speaker McPike: "Representative Braun. Read the Bill, Mr. Clerk. Out of the record. Representative Van Duyne, for what reason do you rise?"

Van Duyne: "Well, point of... point of information, Mr. Speaker, did you or did you not send 786 to Third Reading?"

Speaker McPike: "No, I did not. A fiscal note request was filed on that after you amended it."

Van Duyne: "Would somebody explain to me why a fiscal note would apply here? There is..."

Speaker McPike: "Well, it's within the rights of the Members, Representative Van Duyne, to file that, and a fiscal note was filed, so the Bill will remain on Second Reading until you file the fiscal note."

Van Duyne: "Would I be in order, Mr. Speaker, to move that the Fiscal Act not apply to this Bill... to this Amendment, or to the Bill, whichever is proper? If so, I'd like to move, Mr. Speaker."

Speaker McPike: "Representative Van Duyne, we are on Senate Bill 800 at this time. I think it would be advisable just to file the fiscal note. Representative Van Duyne."

Van Duyne: "I'm sorry, Mr. Speaker, but I was of the opinion that you... it would automatically go to Third Reading. I had no knowledge that a fiscal note was asked for. So... and

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

66th Legislative Day

June 20, 1983

you went on before I even you had left the Bill, and our staff told me that you had kept it on..."

Speaker McPike: "Right."

Van Duyne: "So that was the first... first I knew that you had kept it on Second Reading. I'd like to... If you would allow, and with leave of the House, I'd like to move... go back to that Bill and so move that the fiscal..."

Speaker McPike: "The Gentleman asks leave to return to Senate Bill 786. Objections are raised. Representative Van Duyne, you'll have to file a fiscal note. Senate Bill 800, Representative Richmond. Out of the record. Senate Bill 891, Representative Saltsman. Representative Saltsman on the floor? Out of the record. Senate Bill 938, Representative Preston. Do you wish to have your Bill called, Sir. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 938, a Bill for an Act relating to public financing of gubernatorial campaigns. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 943, Representative... Senate Bill 943, Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 943, a Bill for an Act relating to foreign trade zones. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Karpziel - Vinson."

Speaker McPike: "Representative Karpziel, Amendment #1."

Karpziel: "Yes..."

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

66th Legislative Day

June 20, 1983

Speaker McPike: "Excuse me, Representative Karpziel. Has this Amendment been printed and distributed? No, it has not. Representative Cullerton, for what reason do you rise?"

Cullerton: "Mr. Speaker, perhaps to save the time of the House, I... I would first know whether or not the Lady was intending to withdraw the Amendment. Perhaps you can inquire of the Lady."

Speaker McPike: "Well, in order to save the time of the House, Representative Karpziel, was it your intention to withdraw the Amendment? Representative Karpziel."

Karpziel: "Mr. Speaker, the Amendment hasn't been printed, you said."

Speaker McPike: "The... The question was, 'Do you intend to withdraw the Amendment?'"

Karpziel: "No."

Speaker McPike: "Okay."

Cullerton: "Well, perhaps also to save the time of the House, we could... I could question its germaneness at this point, since we do have a copy. It just hasn't been distributed."

Speaker McPike: "The Gentleman has questioned the germaneness of Amendment #1. Representative Cullerton."

Cullerton: "Mr. Speaker..."

Speaker McPike: "Representative Karpziel, for what reason do you rise?"

Karpziel: "Mr. Speaker, I will withdraw this Amendment at this time."

Speaker McPike: "Thank you very much. Amendment #1 is withdrawn. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 951, Representative Birkinbine. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 951, a Bill for an Act in relation to the admitted assets and authorized investments from

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

66th Legislative Day

June 20, 1983

insurance companies. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Further Amendments."

Clerk O'Brien: "Floor Amendment #2, Birkinbine, amends Senate
Bill 951."

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

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. Amendment #2 to Senate Bill 951 is offered by
the Department of Insurance as a clean-up and technical
change Amendment to Amendment #1 that was offered and
adopted in Committee. I know of no problems with it, but
would be glad to answer any questions people might have."

Speaker McPike: "The Gentleman has moved for the adoption of
Amendment #2. Is there any discussion? Representative
Karpel, your light is on. Are you seeking recognition?
There being no discussion, the question is...
Representative Cullerton."

Cullerton: "Representative Birkinbine, would you yield for a
question?"

Speaker McPike: "He indicates he will."

Cullerton: "Does this Amendment have anything to do with Canadian
real estate?"

Birkinbine: "Excuse me?"

Cullerton: "Does this Amendment have anything to do with Canadian
real estate?"

Birkinbine: "Not to my knowledge."

Cullerton: "Okay, I... There was an Amendment adopted in
Committee, is that correct? That was Amendment #1?"

Birkinbine: "Yes. That Amendment dealt with the investment
article that's being updated from its original 1937 phrase,
and its most latest update was 1963. It's designed to, if

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

66th Legislative Day

June 20, 1983

you will, bring the investment article, the Insurance Code up-to-date with some of the more recent changes that have taken place in investments and money markets."

Cullerton: "Well, perhaps in that first Amendment there was some language having to do with prohibiting investments in Canadian real estate. You're not familiar with whether or not that's the case?"

Birkinbine: "No, I'm not."

Cullerton: "And you're certain that at least Amendment #2 has nothing to do with Canadian real estate?"

Birkinbine: "To the best of my knowledge, it has nothing to do with Canadian real estate."

Cullerton: "On Third Reading, then...before this is called on Third Reading, perhaps we can both look to see if...if it deals with Canadian real estate. Because I think that somewhere in there it does, and I have a question about that."

Birkinbine: "Fine."

Cullerton: "Thank you."

Speaker McPike: "There being no further discussion. The question is, 'Shall Amendment #2 be adopted? All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 958, Representative Daniels. Out of the record. Senate Bill 982, Representative Bullock. Out of the record. Senate Bill 1000, Representative Stuffle. Representative Stuffle on the floor? Out of the record. Senate Bill 1002, Representative Leverenz. Out of the record. Senate Bill 1011, Representative Bullock. Representative Pangle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1011, a Bill for an Act to amend the

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

66th Legislative Day

June 20, 1983

Intergovernmental Cooperation Act. Second Reading of the
Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "The fiscal note has not been filed, the Bill
remains on Second Reading. Senate Bill 1017,
Representative Terzich. Bob Terzich, do you want your Bill
called? Bead the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 10..."

Speaker McPike: "Excuse me, Mr. Clerk, has a fiscal note been
filed on this, on 1017?"

Clerk O'Brien: "A fiscal note is filed."

Speaker McPike: "Thank you."

Clerk O'Brien: "Senate Bill 1017..."

Speaker McPike: "Has this been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously.
Amendment #1 was adopted on the House floor."

Speaker McPike: "Any further Amendments?"

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

Speaker McPike: "Representative Karpziel on the Motion."

Karpziel: "Yes, thank you, Mr. Speaker. I hate to oppose my good
friend, Representative Terzich. But, first of all, this
Bill provides for a duplicate function that DCCA is already
providing. And the Bill broadens the... I mean, the
Amendment broadens, what it already is, a duplicative
function. Right now, the Office of Tourism and Promotion
in the Department of Commerce and Community Affairs
receives 10% of the hotel - motel tax, and the other 90%
goes to the GRP. Well, now by providing... by setting up a
whole 'nother' Office of Tourism and Promotion, or whatever
it's called in this Bill, in the Department, they're also
broadening it to include economic development agencies,

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

66th Legislative Day

June 20, 1983

tourism development organizations, and allowing them to receive these grants of the money that goes now to the Office of Tourism in DCCA. This would make...and gives them another 10%..this would cut the amount of money that goes to the General Revenue Fund from the hotel - motel tax to only 80%. I believe it will cost the state somewhere in the nature of 3.3 million dollars, and that's why I filed a Motion to table this Amendment."

Speaker McPike: "The Lady has moved to table Amendment #1. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I have an inquiry of the Chair. Was this Amendment adopted on the House Floor?"

Speaker McPike: "Yes."

Cullerton: "And so, Representative Karpfel, perhaps you can tell me whether or not you voted on the prevailing side when it was adopted, or was it contested at that time? I'm just wondering if, perhaps, we shouldn't be going about this in a different manner, since it was a Floor Amendment that was adopted. Perhaps, you might want to...if you voted on a prevailing side, you might want to reconsider that vote as opposed to tabling the Amendment."

Speaker McPike: "Representative Vinson on the question."

Vinson: "Well, Mr. Speaker, we're on a Motion to table, we're not on a Motion to reconsider. And for that reason, the Gentleman's point has no bearing on the issue, and we don't need to deal with the irrelevant matters."

Speaker McPike: "Is there any further discussion on the Motion? Representative Terzich."

Terzich: "Well, Mr. Speaker, I oppose the Motion. This is to expand the tourism in the State of Illinois. If the Sponsor of the Motion desires to vote against the Bill, all well and good. This simply extends a very, very good program. It was adopted on the House floor. And

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

66th Legislative Day

June 20, 1983

therefore, I think that her Motion is out of order, and I would move that we do not adopt the Motion to table this Amendment."

Speaker McPike: "Representative Karpziel to close."

Karpziel: "Yes, thank you, Mr. Speaker. Well, I just feel that, first of all, we already have a Department of Tourism and Convention in the Department of Commerce and Community Affairs, a bureau of that. This just adds another bureau of the same thing in the same department, and gives it more money, and the money comes out of the General Revenue Fund. I'm also afraid by this Amendment by expanding the eligible entities for these grants to include economic development agencies and tourism development organizations, that we could possibly be funding Chicago Fest and organizations that put on Chicago Fest, and these types of things around the state... And we would be actually providing grants for these private agencies. And I think that that is a bad precedent, and I'd urge an 'aye' vote on this Motion."

Speaker McPike: "The Lady has moved to table Amendment #1. All those in favor of the Motion signify by voting 'aye', opposed vote 'no'. Representative Terzich to explain his vote."

Terzich: "Again, as I mentioned, Mr. Speaker, I am opposed to this here Motion. As I say, that if they want to vote against the Bill all well and good, but the Amendment was adopted. I don't know where Chicago Fest got into this, but we don't have Chicago Fest anymore, even though it did attract quite of few million people."

Speaker McPike: "Have all voted who wish? Have all voted who wish? Clerk, will take the record. On this Motion, there are 51 'ayes', 62 'nos', none voting 'present', and the Motion fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

66th Legislative Day

June 20, 1983

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

Speaker Greiman: "On the Order of Senate Bills Second Reading appears Senate Bill 1024. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1033. Out of the record. On the Order of Senate Bills Second Reading...Senate Bills Second Reading appears Senate Bill 1035. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1035, a Bill for an Act to amend the Illinois Farm Development Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Stuffle - Woodyard, amends Senate Bill 1035 on page two, line 14."

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

Stuffle: "Yes, Mr. Speaker, since we adopted Amendment 1 in Committee, and on the First Reading...on Second Reading, we failed to have a Motion. I would now move to, having gone by that point once, I would now move to table Amendment #1 to the Bill, so that #2 will be in place."

Speaker Greiman: "Alright. The Gentleman moves to table Amendment #1 to Senate Bill 1035. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be tabled?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Amendment 1 is tabled. Further Amendments?"

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

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

Stuffle: "Yes, Mr. Speaker, Members of the House, Amendment #2 would place Senate Bill 1035 in the same posture as the Bill that we sent out of here to the Senate, in terms of,

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

66th Legislative Day

June 20, 1983

its being amended the same as that Bill will be amended today in the Senate, providing for some clean up language agreed to with regard to the Illinois Farm Development Authority. I know of no opposition to the Amendment. It provides for a lower limit on the maximum real estate, a borrower limit that could be had by a borrower under this program. It limits the size of an agri business that may participate both on the size of its number, in terms of its employees and annual gross income. It cleans up a problem with a Bill that failed to deal with new businesses that might wish to come into Illinois and aren't there now, and provides the same overall revenue bond authority limits as that Bill that we sent out of the House on a 107 to four vote. And I will urge an 'aye' vote on Amendment #2."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1035. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1057. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1057, a Bill for an Act to amend Sections of an Act concerning public utilities. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Klemm, amends Senate Bill 1057 on page one."

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

Klemm: "Thank you, Mr... Thank you, Mr. Speaker. I'd like to withdraw Amendment #1."

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

66th Legislative Day

June 20, 1983

Speaker Greiman: "The Gentleman withdraws Amendment #1 to Senate Bill 1057. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Klemm, amends Senate Bill 1057 on page one."

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

Klemm: "Thank you, Mr. Speaker. Amendment #2 does a couple of things. One, it fulfills what I had promised the Committee when we adopted 1052, in adding a two year statute of limitations for the refund of utility overcharges. It also adds the provisions of House Bill 886 that was passed out of the House, I think, on a 113 to 1 vote and got tied up in the Senate. And what it does is requires the ICC a Commissioner to attend a public comment hearing, and also, to attend an evidentiary hearing, if requested to do so. It deletes provisions, all utilities must file quarterly estimated tax returns, unless they have seven million dollars gross revenue. And it also extends the deadline for electric suppliers to file gross revenue tax return under extenuating circumstances. There is, as I understand, no opposition to the Bill. I do ask for a favorable vote."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1057. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Greiman: "He indicates that he will."

Cullerton: "As I understand it now, public utilities of revenues of less than seven million file quarterly estimated taxes. The effect of this Amendment would be to allow those utilities to pay their taxes within 31 days after the years end. Is that correct?"

Klemm: "Well, as I understand it, those utilities that have less than seven million would file it annually."

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

66th Legislative Day

June 20, 1983

Cullerton: "They will file it annual?"

Klemm: "Yes. This is a provision that had been adopted as an Amendment to House Bill 886 that had already passed the House."

Cullerton: "No, but my question is, right now they're filing a quarterly estimated tax?"

Klemm: "All of them are, yes."

Cullerton: "Okay. So that means the state has the use of that money in the four quarters prior to the end of the year. And what this would say is these utilities don't have to pay that tax in advance, they get to keep that money until the end of the year, and then, they wait till thirty-one days, then they file, and then they pay their tax. So my question too to you is how much... loss in revenue to the state would occur, as a result to this Amendment being passed, in lost in interest money alone to the state?"

Klemm: "I don't have the number, but I understand that it's so few of the smaller utilities that have less than seven million dollar gross that it only affects one or two."

Cullerton: "But why are we do..."

Klemm: "I don't have those figures in front of me."

Cullerton: "But why are we doing that for them?"

Klemm: "Well, this is not originally my Amendment, and therefore, since it had been adopted on 886, I've included, as I promised I would, all the provisions on it. Bear with me, maybe I'll have it in my file."

Cullerton: "Well, perhaps, Representative, you could tell me what about utilities that have revenues of greater than seven million. Perhaps, you would know what their...whether they file quarterly estimated returns or whether they file at the end of the year?"

Klemm: "They would still continue to file quarterly as the law requires now."

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

66th Legislative Day

June 20, 1983

Cullerton: "Well, there must be...there must be a reason for distinguishing between someone who has revenues of less than seven million. Do you know how many public utilities there are that would be covered by this...?"

Klemm: "Perhaps I could call on Representative Tuerk, who had that original Amendment. Maybe he could answer your question."

Cullerton: "That'll be very helpful."

Speaker Greiman: "Alright, the Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Well, this was a subject of an original or a separate Bill early on in the Session. And as I recall, there were only four percent of the utilities across the state that would come under the purview, 96% of the utilities in the state would continue to file the quarterly returns, and four percent, the smaller utilities, would be on an annual basis."

Cullerton: "Well, I'm not going to oppose the Amendment, but I'm certainly going to file a request for a fiscal note, so that we find out how much money the state will lose, so that when we debate it on Third Reading, we'll know that...how much money we're talking about."

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

Brummer: "Yes, will the Gentleman yield?"

Speaker Greiman: "Indicates that he will."

Brummer: "You indicated, Representative Klemm, that there was no opposition to this. I know, originally, when the provisions in the original Bill about the requiring of commissioners to attend hearings, Chairman O'Connor at least, had considerable opposition to that. Has he now withdrawn his opposition?"

Klemm: "Well, probably not. I was referring to the statute of limitations. There was no opposition to putting that two year."

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

66th Legislative Day

June 20, 1983

Brummer: "So there may be opposition now with regard to the requirement of the commissioners attending hearings?"

Klemm: "Oh, yes, I would think the commissioners, certainly, ICC Commissioners would rather not have to attend any hearings whatsoever. I would certainly think so."

Brummer: "Okay. Could I ask you a question or two regarding that provision?"

Klemm: "Certainly."

Brummer: "As I understand the Amendment, in any public comment hearing, the commissioner has to attend. In any evidentiary hearing, the commissioner has to attend if requested, is that correct?"

Klemm: "Yes, these are, I think, much of the language that you had even asked for on 886."

Brummer: "Well, I...on the public comment hearing, a commissioner has to attend every one of those. Is that correct?"

Klemm: "At least one commissioner would have to attend the major, and there are eleven."

Brummer: "Even if not requested, they will have to?"

Klemm: "Even if not requested."

Brummer: "Okay, could you define for me the public comment hearing? I'm not sure I understand. I, at one time thought the public comment hearings were hearings that were held in Springfield at the Commission Office here in Springfield, or Chicago, and then I was later... Someone suggested that hearings that are held out in the field all over the state, may be public comment hearings. What are public comment hearings?"

Klemm: "Well, the public comment hearings are apparently defined in Section 36, and if you'll bear with me, I'll try to find it. It's already in the statute."

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

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

66th Legislative Day

June 20, 1983

Klemm: "I don't seem to have that in front of me, but it hasn't changed the statute that's currently in place now."

Brunner: "Do you know what public comment hearings are?"

Klemm: "I don't have Section 36 in front of me, but it doesn't change it. So, it's whatever it is presently."

Brunner: "I have no further questions."

Speaker Greiman: "Is there discussion? There being none, Mr. Klemm to close."

Klemm: "I just ask for a favorable vote."

Speaker Greiman: "The question is, 'Shall Amendment #2 to Senate Bill 1057 be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Alright, the Bill will stay on the Order of Senate Bills Second Reading until the filing of a fiscal note. There has been a request for a fiscal note, Mr. Klemm. We're still on page thirty, and just a couple of Bills back. On the Order of Senate Bills Second Reading appears Senate Bill 1002. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1002, a Bill for an Act to establish high impact training services programs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Leverenz, amends Senate Bill 1002 as amended."

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

Leverenz: "Thank you. The Amendment would make a technical change just... it redefines an Act that the money comes from, and I would move for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman moves for the adoption of

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

66th Legislative Day

June 20, 1983

Amendment #2 to Senate Bill 1002. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Is there further Amendment?"

Clerk O'Brien: "No further Amendment."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1070. Mr. Clerk, read... Mr. Matijevich, 1070? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1070, a Bill for an Act to amend an Act concerning injuries and disabilities caused by exposure to asbestos. Second Reading of the Bill. Amendment #1 and 2 were adopted previously."

Speaker Greiman: "Yes, Mr. Matijevich, the Gentleman from Lake."

Matijevich: "I'm just holding the Bill for a fiscal note. And I'm not sure...I doubt if it's been filed yet, the guy was on vacation."

Speaker Greiman: "It's not been filed, so we'll just take it out of the record. Fine. On the Order of Senate Bills Second Reading appears Senate Bill 1088. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1088, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1106. Mr. 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. This Bill has been read a second time previously. Amendment #1 was ruled not germane."

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

66th Legislative Day

June 20, 1983

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1107. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1107, a Bill for an Act to amend an Act in relation to gross receipts. Second Reading of the Bill. This Bill has been read a second time previously. Amendment #1 was adopted on the House floor."

Speaker Greiman: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1116. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Mautino, amends Senate Bill 1116."

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

Mautino: "Thank you, Mr. Speaker. Amendment #2 is an Agreed Amendment between the Spokesman, Representative Koehler and Representative Nelson. What the legis...and the...and the Chairman, and Vice Chairman of Energy, Environment and Natural Resources. It separates out from the legislation, the duties of the EPA and the Nuclear...Department of Nuclear Safety. That's basically what it does in accordance with prior legislation passed two years ago."

Speaker Greiman: "The Gentleman moves for the adoption of

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

66th Legislative Day

June 20, 1983

Amendment #2 to Senate Bill 1116. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1153. Mr. Clerk, read the Bill. Mr. Taylor on... Mr. Taylor. 1153. Mr. Taylor, do you wish to proceed, Sir?"

Taylor: "Mr. Speaker, is Amendment #6 printed?"

Speaker Greiman: "We'll let you know in a second. Apparently not, so we'll take it out of the record. Alright. On the order of Senate Bills Second Reading appears Senate Bill 1173. Mr. Clerk, read the Bill."

Clerk O'Brien: "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. This Bill has been read a second time previously. Amendment #1 and 2 were adopted on the House floor."

Speaker Greiman: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Homer, amends Senate Bill 1173 on page three."

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

Homer: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 was arrived at by negotiations with the representative of the Illinois Retailer Merchants Association. And what it basically does is provide an additional exception to those which would not be covered by the provisions of this Act. And specifically, it would exempt any business which is operated under a lease on the premises, so long as the business is incidental to the business being conducted on the premises. I know of no opposition. I would ask for

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

66th Legislative Day

June 20, 1983

the adoption of this Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to Senate Bill 1173. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Is there further Amendment?"

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

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

Homer: "Mr. Speaker, Amendment #4 is simply a technical Amendment recommended by the Legislative Reference Bureau to clean up some language, and some numbering in the Bill. I would ask for its favorable consideration."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #4 to Senate Bill 1173. On that, is there any discussion? There being none, the question is, 'Shall Amendment #4 be adopted?'. All in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Homer, amends Senate Bill 1173."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer, on Floor Amendment #5."

Homer: "Mr. Speaker, Amendment #5 would, in fact, eliminate language that was added by Amendment #2. Amendment #2 offered by Representative Cullerton addressed itself to five different areas of the Bill. This would, in fact, eliminate the words 'knowingly engaged in the following' in the provision of the Bill having to do with the civil enforcement. The civil enforcement would entail, primarily, the issuance of an injunction or the rescission of a contract for violation of this Act. It is not a criminal penalty. I've spoken with Representative Cullerton. I

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

66th Legislative Day

June 20, 1983

understand he's not in opposition to this Amendment, and I would ask for its favorable consideration."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to Senate Bill 1173. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1174. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "And the fiscal note has been filed?"

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

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1211. Mr. Clerk. Is Mr. Cullerton...? Mr. Clerk, read the Bill."

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

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Alright, there is a request for a fiscal note and none has been filed, so the Bill will remain on the Order of Second Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1222. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1222, a Bill for an Act to amend the

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

66th Legislative Day

June 20, 1983

School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "I would take that out of the record, Mr. Clerk. Alright, on the Order of Senate Bills Second Reading appears Senate Bill 1234. Mr. Capparelli, is Mr. Laurino going to take that? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1234, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments? Mr. Laurino, we're going to take that out of the record for a moment or two. We'll get back to you. The Clerk has to make sure that the Amendments offered are in order. So we'll get right back to you in a minute or two, and we'll just skip over, and with leave, we'll get back to you. On the Order of House Bills...I'm sorry, on the Order of Senate Bills Second Reading appears Senate Bill 1237. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1237, a Bill for an Act to amend an Act in relation to the welfare of wage earners. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Karpziel - Vinson."

Speaker Greiman: "The Lady from Dupage, Miss Karpziel, on Amendment #2."

Karpziel: "I withdraw Amendment #2, Mr. Speaker."

Speaker Greiman: "The Lady withdraws Amendment #2 to Senate Bill 1237. Is there...are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills

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

66th Legislative Day

June 20, 1983

Second Reading appears Senate Bill 1256. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1256, a Bill for an Act to amend Sections of the State Employees' Group Insurance Act. Second...This Bill has been read a second time previously. Amendment #1 lost. #2 was withdrawn. Amendments #3, 4 and 5 lost."

Speaker Greiman: "Further...Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "And the fiscal note has been filed, Mr. Clerk?"

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

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1257. Mr. Clerk. Mr. Mautino, are you going to proceed with that one? Alright. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Are there any Floor Amendments? A fiscal note has been requested, Mr. Mautino, and has not yet been filed, so the Bill will remain on the Order of Senate Bills Second Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1260. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1301. Alright, this Bill will remain on Second Reading in any event. It is...there is no fiscal note filed yet. On the Order of Senate Bills Second Reading appears Senate Bill 1316. Mr. Nash. Mr. Nash in the chamber? Out of...out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1332. Ms. Currie, would you like to proceed on 1332? Mr. Clerk, read the Bill."

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

66th Legislative Day

June 20, 1983

Clerk O'Brien: "Senate Bill 1332, a Bill for an Act in relation to access to public records. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amend...Committee Amendments 2,3 and 4 were withdrawn in Committee. Floor Amendment #5, Currie, amends Senate Bill 1332."

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

Currie: "I'd like to withdraw Amendment 5, Mr. Speaker, and proceed with Amendment 6."

Speaker Greiman: "The Lady from Cook withdraws Amendment #5 to Senate Bill 1332. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Currie, amends Senate Bill 1332."

Speaker Greiman: "The Lady from Cook, Ms. Currie, on Floor Amendment #6."

Currie: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1332 as amended in House Committee is...in virtually...in almost every respect identical to House Bill 234, the Freedom of Information Act that this Assembly passed several weeks ago. Amendment #6 would add further language to the Bill, language that would deal with many of the concerns raised by law enforcement agencies, concerns that were raised on the floor of this House when we discussed House Bill 234, and concerns that have been raised in Committee as well. The agreement incorporated in the language of this Amendment was reached with the Criminal Law Investigative Information System, with lawyers for the police departments across the state, and with the City of Chicago. In addition, there is an agreement with the Legislative Investigating Commission, so as to ensure

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

66th Legislative Day

June 20, 1983

that confidential matters that come under the purview of that commission shall be exempted from disclosure. Additional language has been added to meet some concerns expressed by the Illinois Housing Development Authority with respect to bonding and other financial transactions. I hope I will have your support to adopt Amendment 6 to Senate Bill 1332."

Speaker Greiman: "Lady moves for the adoption of Amendment #6 to Senate Bill 1332. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. And there is a request for a fiscal note as amended, Ms. Currie. So, the Bill will remain on the Order of Second Reading until you supply the fiscal note. Alright. On the next Order of Business is on page 24. Senate Bills Second Reading Short Debate Calendar. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 152. Yes, for what purpose does Gentleman from DeWitt, Mr. Vinson, rise?"

Vinson: "For what purpose is the train derailed?"

Speaker Greiman: "No, no, no it's no...no great issue. There was, you'll call, a little mix up in the Order of one of the Bills in the records, and we have said, we would give the Sponsor an opportunity. We took it out of the record, you may recall, and I asked leave to return...and before we got on another Order of Business, I thought we would go take that up. It's not...there is no great issue involved with this."

Vinson: "Can I inquire as to what Bill is delaying the action of the Assembly?"

Speaker Greiman: "Yes. Yes, certainly, it's 1234. We were going to call that. We had leave to return to it, and so we will

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

66th Legislative Day

June 20, 1983

return to it now. On the Order of Senate Bills Second Reading appears Senate Bill 1234. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1234, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. The Calendar is incorrect. Amendment #1 was adopted in Committee, and it's not listed on the Calendar. So, Amendment #1 was adopted in Committee."

Speaker Greiman: "Mr. Vinson, do you want to...did you want to comment on that observation? Your light is on, Sir, that's why I asked. Are there any Motions with respect to that Amendment?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Laurino, amends Sen..."

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

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1234 is a explanatory Amendment dealing with the permissiveness of the legislation itself. And it further goes on to indicate that the judges that are to be affected by this will be able to be appointed from the whole county as opposed to the precinct by precinct."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1234. And on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "I...Will the Gentleman yield?"

Speaker Greiman: "The Gentleman indicates he'll yield for a question."

Mautino: "Bill, the last part of your explanation of the Amendment says the judges would be appointed - I happen to be a county chairman - would be appointed from where, rather than by the precinct committeeman? From where?"

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

66th Legislative Day

June 20, 1983

Laurino: "From the county. But the way the Bill was written, they added someone was going to be...they had to live in the precinct to be appointed in that precinct. And we struck that so that it reads as the law does now from anywhere in the county."

Mautino: "Does that mean that the county chairman, or the precinct committeeman would not be appointing the judges under this Amendment?"

Laurino: "The county chairman would be appointing the judges."

Mautino: "Rather than the precinct committeeman?"

Laurino: "Correct."

Mautino: "May I speak to the Amendment then?"

Laurino: "As it is now."

Speaker Greiman: "Proceed, Sir."

Mautino: "Thank you very much. I find myself in a very difficult position, once again, in opposition to an Amendment that would take away one of the very few appointment processes that the precinct committee people in each county level have. In my particular county... Excuse me, I've been informed I've been misinformed."

Speaker Greiman: "Mr. Laurino."

Laurino: "Yeah. Dick, this is a list submitted by the precinct committeeman to the county chairman. It is...that's the way it's done now also. All we did, was take out the language that they had put into the Bill, and put in the existing language that now exists as law."

Mautino: "Okay. In my county, the precinct committeeman appoints...if there are three precincts...if there are three judges, they appoint the three judges, and then I authorize what they've done. Tha...that will stay the same?"

Laurino: "That's what I've done, yes. Just taken the existing law and put it into this Bill. The way they had it written

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

66th Legislative Day

June 20, 1983

before, it wasn't doing that. It was tightening it so that you can only live in the precinct, you couldn't live anywhere in the county. Now.... The way the law reads now, it's in a list that is submitted by the precinct committeeman, and then the county chairman okays it."

Mautino: "Does that mean they do not have to live, or they do have to live in the precinct?"

Laurino: "They do not have to live in the precinct. They don't have to live the precinct now."

Mautino: "I'll look at it a little later. I don't have the Amendment in front of me, Bill, but I...I may have a problem with that."

Speaker Greiman: "Mr. Mautino, are you...are you...have you completed your remarks, Sir? Alright, always good to read an Amendment. The Gentleman from Cook, Mr. Huff."

Huff: "Thank you. Will the Sponsor yield?"

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

Huff: "Alright, alright. In Chicago, Representative Laurino, that township committeeman would be the equivalent of the ward committeeman, right?"

Laurino: "Correct."

Huff: "Alright. But I...I must take exception...with you on that one remark. One of the five judges, as the law presently provides, must live in the precinct. Am I not correct?"

Laurino: "Look, I'm not changing the law on any face whatsoever. It is now the same law as it is after, if you adopt the Amendment, it will be the same law as it exists today."

Huff: "Well it...it...that doesn't appear to agree with my understanding of the law, that one of the precinct captains have to live in the precinct. Under this provision, no one would have to live in the precinct if the ward committeeman so indicated by his list that he would turn in."

Laurino: "No, it's not true. It's... All I'm doing is giving you

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

66th Legislative Day

June 20, 1983

back the same language that exists today, put it into this Bill. That's all I'm doing."

Huff: "Alright. Thank you."

Speaker Greiman: "Is there further discussion? There being none, Mr. Laurino to close."

Laurino: "I just ask for the adoption of the Amendment #2 to Senate Bill 1234."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 1234. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Is there further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Alright, for a moment we're going to go on page 20 on the Order of Third Reading for the return of a Bill from Third Reading to Second Reading for an Amendment. On the Order of House Bills (sic - Senate Bills) Third Reading appears Senate Bill 677. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 677, a Bill for an Act to amend the Comptroller Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I ask leave and use of the Attendance Roll Call to return Senate Bill 677 back to the Order of Second Reading for the purpose of tabling Amendment #1."

Speaker Greiman: "The Gentleman from Lake moves..."

Matijevich: "I've cleared this with the staff..."

Speaker Greiman: "Yes, Gentleman from Lake moves to return Senate Bill 677 to the Order of Second Reading for the purposes of an Amendment. All in favor signify by... Well, does the Gentleman have leave? Leave is hereby granted. The Bill is on the Order House Bills...Senate Bills Second Reading."

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

66th Legislative Day

June 20, 1983

Matijevich: "Yes, Mr. Speaker, I now ask leave to table Amendment #1, and I've also cleared this. Amendment #1 to 677 is the Bill which would have exempted the General Assembly from the Act, wherein, the Comptroller would have authority to investigate the legality of warrants. I...When I offered the Amendment, said that in Committee, I had...had looked at what was a problem with the Bill wherein, there could have been a legal warrant, and we would have to wait so that before a warrant was issued. Since then, I think there has been a lot of discussion about it. It appeared as though the General Assembly was trying to escape from control of the Act, and that wasn't the purpose of the Amendment. So I would ask leave now to table Amendment #1."

Speaker Greiman: "The Gentleman moves to table Amendment #1 to Senate Bill 677. Is there any discussion? Mr. Vinson, the Gentleman from DeWitt."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I certainly rise in support of the Gentleman's Motion. I think that what this will do is cure what would have been a terrible defect in the Bill. I think every Member of this Assembly believes that the General Assembly should not stand above the law, and by correcting this defect, by taking this Amendment off, we will give tangible meaning to that feeling. And so I rise in support of the Gentleman's Motion."

Speaker Greiman: "Alright. Is there any further discussion? There being none, the question is, 'Shall Amendment #1 to Senate Bill 677 be tabled?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is tabled. Is there further Amendment?"

Clerk O'Brien: "No further Amendment."

Speaker Greiman: "Third Reading. Yes, for what purpose the

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

66th Legislative Day

June 20, 1983

Gentleman from Hardin, Mr. Winchester arise?"

Winchester: "Well, since we're on this Order, Mr. Speaker, I have a Bill on Third Reading on Short Debate that I would like to take back for an Amendment."

Speaker Greiman: "Alright, we'll...we'll be with you in just a moment or two. Just give us a moment. Alright...alright. It is the intention of the Chair to go to the Order of Senate Bills Second Reading Short Debate. Thereafter, it is the intention of the Chair to take some of the requests that have been made to return Bills that are on Third Reading to the Order of Second Reading for a...for Amendment. In order to facilitate that, and so that we do not have the podium collapsing, it might be well for you to go to the well here and give the number to the Clerk on a list, so that we may put them in an orderly manner so that the Clerk may take them in the chronologic order in which they are shown on the Calendars. Thank you for your cooperation. Now on the Order of Senate Bills Short Debate Second Reading appears Senate Bill 152. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 152, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill."

Speaker Greiman: "Excuse me, Mr. Clerk. The Ladies and Gentlemen at the well, may we have some order, and so the others may move their Bills. Thank you so much for your cooperation. Mr. Clerk, proceed."

Clerk Leone: "Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Greiman: "Any Motions on Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "No further Amendments."

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

66th Legislative Day

June 20, 1983

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

Clerk Leone: "Senate Bill 332, a Bill for an Act to amend an Act
in relationship to county boards in Illinois and various
probation departments to develop programs of public service
employment. Second Reading of the Bill. Amendment #1 was
adopted previously."

Speaker Greiman: "Is there...was adopted in Committee, Mr. Clerk?
Adopted in Committee? That's everything, okay, alright.
So are there further Amendments?"

Clerk Leone: "No Motions filed. No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills
Second Reading Short Debate Calendar appears Senate Bill 440. Mr.
Clerk, read the Bill."

Clerk Leone: "Senate Bill 440, a Bill for an Act to amend the
Abused and Neglected Child Reporting Act. Second Reading
of the Bill. Amendment #1 was adopted previously."

Speaker Greiman: "Are any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills
Second Reading Short Debate Calendar appears Senate Bill
477. Mr. Davis, do you wish us to proceed with 477? Read
the Bill."

Clerk Leone: "Senate Bill 477, a Bill for an Act relating to
taxation and main Act herein named. Second Reading of the
Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill
477 as amended."

Speaker Greiman: "Mr. Cullerton, Mr. Davis, do you want to take

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

66th Legislative Day

June 20, 1983

that out of the record for a while?

Davis: "I really don't want to, no. But I will."

Speaker Greiman: "Alright, out of the record. On the Order of Senate Bills Second Reading Short Debate Calendar appears Senate Bill 522. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 522, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading Short Debate Calendar appears Senate Bill 598. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 598, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Jaffe - Cullerton, amends Senate Bill 598."

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

Jaffe: "Yes, Mr. Speaker and Members, this is basically a technical Amendment that was...that the staff indicated that we should have. And it limits the actions relating to damages incurred when the convict was imprisoned, and related to the incarceration."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 598. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills..."

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

66th Legislative Day

June 20, 1983

Yeah, with leave, leave for Short Debate. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 621. Mr. White, do you want to proceed on Senate Bill 621? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 621, a Bill for an Act to amend Sections of the Specialized Living Centers Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Jaffe, amends Senate Bill 621."

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

Jaffe: "Yes, Mr. Speaker and Members, Amendment #1 requires that the Department of Mental Health and Developmental Disabilities, when discharging patients from facilities, to provide alternate care that is clinically appropriate and safe, and that such alternate care must be in compliance with federal, state, and local laws. This Amendment would bring the Mental Health Code in line with the federal court decisions regarding patients rights. I would be happy to answer any questions."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 621. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate... With leave to remain on Short Debate. The Gentleman asks leave to keep Senate Bill 621 on the Order of Second Reading Short Debate. Does he have leave? Leave is hereby granted, and the Bill will remain on the Order of Second Reading. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 626. Read the Bill."

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

66th Legislative Day

June 20, 1983

Clerk Leone: "Senate Bill 626, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 626 as amended."

Speaker Greiman: "Is Mr. Cullerton in the chamber? Ms. Currie."

Currie: "Well, as he isn't in the chamber, Mr. Speaker, I would move to table Amendment 2 to Senate Bill 626."

Speaker Greiman: "For what purpose the Gentleman from DeWitt arise, Mr Vinson?"

Vinson: "I rise in support of the Lady's Motion."

Speaker Greiman: "Thank you for seconding it, Mr. Vinson. Alright. For what purpose does the Gentleman from DeWitt rise?"

Vinson: "Well, the Lady's made a Motion."

Speaker Greiman: "Oh, I...I heard her. Thank you, Mr. Vinson. You've already spoken on this Motion, and I will call it. I've asked if there is any additional things. The Gentleman from Madison is seeking recognition. You don't mind, I'll call on him. The Majority Leader, Mr. McPike."

McPike: "Mr. Speaker, are we on Amendment #2 or Amendment #3?"

Speaker Greiman: "We're on Amendment #2, I believe, Mr. McPike."

McPike: "Mr. Clerk, was that Representative Cullerton's Amendment?"

Speaker Greiman: "Pardon. Yes, this is Mr. Cullerton's Amendment, that's right."

McPike: "Well, I would ask the Lady to take the Bill out of the record for a few minutes and get right back to it. Representative Cullerton just stepped off the floor for about five minutes. He should be back shortly. I would

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

66th Legislative Day

June 20, 1983

ask Representative Currie to take this out of the record."

Speaker Greiman: "Mrs. Currie."

Currie: "Will the Chair permit us to come back to this Bill when Representative Cullerton is back in the chamber?"

Speaker Greiman: "Surely. We'll return to the...we'll return to this Order of Business and to this Fill."

Currie: "Okay."

Speaker Greiman: "Alright, out of the record. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 632. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 632, a Bill for an Act to revise the law in relationship to Casmier Pulaski's Birthday. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Karpiel - Vinson, amends Senate Bill 632."

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

Karpiel: "I withdraw Amendment #2. I withdraw...I mean...withdraw Amendment #2."

Speaker Greiman: "That's right. The Lady withdraws Amendment #1 to Senate Bill 632. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave to remain on the Order of Short Debate. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 690. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 690, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Giorgi, amends Senate Bill 690 on page one and so forth."

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

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

66th Legislative Day

June 20, 1983

Gentleman from Bureau, Mr. Mautino, for what purpose do you rise, Sir?"

Mautino: "For the purpose of an announcement, if I may, to the Membership, that in honor of Representative Leverenz's birthday, there is some cake back in the conference room for all the Members if they have time to go back. Right behind the Speaker's podium."

Speaker Greiman: "On the Order of vanilla cake in the back room. Thank you. Mr. Giorgi on Amendment #1 to Senate Bill 690."

Giorgi: "Mr. Speaker, I ask leave to table Amendment #1, or to withdraw Amendment #1. I don't think it's been..."

Speaker Greiman: "The Gentleman withdraws Amendment #1 to Senate Bill 690. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Wolf, amends Senate Bill 690 on page one and so forth."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. Senate Bill 690 basically requires the owner of a motor vehicle that sustains damage exceeding one half of the motor vehicle value at the time it was damaged, to inform any subsequent buyer of that damage and the name of the person who repaired it. Amendment #2 simply defines more clearly how that value can be reached. And I will move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 690. And on that, is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "I don't want to speak on this. Sorry."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #2 to Senate Bill 690 be adopted?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

66th Legislative Day

June 20, 1983

Clerk Leone: "Floor Amendment #3, Giorgi, amends Senate Bill 690 on page one and so forth."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi, on Amendment #3."

Giorgi: "Mr. Speaker, this supersedes Amendment #1. All this Amendment does is if you hadn't been ticketed for a violation..."

Speaker Greiman: "Excuse me. For what purpose does the Gentleman from Champaign rise?"

Johnson: "I don't..."

Speaker Greiman: "Mr. Johnson."

Johnson: "Okay, I'm advised it has been printed and distributed. I would question the germaneness of Amendment #3. The Bill talks to the subject of selling damage motor vehicles in valuation of sustained damage and informing subsequent buyers. The Amendment deals with arrest, investigations, and prosecutions, state police obligations, and specifically provides that no person charged with a violation of Chapter 11, who has for ten years not been convicted and so forth. The two subject matters are totally unrelated."

Speaker Greiman: "We will examine it, and be right back with you, Sir. The Chair rules that the Amendment is germane, because it amends the same Act in the Illinois Rights Statute, i.e., the Motor Vehicle Code. Mr. Johnson."

Johnson: "I'm not going to either overrule the Chair or object any further, but I just wonder in clarifying yourself, are you saying that as long as it amends the same Act, even if the subject matters are totally unrelated, that Amendments in the future are to be deemed germane?"

Speaker Greiman: "Well, I only..."

Johnson: "I don't even object any farther. I..."

Speaker Greiman: "...I'm not, you know, I'm not going to tell you

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

66th Legislative Day

June 20, 1983

what a standard is. We...We generally take them case by case. In a case by case method, this particular Amendment is germane, it affects the Motor Vehicle Code. It amends the Motor Vehicle Code, and the Bill deals with the Motor Vehicle Code, and the subject matters are not antagonist, so as to be ungermane. Accordingly, it is ruled germane. Proceed, Mr. Giorgi."

Giorgi: "I urge the adoption of the Amendment."

Speaker Greiman: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 630 (sic - Senate Bill 690). And on... Is there any discussion? The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I wonder and as usual, with his usual clarity of the Sponsor may like to explain what the Amendment does."

Giorgi: "What this Amendment does is, if you're convicted of an insignificant traffic violation, such as, missing a right turn or going through a barricade, or missing a stop sign, or a left turn signal. If you hadn't had a ticket in ten years, this gives you a free ride that one time in court, so you can't be convicted of or any court cost. Very simple Amendment."

Brummer: "Well now, may be I don't understand the Bill itself. If... There was some question previously raised about the germaneness of the Amendment to the Bill, so I guess it was ruled germane, but it lead me to believe that was a totally different subject matter. The Amendment says that anyone who is...who...know a person charged with a violation of Chapter 11 of this Code, who has not been previously convicted within the last ten years of a violation of Chapter 11, shall be sentenced for a conviction, except upon violation of one, two, three, four, five different sections of the Code. First of all, could you indicate for the Members here what a violation of Chapter 11 is? I

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

66th Legislative Day

June 20, 1983

don't have the Rules of the Road or the Motor Vehicle Code in front of me, so I don't know what Chapter 11 deals with."

Giorgi: "This...This doesn't deal with a drunken driving charge or fleeing to avoid arrest, or leaving the scene of an accident, the serious charges. This just deals with the frivolous charges."

Brummer: "What...What are Chapter...What is Chapter 11? What is covered under Chapter 11 in the first place?"

Giorgi: "Chapter 11 are the generally the rules of the road and the violations thereof."

Brummer: "So how...how would this...how would the provisions of this Amendment come into force in the first place?"

Giorgi: "That was...that was..."

Brummer: "I...I would...I would like to know what the significance of the adoption of this Amendment and passing it into law would be?"

Giorgi: "Okay. This is the significance of it. If you haven't been convicted of a minor traffic violation in the last ten years, it's like being...it's like a reward for being a good driver. The next time you're arrested because a policeman has to make a quota, you'll get a free trip to the court. There will be no court charges, and you won't be fined, but the charge will go against you."

Brummer: "You mean if...if I have had no...no driving violations in the last ten years, and I would suddenly be picked up for running a red light, I would...I could not be fined with regard to that?"

Giorgi: "That's right. And the ticket would be dismissed, but you'd have a mark on your record signaling the end of the ten years of perfect driving."

Brummer: "Well, that's a pretty significant change of existing policy. Would you want to advise us why that's a good

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

66th Legislative Day

June 20, 1983

change, why we ought to adopt that change of policy?"

Giorgi: "Sure. Well, because you're in court now because of the quotas the police officers have to fill in writing tickets. There are people who have perfect records, going to court, or may say, disobeyed a right turn lane, or disobeyed a flashing signal, or open their door into traffic without an accident. You got some very insignificant charges ending up and on a guys drivers license. They're precluded from getting jobs because of that conviction. Their insurance rates are doubled because the insurance company says they are bad risk. This is to tell the world that if a fellow has a ten year perfect driving record, he ought to be entitled to some recognition, and the recognition is, he goes into court and doesn't pay a fine."

Brummer: "Would that applicable even if he was involved in an accident."

Giorgi: "No. No. No accidents. No... No drunken driving. No leaving the scene. None of the serious charge. These are just the ones that might be a frivolous charges."

Brummer: "Well, there are five sections...five sections enumerated there, 11406, 11501, 11502, 11503, and 11504. Now, you can be charged with, for example, a failure to stop at a stop light, in which I assume is not one of those. But as a result to that, being involved in an accident..."

Giorgi: "That accidents are not included. No serious charges."

Brummer: "But failure to...failure to stop at a stop light would be?"

Giorgi: "Yes."

Brummer: "Even if that is the result of being an accident?"

Giorgi: "No. If there is an accident, it's precluded."

Brummer: "Well that is..."

Giorgi: "You're not listening."

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

66th Legislative Day

June 20, 1983

Speaker Greiman: "Well, Mr. Brummer, are you badgering the witness?"

Brummer: "No, I'm...I'm attempting to understand the provisions of this. I think it's rather significant. I hope that in some way some of the Members have begun to understand the massive change in policy that would occur as a result of this Amendment, as I just have, as a result of Representative Giorgi's fine answers."

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

Vinson: "Yes, will the Gentleman yield to a question?"

Speaker Greiman: "Indicates he will."

Vinson: "Representative Giorgi, will you explain to me what your Amendment does?"

Giorgi: "You had your seatmate ask the germaneness and question the validity of the Amendment. You know what it does, Mr. Vinson."

Vinson: "We normally assume your Amendments are nongermane, but after they are ruled germane by whatever travesty of justice that the Chair cares to use, then we're interested in the substance of them. So would you explain the substance."

Giorgi: "In the event you haven't been charged with a traffic violation in ten years, and I'm not talking about drunken driving, fleeing to avoid arrest, drag racing, causing an accident. I'm talking about going around a barricade, for example, or being in the right lane and not turning right, sneaking a flashing signal, opening your door in traffic without causing an accident. I'm talking about the frivolous charges accumulated in the books for the last fifteen years. In the event, you're arrested for one of those charges, and you get what we say, a free trip to the court. You don't get fined. You don't get penalized, you just get a mark on your record."

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

66th Legislative Day

June 20, 1983

Vinson: "So in essence... Oh, you don't get charged, you don't get penalized."

Giorgi: "Right."

Vinson: "Now, would it count, in terms of the three moving violations or not?"

Giorgi: "The first time, it would count as the...it would count as the three moving violations, yes. You're just getting a free ride to the courts in recognition of your ten years of perfect driving."

Vinson: "In reference to your dialogue last Friday, how does this deal with nattering nabobs of negativism?"

Giorgi: "I use... Are you again, surreptitiously trying to stultify me?"

Speaker Greiman: "Alright. The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker, I rise in opposition to Amendment #3. Contrary to some of the indications, let me tell you about some of these so called frivolous offenses, for which you could not be sentenced under this Bill. Only five sections under Chapter 11 are exempted from this Bill. Here is some of them that you could do and not be sentenced, you could willfully disobey a police officer under Section 11203 and not be sentenced. Under 11204, you could flee and attempt to allude a police officer, one of the most serious traffic offenses that there is and not be sentenced under this Amendment. Under Section 11409, you could file a false police report and not be sentenced under this Section. And contrary to a specific response under 11401, you could not stop at an accident causing death or personal injury and not be sentenced under this Section. So this Section does not deal with just frivolous traffic offenses, so called, but it deals with several of the most serious traffic offenses. I would oppose the Amendment,

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

66th Legislative Day

June 20, 1983

and I will ask for a Roll Call vote."

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

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "This doesn't give any...a more special deals to truck drivers, does it, Representative Giorgi? I would have felt better about it if you'd amended this to eliminate the violation with the Secretary of State's Office as opposed to the fine, I think that's a more likely thing."

Giorgi: "It doesn't have anything to do with that five moving violations of truck drivers."

Friedrich: "Okay. Well, I...I would have to oppose the Amendment. I would have...would have supported it if it had eliminated the reporting to the Secretary of State and counting as a moving violation. I think that'd be more in order."

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

Hoffman: "Will the Sponsor yield to a question?"

Speaker Greiman: "Indicates that he will."

Hoffman: "Would you...does, in fact, 11401 exempt from the law causing someone leaving the scene of an accident which causes death or personal injury? Is that, in fact, included in your Amendment?"

Giorgi: "Not according to the frame of the Amendment, that is not included."

Hoffman: "Well, as I look at the numbers, this is from Section 11401, and that's included."

Giorgi: "Mr. Hoffman, let me pull this out of the record momentarily, to consult with the guy that wrote the Amendment."

Speaker Greiman: "Amendment...Senate Bill 690 is out of the record. Alright. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 773. Mr. Yourell

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

66th Legislative Day

June 20, 1983

here? Mr. Yourell. No. Out of the record. On the Order of Senate Bills Second Reading Short Debate Calendar appears Senate Bill 788. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 788, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nelson, amends Senate Bill 788 on page one and so forth."

Speaker Greiman: "The Lady from DuPage, Miss Nelson."

Nelson: "Thank you very much, Mr. Speaker and Members of the House. We've already had some discussion of this concept. Amendment #1 to House Bill 788 (sic - Senate Bill 788) permits the State Superintendent of Education, in addition to the Regional Superintendent, to conduct in-service workshops, or equivalent educational experience as in Cook County. Current law permits Regional Superintendents to conduct workshops in their counties, but does not extend this privilege to the State Superintendent of Education. Amendment #1 would do that, and I would appreciate your affirmative vote."

Speaker Greiman: "The Lady moves for the adoption of Amendment #1 to Senate Bill 788. And on that, is there any discussion? The Gentleman from Vermilion, Mr. Stuffle."

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

Speaker Greiman: "She indicates she will."

Stuffle: "Representative Nelson, is this the...Substantively, is this the same language as the other two Amendments you offered earlier?"

Nelson: "Yes, it is, Representative Stuffle."

Stuffle: "No different whatsoever?"

Nelson: "No different."

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

66th Legislative Day

June 20, 1983

Stuffle: "So this is the third time today we got to hear this same Amendment?"

Nelson: "That's why I was so brief."

Stuffle: "What? I'm sorry."

Nelson: "That's why I was so brief in my explanation."

Stuffle: "Good, I think this Amendment should receive the same vote that the other two got, which is a defeating vote. We've discussed this twice on my Bill, and now a third time on Representative Nelson's Bill. Either we ought to kill the Amendment here, or kill the Bill on Third Reading for the same reasons I advanced before. I will be brief and ask for a 'no' vote."

Speaker Greiman: "Further discussion? There being none, Miss. Nelson to close."

Nelson: "Thank you very much, Mr. Speaker. I have been persistent with this Amendment, because I believe in the issue. I believe that it is a reasonable thing that I'm asking for, which is to grant a power to the State Superintendent of Education to approve in-service workshops for teachers. I believe that this is a good vote for people in Cook County, especially for downstaters, and for anyone who would like to vote for those people who are teaching our youngsters in the schools, who need to do, from time to time, in-service workshops that are instructional, and who need to be free of rejection of suggestions for in-service workshops that are capricious and unreasonable. I would ask for an affirmative vote on this Amendment."

Speaker Greiman: "The question is, 'Shall Amendment #1 to Senate Bill 788 be adopted?'. All in favor signify by saying 'aye', those opposed 'nay', in the opinion of the Chair, the 'nays' have it, and the Amendment fails. Miss Nelson, would you like a Roll Call?"

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

66th Legislative Day

June 20, 1983

Nelson: "Yes, I would."

Speaker Greiman: "Alright. The question is, 'Shall Amendment #1 to Senate Bill 788 be adopted?'. All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 47 voting 'aye', 60 voting 'nay', one voting 'present', and the Amendment fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading Short Debate... Back up one second. On Senate Bill 788, is on the Order of Third Reading Short Debate Calendar. Alright. Alright. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 833. Mr. McGann, are you...wish to proceed on that? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 833, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading Short Debate Calendar appears Senate Bill 859. Mr. Bullock, in... Is Mr. Bullock with us? Out of the record. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 1030. Mr. Hicks, on 1030. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1030, a Bill for an Act to amend the small town..."

Speaker Greiman: "Out of the record. Mr. Hicks, change of heart? Out of the record?"

Hicks: "There is a fiscal note requested, I believe, and I don't

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

66th Legislative Day

June 20, 1983

believe it's been complied with. Have you got it yet? I have not."

Speaker Greiman: "Not been filed. Out of the record. Yeah, okay. And 1031, no fiscal note has been filed there so that's out of the record. Mr. Terzich."

Terzich: "Yes, Mr. Speaker, I...I do not believe that a fiscal note is applicable to this Bill. As a matter of fact, I have the companion appropriation..."

Speaker Greiman: "Alright, Mr. Terzich, let me have the Clerk read the Bill, and put you in a proper posture to assert any Motions you might have. Mr. Clerk, read the Bill. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 1031."

Clerk Leone: "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. Amendment #1 was adopted previously."

Speaker Greiman: "Are there any Motions respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Karpiel - Vinson, amends Senate Bill 1031 as amended."

Speaker Greiman: "Mrs. Karpiel. Withdrawn? The Lady withdraws Amendment #2 to Senate Bill 1031. Are there further Amendments? That's withdrawn. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "No further Amendments. There has been a request for a fiscal note, and no fiscal note has yet been filed. Mr. Terzich."

Terzich: "Yes, again, the fiscal note does not apply to this, Mr. Speaker. There is a companion appropriation Bill of \$550,000 which has already been filed."

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

66th Legislative Day

June 20, 1983

Speaker Greiman: "Alright, the Gentleman moves that the fiscal note not be applicable to Senate Bill 1031. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I think we have now reached the oxymoronic stage in this business, moving to suspend the Fiscal Note Act. The Gentleman just stood and moved to suspend the Fiscal Note Act, said did not apply, and at the same time, said there was a companion appropriation Bill. Now that clearly means, that there is a cost impact to the state, and if there is a cost impact to the state, we ought to have a fiscal note, and the Fiscal Note Act should apply to this Bill. And for those reasons, I stand in opposition to the Motion that the Fiscal Note Act is not applicable, because it clearly is applicable."

Speaker Greiman: "Any further discussion? There being none, Mr. Terzich to close."

Terzich: "Again, Mr. Speaker, I think this is absolutely ridiculous that we have a fiscal note and this. I already said that we have a companion appropriation Bill of 550,000. I would move that my Motion be adopted."

Speaker Greiman: "The Gentleman moves... The Gentleman has moved that a fiscal note not be necessary for Senate Bill 1031. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 43 voting 'aye', 50 voting 'no', one voting 'present, and the Motion... Mr. Terzich, for what purpose do you rise?"

Terzich: "Well, there is 24 people."

Speaker Greiman: "Explain your vote, Mr. Terzich."

Terzich: "Well, yes, like I say, that there is a companion appropriation Bill of, you know, \$550,000. What else is

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

66th Legislative Day

June 20, 1983

there to be said on it. The fiscal note should not be applied to this."

Speaker Greiman: "Alright then."

Terzich: "What else were you going to say, it's..."

Speaker Greiman: "On this Motion, there are 43 voting 'aye', 50 voting 'no', one voting 'present', and the Motion fails, and the Bill remains on the Order of Second Reading. On the Order of Senate Bills Second Reading Short Debate appears Senate Bill 1062. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1062, a Bill for an Act to amend the Problem Pregnancy Health Service and Care Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1075. Mr. Clerk, read the Bill. Mr. McAuliffe, 1075? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1075, a Bill for an Act to amend the Illinois Optometric Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Giorgi - Vinson, amends Senate Bill 1075 on page one and so forth."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi. Mr. Giorgi on Amendment 1 on 1075."

Giorgi: "Correct the board. What is... This... This is not my Amendment."

Speaker Greiman: "Excuse me, Mr. Giorgi. Mr. Vinson? Yes."

Vinson: "To expedite matters, I would withdraw Amendment #1."

Speaker Greiman: "Is it Mr. Giorgi's or Mr. Vinson's?"

Giorgi: "It's his."

Vinson: "It's both of us; but, if he wants to attribute it to me,

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

66th Legislative Day

June 20, 1983

I'll just withdraw it."

Giorgi: "It's both of us. Both of us. We go down the road together. It's Vinson and Giorgi."

Vinson: "We want to withdraw it."

Speaker Greiman: "I understand. Nice to see you Cosponsors working together today. Amendment #1 to Senate Bill 1075 is withdrawn. Are there further Amendments?"

Clerk Leone: "Amendment #2, McAuliffe, amends Senate Bill 1075..."

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

McAuliffe: "Amendment #2 amends the Optometry Act by changing the grounds for discipline. Removed from those grounds are several references for advertising which are unconstitutional and frivolous, and it adds grounds on professional conduct and competency, mental instability as proven and court and failure to perform a minimum eye examination. Move for the adoption of Amendment #2."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #2 to Senate Bill 1075. Is there discussion? The Gentleman from Cook, Mr. O'Connell."

O'Connell: "Does this Amendment have anything to do with the application of topical medicine by optometrists?"

McAuliffe: "Nothing."

Speaker Greiman: "Is there further discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by say... by saying 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, McAuliffe, amends Senate Bill 1075 as amended."

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

McAuliffe: "Amendment #3 simply adds contact lenses to the definition of optometry. Move for the adoption."

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

66th Legislative Day

June 20, 1983

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3 to Senate Bill 1075. Is there any discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker Greiman: "He indicates that he will."

Preston: "Representative McAuliffe, was this... is this Amendment... the effect of this Amendment taking off another Amendment where we... where Mr. Mills and I worked out an Amendment? Is this in derogation of that, or is this in furtherance of that?"

McAuliffe: "The same as the language you had in your Amendment, I'm told by the Department."

Preston: "I see. Then the purpose of adopting this Amendment will not mean that optical houses... It's exactly the same. Okay. I... I have no further questions. Thank you."

Speaker Greiman: "Is there further discussion? There being none, the question is, 'Shall Amendment #3 to Senate bill 1075 be adopted?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, McAuliffe, amends Senate Bill 1075 on page 1..."

Speaker Greiman: "Gentleman from Cook, Mr. McAuliffe. Yes, Mr. McAuliffe."

McAuliffe: "Be at ease for a minute, please. I'm conferring with my counsel."

Speaker Greiman: "I think that's my line, but alright. We'll stand at ease for a moment. Mr. Vinson, we're not going too slow for you, are we? Gentleman from Cook, Mr. Cullerton."

Cullerton: "Mr. Speaker, I think that I can give Representative McAuliffe a lot of time to consider it, because I don't believe it's been distributed. That is Amendment #4 that

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

66th Legislative Day

June 20, 1983

we're on. It hasn't been distributed. Has not been distributed."

Speaker Greiman: "Amendment #4 has not been distributed. Is that right? Mr. McAuliffe, it has not been distributed. So, your deliberations are for naught. Do you want to take it out of the record? The Bill will be taken out of the record. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1121. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1121, a Bill for an Act to amend an Act concerning Motor Vehicles. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1123. Ms. Karpel. Is Ms. Karpel with us? Out of the record. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1199. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1199, a Bill for an Act to amend an Act to create the Chain O Lakes/Fox River Waterway Management Agency. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Klemm, amends Senate Bill 1199..."

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

Klemm: "Thank you, Mr. Speaker. Amendment #1 simply adds a definition of 'waterways' on this bipartisan Bill, and I'd just ask for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 1199. On that issue, is there any discussion? There being none, the question is, 'Shall this

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

66th Legislative Day

June 20, 1983

Amendment be adopted?'. All in favor signify by saying 'aye'... Yes, Mr. Cullerton, Gentleman from Cook."

Cullerton: "I don't believe it's been distributed."

Speaker Greiman: "Mr. Klemm, your...the Amendment has not been distributed. Out of the record. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1238. Mr. Curran. Is Mr. Curran with us? Mr. Curran. Out of the record. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1263. Mr. Ewing, 1263? Out of the record. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1269. Ms. Wojcik? 1269. Okay? You want... Proceed? Okay. Yes is up and down, right. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1269, a Bill for an Act to amend the Illinois Motor Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Steczo - Wojcik, amends Senate Bill 1269 on page one and so forth."

Speaker Greiman: "Gentleman from Cook, Mr. Steczo. Has this Amendment been distributed, Mr. Clerk?."

Clerk O'Brien: "Yes."

Speaker Greiman: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, and Members of the House. Amendment #1 to Senate Bill 1269 simply adds braces and prosthetic devices to those devices that people that would qualify for handicapped license plates under the definitions put forth in this Bill, and I would move for the adoption of Amendment #1."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 1269. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those

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

66th Legislative Day

June 20, 1983

opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Is there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave for Short Debate. Leave is hereby granted. On the Order of Senate Bills Second Reading, Short Debate appears Senate Bill 1270. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1270, a Bill for an Act to amend the Illinois Identification Card Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Read... Wait. Mr. Steczo. Do you want this Bill out of the record, Mr. Steczo? Alright. Take the Bill out of the record. Alright. We're just going to back up one Bill here or two. On the Order of Senate Bills, Short Debate, Second Reading appears Senate Bill 1123. Mrs. Karpel, are you now prepared to proceed? Read the... Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1123, a Bill for an Act to amend an Act concerning federal block grants. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. Alright. The next Bill is 1199. On the Order of Senate Bills, Short Debate, Second Reading appears Senate Bill 1199. Mr. Klemm? Mr. Klemm. Mr... Alright. Mr. Clerk, read the Bill. Mr. Klemm is with us."

Clerk Leone: "Senate Bill 1199, a Bill for an Act to amend an Act to create the Chain O Lakes/Fox River Waterway Management

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

66th Legislative Day

June 20, 1983

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

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1..."

Speaker Greiman: "Has the Amendment been distributed?"

Clerk Leone: "Amendment has... is being distributed."

Speaker Greiman: "Alright. On Amendment #1, Mr. Klemm, the
Gentleman from McHenry."

Klemm: "Thank you, Mr. Speaker. Amendment #1 simply adds a
definition of 'waterway' to the Chain O Lake/Fox River
waterway Bill, and I'd just ask for its adoption."

Speaker Greiman: "Mr. Cullerton, have you received the
Amendment?"

Cullerton: "Yes."

Speaker Greiman: "Alright. The Gentleman moves for the adoption
of Amendment #1 to Senate Bill 1199. On that, is there any
discussion? There being none, the question is, 'Shall this
Amendment be adopted?'. All in favor signify by saying
'aye', those opposed 'nay'. The 'ayes' have it. The
Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading, with leave to remain on the
Order of Short Debate. On the Order of Senate Bills Second
Reading, Short Debate appears Senate Bill 1318. Mr.
Mulcahey, 1318? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1318, a Bill for an Act to amend an Act
in relationship to filing of statements of economic
interest. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Mulcahey, amends Senate Bill
1318 and so forth."

Speaker Greiman: "Gentleman from Winnebago, Mr. Mulcahey."

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

66th Legislative Day

June 20, 1983

Mulcahey: "Thank you, Mr. Speaker. I ask leave to withdraw
Amendment #1."

Speaker Greiman: "Gentleman withdraws Amendment #1 to Senate Bill
1318. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Mulcahey, amends Senate Bill
1318..."

Speaker Greiman: "Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Withdraw Amendment #2."

Speaker Greiman: "Gentleman withdraws Amendment #2 to Senate Bill
1318. Are there further Amendments?"

Clerk Leone: "No further Amendments. Oh. Floor Amendment #3,
Mulcahey, amends Senate Bill 1318..."

Speaker Greiman: "Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Withdraw Amendment #3."

Speaker Greiman: "The Gentleman withdraws Amendment #3 to Senate
Bill 1318. Are there further Amendments?"

Clerk Leone: "Floor Amendment #4, Mulcahey, amends Senate Bill
1318..."

Speaker Greiman: "Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "What the hell. Let's withdraw Amendment #4, too."

Speaker Greiman: "You're sure on this one. Alright. The
Gentleman from Winnebago, Mr. Mulcahey. Proceed."

Mulcahey: "Withdraw Amendment #4."

Speaker Greiman: "The Gentleman is obviously on a roll. Withdraw
Amendment #4 to Senate Bill 1318. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Mulcahey, amends Senate Bill
1318..."

Speaker Greiman: "Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Mr. Speaker, I'd like to withdraw Amendment #5."

Speaker Greiman: "The Gentleman withdraws Amendment #5 to Senate
Bill 1318. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order... On the Order

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

66th Legislative Day

June 20, 1983

of Senate Bills Second Reading, Short Debate Calendar
appears Senate Bill 1348. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1348, a Bill for an Act to create the
Water Use Act. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Ropp, amends Senate Bill 1348."

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

Ropp: "Thank you, Mr. Speaker and Members of the House.
Amendment #1 to Senate Bill 1348 exempts from the Bill the
portions of the state that are affected by regulations
dealing with water maintenance that come from Lake Michigan
and the diversion and apportionment of that water from the
Lake Michigan water shed. It actually... That really means
Cook County and pretty much the collar counties. It also
defines 'reasonable use', and it also states that not only
agriculture use will be used in defining whether or not
there will be need for drilling of wells. And it states
that other uses in addition to agriculture operations will
be considered, and I urge your favorable adoption."

Speaker Greiman: "The Gentleman moves for the adoption of
Amendment #1 to Senate Bill 1348. On that, is there any
discussion? Gentleman from Cook, Mr. Giglio."

Giglio: "Just one question of the Sponsor. He mentioned a water
shed project. That water shed project, if it's the same
one as in my area in Thornton Township, can you elaborate on
that, Representative Ropp?"

Ropp: "The intent of the Bill is that where there may be needs by
municipalities to go out in rural areas and drill for
water, that it would properly notify those people around
where that well would be dug, in order to give them
sufficient knowledge as to whether or not there's enough
water there so that the city can use it as well as

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

66th Legislative Day

June 20, 1983

preventing the water tables from going too low and going dry. This Amendment prevents any duplication of that Bill and states that those areas that are, for all practical purposes, doing this now that the Bill, Senate Bill 1348, would not apply. So, I don't think that you'll have any problem at all. This is outside your area, and that's all that we're dealing with."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 1348. On that, is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on the Order of Short Debate. Now, we are going to move Bills that have been moved to the Order of Third Reading and Third Reading Short Debate for the purpose of Amendments. Yes, the Gentleman from Madison, Mr. Wolf."

Wolf: "Yeah, thank you, Mr. Speaker. Was it my understanding that we were going to go back to Senate Bill 690 at this particular time?"

Speaker Greiman: "To what?"

Wolf: "Was it my understanding that we were going to go back to Senate Bill 690 under the Order of Second Reading, Short Debate? I think Representative Giorgi had an Amendment that he was going to get..."

Speaker Greiman: "We'll do that later on. We'll do it later on. Alright. So, we are going back to the Order of Third Reading and Third Reading, Short Debate for Members to take their Bills back to the Order of Second Reading for the purposes of Amendment. At this point, there may be people who have sought to bring them back to the Order of Second

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

66th Legislative Day

June 20, 1983

Reading who have Amendments, but only the Sponsor will be recognized for the purpose of making that Motion. Now, on the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 86. Mr. Clerk, read ... read the Bill."

Clerk Leone: "Senate Bill 86, a Bill for an Act to amend the Sanitary District Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. I would ask leave to bring this back to Second Reading..."

Speaker Greiman: "Gentleman moves for leave to return Senate Bill 86 to the Order of Second Reading for purposes of an Amendment. Does the Gentleman have leave? Lea... Gentleman has leave, and leave is granted. Mr. Clerk, read the Bill."

Clerk Leone: "Floor Amendment #4, amends Senate Bill 86 on page one and so forth, Pederson."

Speaker Greiman: "Mr. Pederson on Amendment #4 to Senate Bill 86."

Pederson: "Mr. Speaker, I request leave to withdraw that Amendment."

Speaker Greiman: "Has the Amendment been adopted?"

Pederson: "To withdraw..."

Speaker Greiman: "He's withdrawing. Alright. Alright. Gentleman withdraws Amendment 4 to Senate Bill 86. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Churchill, amends Senate Bill 86 as amended."

Speaker Greiman: "Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Before we can go on to Floor Amendment #5, it's necessary to withdraw Floor Amendment #3, and I would ask leave to do that at this time."

Speaker Greiman: "Gentleman moves to table Amendment #3 to Senate

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

66th Legislative Day

June 20, 1983

Bill 86. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be tabled?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is tabled. Further Amendment?"

Clerk Leone: "Floor Amendment #5, Churchill, amends Senate Bill 86 as amended."

Speaker Greiman: "Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Floor Amendment #5 is exactly the same as Floor Amendment #3, except that it adds one provision that allows the bonding by special assessment, and I would ask for its adoption at this time."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment 5 to Senate Bill 86. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading, with leave to remain on Short Debate. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 201. Mr. Homer? 201. Mr. Clerk, proceed."

Clerk Leone: "Senate Bill 201, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer, moves for leave to return the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted. The Bill is on Second Reading. Mr. Clerk."

Clerk Leone: "Amendment #1, Homer, amends Senate Bill 201 on page one and so forth."

Speaker Greiman: "Proceed, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen."

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

66th Legislative Day

June 20, 1983

Amendment #1 simply deletes the requirement that public utilities file long-term energy plans with both the Illinois Commerce Commission and the Department of Energy and Natural Resources. Currently, the Bill requires a filing with both; but, because of certain objections raised to improve the Bill, primarily coming forth from the Illinois Commerce Commission, the requirement to file with the Department of Energy and Natural Resources would be eliminated, and the Senate Sponsor concurs. I know of no objection. I would ask for favorable consideration."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 201. Is there any discussion? The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, have you cleared that with the Department of Natural Resources? They were the ones, originally, to asked to be included in that."

Homer: "The answer to the Gentleman's question is that I am unaware if there has been any clearance from that Department. I have spoken to the Senate Sponsor, Senator Marovitz, who added that Amendment in the Senate, and he indicates that... his concurrence. But as to the Department's viewpoint, I don't know."

Brummer: "Well, you may want to clarify that prior to this Bill being called on Third Reading, because I suspect that question will arise again."

Speaker Grieman: "Is there further discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of... With leave for the Bill to remain on the Order of Short Debate. Leave

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

66th Legislative Day

June 20, 1983

is hereby granted. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 208, Mr. Hensel. Mr. Hensel moves..."

Hensel: "I move... Ask with leave for..."

Speaker Greiman: "Mr. Hensel moves for leave to return Senate Bill 208 to the Order of Second Reading for the purpose of a debate... of an Amendment. The Gentleman have leave? Gentleman has leave. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 208, a Bill for an Act to amend the Township Law. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Greiman: "Any further Amendments?"

Clerk Leone: "Floor Amendment #3, Hensel, amends Senate Bill 208 as amended."

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

Hensel: "Thank you, Mr. Speaker, Members of the House. I'd like to, before I bring up Amendment #3, I'd like to table Amendment #1."

Speaker Greiman: "The Gentleman moves to table Amendment... table Amendment #1 to Senate Bill 208. Is there any discussion? Perhaps you'd like to explain that to the Body, Mr. Hensel."

Hensel: "The reason for the tabling of Amendment #1, it was a back-door referendum. Amendment #3, which I'm going to present, will make it a front-door referendum and make it compatible for everybody."

Speaker Greiman: "The Gentleman has moved for the adoption of Senate Amendment... I'm sorry, to table the Amendment #1 to Senate Bill 208. The question is, 'Shall this Amendment be tabled?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments? Amendment is tabled. Amendment is tabled. Further Amendment?"

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

66th Legislative Day

June 20, 1983

Clerk Leone: "Floor Amendment #3, Hensel, amends Senate Bill 208 as amended."

Speaker Greiman: "Mr. Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. What Amendment #3 does is it puts it as a front-door referendum for a special police district to be created to serve the unincorporated areas of the township, and I ask for a favorable adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3 to Senate Bill 208. Is there any discussion? There being none, the question is, 'Shall Amendment #... Yes, Mr. Vinson."

Vinson: "Inquiry of the Chair."

Speaker Greiman: "Yes, Mr. Vinson."

Vinson: "Is Amendment 2 still on the Bill?"

Speaker Greiman: "Yes, Amendment 2 has not been removed, to my knowledge."

Vinson: "Thank you."

Speaker Greiman: "Further discussion? The question is, 'Shall Amendment #3 be adopted?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order... With leave for the Bill to remain on Short Debate. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 244. Gentleman... Mr. Barger, the Gentleman from DuPage. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 244, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Barger, the Gentleman from DuPage, moves that the Bill be returned to the Order of Third Rea... asks for leave that the Bill be returned to the Order of Second

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

66th Legislative Day

June 20, 1983

Reading for purposes of an Amendment. Does the Gentleman have leave? Gentleman has leave, and the Bill is returned to the Order of Second Reading. Mr. Clerk."

Clerk Leone: "Amendment #1, Karpiel, amends Senate Bill 244 on page one and so forth."

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

Karpiel: "First, I want to announce to everybody this is not a Senate Bill 774 Amendment. This is a real Amendment. The Amendment to Senate Bill 244 simply allows that in a municipal election or a municipal primary for a municipal election, in municipalities or villages that lie in more than one county that you may have a poll watcher in any precinct in that municipality or village, no matter what county it lies in. And I urge the adoption of Amendment #1."

Speaker Greiman: "Yes, Mr. Cullerton."

Cullerton: "Yes, would the Lady yield to a question?"

Speaker Greiman: "Well, let me just put us into..."

Karpiel: "Excuse me. Before I do that, Mr. Speaker, could I back up a minute? I would like to table or withdraw, rather, Amendment #1."

Cullerton: "Well, it's a technical thing."

Speaker Greiman: "Mr. Cullerton, you're so persuasive. The Lady asks to withdraw Amendment #1 to Senate Bill 244. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, Karpiel, amends Senate Bill 244..."

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

Karpiel: "Alright. My explanation of the other Amendment is the explanation of Amendment #2. The first one was written... it was defective."

Speaker Greiman: "The Lady moves for the adoption of Amendment 2 to Senate Bill 244. Is there any discussion? Gentleman

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

66th Legislative Day

June 20, 1983

from Cook, Mr. Cullerton."

Cullerton: "Does she intend to table this one, too?"

Speaker Greiman: "Is that..."

Karpiel: "No."

Speaker Greiman: "Are you asking leave for a question?"

Karpiel: "No, I had not planned to do that."

Cullerton: "This is a real Amendment, and you're serious about it?"

Karpiel: "Yeah."

Cullerton: "Okay. Thank you."

Speaker Greiman: "Is there further discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Cullerton: "Turn me off."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order... With leave to be on... to remain on Short Debate, and leave is hereby granted. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 315. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 315, a Bill for an Act to revise the law in relationship to recorders. Third Reading of the Bill."

Speaker Greiman: "The Lady from... Lady from Kane, Ms. Deuchler, moves that the Bill be ... moves for leave to return the Bill to the Order of Second Reading for purposes of an Amendment. Does she have leave? Leave is hereby granted. Mr. Clerk, read the Bill."

Clerk Leone: "Amendment..."

Speaker Greiman: "Ms. Deuchler."

Deuchler: "Mr. Speaker, I want to table Amendment 1."

Speaker Greiman: "Lady moves to table Amendment #1 to Senate Bill

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

66th Legislative Day

June 20, 1983

315. All those in fav... Is there any discussion? There being none, the question is, 'Shall this Amendment be tabled?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is tabled. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Okay. Alright. And the Lady has leave to... for the Bill to remain on the Order of Short Debate on Third Reading. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 249. Mr. Clerk, read the Bill. A late entry, Mr. Cullerton. 249."

Clerk Leone: "Senate Bill 249, a Bill for an Act relating to grant funds dispensed by agencies of State Government. Third Reading of the Bill."

Speaker Greiman: "Do you have... You've found the Bill, Mr. Cullerton? You have it? Alright. The Gentleman from Cook, Mr. Keane, moves ... asks for leave to move the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk, read the Bill."

Clerk Leone: "Amendment #1, amends Senate Bill... Keane, amends Senate Bill 249 on page two and so forth."

Speaker Greiman: "Mr. Keane."

Keane: "Leave to withdraw Amendment #1. It's technically incorrect. Withdraw Amendment #1."

Speaker Greiman: "Gentleman asks to withdraw Amendment #1 to Senate Bill 249. It is withdrawn. Is there further Amendment?"

Clerk Leone: "Floor Amendment #2, Keane, amends Senate Bill 249..."

Speaker Greiman: "Gentleman from Cook, Mr. Keane, on Amendment #2."

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

66th Legislative Day

June 20, 1983

Keane: "Thank you. Amendment #2 just... It deletes the word 'expenditures' and broadens the definition to include what we meant, and it says, 'expenditure or obligations'. It's a technical Amendment which clarifies the language. I'd ask for its adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment 2 to Senate Bill 249. Is there any discussion? Gentleman from DeWitt, Mr. Vinson."

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

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, when we insert 'obligation' in here, what is the effect of the total prohibition or clause in the Bill?"

Keane: "If you look at the last two lines of Amendment #2, it says, 'Funds that are legally obligated'. So, where a contract has been... where funds have been legally obligated, the... those are exempt from the provisions of the Act. If you remember, the full Act deals with a problem that we had where we couldn't collect misspent funds, and all we wanted to do with this was to clarify that they, you know, on grant funds... on the grant funds, that they have to be legally obligated, or it's an expenditure, a real expenditure or a legal obligation that they have committed prior to lapse time."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendment."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on Short Debate. Leave is hereby granted. On the Order of Senate Bills Third Reading, Short Debate appears Senate

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

66th Legislative Day

June 20, 1983

Bill 517. Mr. Clerk."

Clerk Leone: "Senate Bill 517, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig, asks leave to return the Bill to the Order of Second Reading for the purpose of Amendment. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk. Alright. Mr. Hannig."

Hannig: "Yes, Mr. Speaker, we're in the process of getting the Amendment from the Reference Bureau. I would ask that this Bill just remain on Second Reading at this point."

Speaker Greiman: "Alright. The Bill will remain on the Order of Second Reading, Short Debate. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 919. Mr. Clerk."

Clerk Leone: "Senate Bill 919, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, asks leave to return the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted. The Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "Amendment #2, O'Connell - Steczo, amends Senate Bill 919 on page one and so forth."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, on Amendment #2."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm sorry, Mr. Speaker. May I withdraw Amendment #2? Could I have leave to withdraw Amendment #2?"

Speaker Greiman: "Gentleman... Gentleman withdraws Amendment #2 to Senate Bill 919. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, O'Connell - Steczo, amends Senate Bill 919..."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell."

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

66th Legislative Day

June 20, 1983

O'Connell: "Thank you, Mr. Speaker, Members of the House.

Amendment #3 is an Amendment which would permit a non-for-profit organization, a not-for-profit corporation to lease state-owned property and not be subject to real estate taxes. The Amendment is in response to an issue that exists in my area, or my former area, wherein a society called the Prairie Path Corporation, the Prairie Path Society, rather, is in the process of constructing a bicycle path and heritage path from western suburbs of Chicago to Elgin. This Amendment would give them the wherewithall to go ahead and construct this facility and pursue the development of this facility without being subjected to real estate taxes. I saw no objection from anyone on this Amendment. I would ask for its favorable adoption."

Speaker Greiman: "Gentleman moves for the adoption of Amendment 3 to Senate Bill 919. On that, Mr. Cullerton, the Gentleman from Cook."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative O'Connell, as I understand this, this would be a not-for-profit corporation..."

O'Connell: "Yes."

Cullerton: "... only and only for conservation or recreational purposes. Is that correct?"

O'Connell: "Yes."

Cullerton: "Well, what if the not-for-profit corporation leased the property to a profit organization? They would still be the taxpayer. They would still be the owner. And let's say it was used like for a hunting club, and it was used to make money by that for-profit corporation. I... It seems to me, from reading your Amendment, that they would be tax exempt; that the property would still be tax exempt. Is

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

66th Legislative Day

June 20, 1983

that your intent?"

O'Connell: "My... My understanding, my intent and my reading of the Amendment is that it is to be leased to a not-for-profit corporation; that any subsequent lease of that property would not hold the exempt status. Furthermore, my understanding is, too, that it would have to be approved by the Department of Conservation. And I might also add that it is restricted to real estate."

Cullerton: "Well, would the... I have another question, if I could ask it. Will he still yield, or..."

Speaker Greiman: "Proceed, Mr. Cullerton."

Cullerton: "Do you have any idea... Are there groups right now that are doing this that are paying real estate taxes?"

O'Connell: "To my understanding, I'm not aware of any. As I said, the Amendment was submitted to me by the Prairie Path Society, which is, in fact, a not-for-profit corporation. They emanate out of Representative Leverenz's district."

Cullerton: "So, there wouldn't be any fiscal loss, because no one is doing this right now. This just would encourage them to perform these salutary activities, and this would give them the go ahead. Is that right?"

O'Connell: "This would encourage them to perform these salutary activities."

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

Leverenz: "Thank you, Mr. Speaker. In response to Representative Cullerton's questions, basically the Amendment does one thing. Currently, the property is untaxed. Currently also, the state can ill-afford to improve the property. So, not-for-profit organizations find the money, raise the money utilizing volunteers to perform the improvements. This is allowing them to, by lease, operate on the land and provide the tax exempt status that would continue, and

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

66th Legislative Day

June 20, 1983

everything will be alright. And I would ask for your 'aye' on the adoption of the Amendment."

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

Hastert: "Would the Sponsor yield?"

Speaker Greiman: "He indicates that he will."

Hastert: "Representative O'Connell, I notice in the Amendment that it deals with Section 12.1 of a Public Act that was passed in 1980. And, if you go back to that, it appropriates a sum of 350,000 dollars for the... to be appropriated to complete this Prairie Path. This doesn't open up that appropriation again, does it?"

O'Connell: "I'm sorry. Would you repeat the last sentence?"

Hastert: "I'm just asking if we are opening up this appropriation process again."

O'Connell: "I'm advised that this appropriation was made four years ago."

Hastert: "Well, I'm just referring to what the Amendment says. So, what you're saying then is what this is to do is to guarantee the... that those organizations will remain tax exempt."

O'Connell: "That's exactly what it has said. It would be a tax exempt from property taxes. That's the sole purpose."

Hastert: "But they are... But they are tax exempt already, right? They're..."

O'Connell: "Except to lease state property, you will not be tax exempt. We drafted this so that a not-for-profit corporation who leases real estate from the State of Illinois, for conservation purposes that are outlined in this Amendment, would remain tax exempt from real estate property taxes."

Hastert: "Alright. And then, when you put this Amendment together with the Bill as amended, the amended portion of the Bill says any organization that goes out and... and

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

66th Legislative Day

June 20, 1983

works with... well, actually, has incidental profits, that they're not taxed either. Is that the intent, to tag onto that? That's the first Amendment to the Bill."

O'Connell: "I'm sorry. I don't have the first Amendment to the Bill."

Hastert: "Alright. Well, I'm just asking. That's not the intent to do?"

O'Connell: "No, the first Amendment and the third Amendment are separate and apart."

Hastert: "Thank you."

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

Steczko: "Thank you, Mr. Speaker. To answer the Gentleman's last question, the intent of Amendment #1 was just to clarify that tax exempt status of park districts when they have for-profit facilities on their own property. So, it has nothing to do with Amendment #3."

Speaker Greiman: "Mr. Vinson."

Vinson: "Yes, will the Gentleman yield for a question?"

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, in... in your Amendment, line five would have us insert, and I quote, 'Sections 2 (A), 19.5', closed quote, in place of Section 2 (A) in the title and Section 2 (A) in line five of the Bill. What is 19.5, and what is 2 (A)?"

O'Connell: "You referred to line five of the first page in the Amendment?"

Vinson: "I refer to line five on page one of Amendment #3, which would have us insert Sections 2 (a), 19.5 for Section 2 (A) in the title and for Section 2 (A) in line five of the Bill. And I can see from the text of the Amendment what 19.5 is. I... I think I see what you're doing now from the Bill."

O'Connell: "I..."

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

66th Legislative Day

June 20, 1983

Vinson: "You just..."

O'Connell: "My..."

Vinson: "This comma after 2 (A) should really be an 'and'. Those are the only two Sections we're amending, right?"

O'Connell: "Those are the only... Actually, Sam, what we're doing is inserting the not-for-profit tax... not-for-profit corporations under the Section which prohibits tax exempt status from anyone who leases real estate from the state. And all we're doing is saying not-for-profit tax corporations, who lease real estate under the conditions that are set forth dealing with conservation, would, in fact, be exempt from real estate property taxes."

Vinson: "And you're just... What you've done is, after 2 (A) where the comma is in line five of the Amendment..."

O'Connell: "That should be an 'and'."

Vinson: "Okay. Now, let me ask one final question on the... the effect of this. Will the state be obliged to reimburse the County of Cook under the Mandates Act?"

O'Connell: "No."

Vinson: "Why not?"

O'Connell: "There is... Because there is no tax, as it stands right now. It's owned by the state."

Vinson: "Yes, but if it were... if it were leased currently by the state to a lessee, then there would be a tax liability."

O'Connell: "Well, if it were. It is not. I've also reviewed this with the Cook County Assessor, and he found no objections to it... his representative."

Vinson: "That's not my question, though. My question is that currently, if the property's leased, there would be a tax liability. Is that correct?"

O'Connell: "If the property were leased. Correct."

Vinson: "And we are now adopting a law that says, if the property

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

66th Legislative Day

June 20, 1983

is leased, there won't be any tax liability. Is that correct?"

O'Connell: "The answer is yes; however, let me explain that the property in question, it's utilization is restricted. It's right along a railroad right-of-way."

Vinson: "I... I understand that aspect of it. But, why would we not then be enacting a reimbursable mandate?"

O'Connell: "We are not enacting a reimbursable mandate for; number one, it is not currently being taxed. Number two, if... you're talking in hypotheticals that if it were to be reimbursable, if it were to be leased to a profit corporation. My opinion is that that's too hypothetical, and a review of the facts of this particular situation would show that it can't be leased for any purposes other than what it's being leased for at the moment."

Vinson: "Now, can you cite me any Section of the reimbursement statutes which says that, under those circumstances, there's not a state mandate for re... reimbursable?"

O'Connell: "No. No."

Vinson: "You're just hypothesizing that there is; that... that it won't be reimbursable."

O'Connell: "I am simply addressing my intent as to this legislation, and I am simply relating to you the facts of this particular situation."

Vinson: "Would you be adverse to adding another Amendment which would say that this does not constitute a reimbursable mandate?"

O'Connell: "I'm not adverse to that. That's up to the Sponsor of the main Bill however, Senate Bill 919."

Vinson: "And who is that?"

O'Connell: "Representative Steczo acknowledges that he is not adverse to doing that."

Vinson: "So, if we let the Bill move back to Third..."

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

66th Legislative Day

June 20, 1983

O'Connell: "Sure."

Vinson: "... when we get that Amendment drafted, you will not oppose... you will not create a problem in moving it back to Second and putting that on?"

O'Connell: "I won't oppose."

Vinson: "I beg your pardon?"

O'Connell: "I would not oppose that Motion or the adoption of the Amendment stating that it is not a reimbursable state..."

Vinson: "Okay. With the... With the proviso in the record, Mr. Speaker, that I just also looked at Mr. Steczo, and he's nodded that he would agree to that, I have no opposition to the Amendment."

Speaker Greiman: "Well, Mr. Vinson, you have filed a fiscal note."

Vinson: "I'll withdraw..."

Speaker Greiman: "So, you..."

Vinson: "I now withdraw the fiscal note."

Speaker Greiman: "... withdraw the fiscal note request. Alright. Fine. Is there further discussion? There being no further discussion, Mr. O'Connell to close."

O'Connell: "Yes, Mr. Speaker..."

Speaker Greiman: "I'm sorry."

O'Connell: "... could I defer to Representative Steczo?"

Speaker Greiman: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I would just like to mention for the record that I would agree with the suggestion made by Representative Vinson and also would ask the Chair for permission, at some point when that Amendment is drafted, if we could move this Bill back from Third to Second to accomplish the purpose to which Mr. Vinson referred."

Speaker Greiman: "Well, that's understood that, you know, we're certainly going to try and accommodate everybody who wants to move their Bills. Alright. The question is, 'Shall

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

66th Legislative Day

June 20, 1983

this Amendment be adopted?". All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on the Order of Short Debate. Leave is hereby granted. On the Order of Senate Bills, Short Debate, Third Reading appears Senate Bill 1185. Mr. Clerk."

Clerk O'Brien: "Senate Bill 1185, a Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Hardin, Mr. Winchester, asks leave to return the Bill to the Order of Second Reading for the purpose of Amendment. Does the Gentleman have leave? Leave is hereby granted, and the Bill is on Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #1, Winchester, amends Senate Bill 1185..."

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

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a, I think, a very important Amendment. I want every... everyone to understand that it is a back-door referendum. I repeat, it is a back-door referendum. We, in the State of Illinois, find that our counties are having serious financial problems in taking care of their county jails. What this Amendment would do, it would allow the county boards, by resolution, to enact a... or levy a tax for the purpose of collecting money to either re... to construct a new jail or renovate existing jails. I've been told by officials in the Department of Corrections that the... the division within Corrections that inspects our jails has found that more than 50% of our county jails are substandard, or below the standards set

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

66th Legislative Day

June 20, 1983

down by the Department of Corrections. I have been finding out from local state's attorneys and from local sheriffs that most of our jails, by 1986, are going to have to close their doors because of nonrenewal of insurance, because of the closing by the Department of Corrections after jail inspections, or because of citations by the Fire Marshals, or because of suits by prisoners. And I think, because of all that, it's important that this Amendment be adopted so that our county officials have the opportunity, if they want that opportunity by resolution, to generate the dollars to take care of their county jail problems. I would ask for a favorable vote."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 1185. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You may recall that on a Bill that was proposed and endorsed by the Secretary of State Edgar last week I offered an Amendment. That particular Bill mandated a prison sentence for certain offenses under the drunk driving statute. And what the purpose of my Amendment was to say is that if we're going to mandate that, through state legislation, that individuals shall be housed in county jails, we should take the responsibility to pay for that. Now, unfortunately, that Amendment was not adopted. Now, you see Representative Winchester here is pointing to the same problem. The county jails are falling apart; or, if they're not falling apart, they've overcrowded. So, we have to allow them to raise taxes to fix those jails. It's kind of like the commercial - you can pay me now, or you can pay me later. Last week we rejected the concept of having the state pay for it out of General Revenue funds, which presumably can obtain those funds through an increase

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

66th Legislative Day

June 20, 1983

in the income tax, or we can do it by allowing the counties to raise the taxes. The only taxes they can raise are property taxes. So, by passing this Amendment, and I think we should because we have to do something about the prison crowding problem, we're opting out for increase in property taxes rather than an increase in the income tax that the state would be able to raise and reimburse the counties. It's unfortunate that we have to do it this way. I think something must be done, but it's a little surprising that Republicans in the past who have said, 'We have to have property tax reform, and we don't want to vote for any income tax increase; or, if we do, we certainly must have property tax reform with it', would choose this method of raising the money to bail out the county jails from the obligations which we impose upon them by providing for mandatory sentencing."

Speaker Greiman: "Further discussion? Gentleman from Bond, Mr. Slape."

Slape: "Yes, Mr. Speaker, would the Gentleman yield to a question, please?"

Speaker Greiman: "Indicates that he will."

Slape: "Representative Winchester, would this new tax be limited only to refurbishing and construction? Could the county board initiate a tax to defray normal operating costs of the jail."

Winchester: "It says for... a resolution of the county board incur an indebtedness for the construction or the remodeling of a county jail and for the acquisition of the land the fixtures thereof and may sell... may issue or sell bonds, so on, so on, so on and so on."

Slape: "So, in other words, you're only talking probably in most cases a one-time shot."

Winchester: "Well, I think this is a... would be a one-time shot

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

66th Legislative Day

June 20, 1983

for the county. Yes."

Slape: "Alright. Thank you."

Speaker Greiman: "Is there further discussion? Further discussion? Mr. Winchester to close."

Winchester: "Well, no, I think that we fully debated the issue. I think Representative Cullerton had his concerns, but indicated that he supported it. I think that our... you'll find that your local state's attorneys and your small counties, your county sheriffs and your county boards will support this idea, and I would now move 'do adopt'."

Speaker Greiman: "Question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment... Is there a request for a Roll Call? And the Amendment is adopted. Further Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Third Reading, Short Debate appears Senate Bill 1027. Mr. Clerk. Yes. For what purpose does the Gentleman from DeWitt rise?"

Vinson: "Mr. Speaker, other people, when they occupy that Chair and when they go through the particular Order of Business that we are on now, have seen fit to inform the Minority Leader of the Bills that are going to be taken back so that we can have a chance to get the files here and be prepared for that. Now, I noticed on a previous Bill that you didn't even see fit to inform Mr. Cullerton. It would be extraordinarily convenient for everybody around here if you would do that."

Speaker Greiman: "Thank you. Alright, Mr. Giorgi, your Bill was apparently placed on Short Debate list. It will be placed instead on the regular Third Reading; and, when we get to it, we will call the Bill. Alright. Alright. On the

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

66th Legislative Day

June 20, 1983

Order of Senate Bills Third Reading, Short Debate appears
Senate Bill 1319. Mr. Clerk."

Clerk O'Brien: "Senate Bill 1319, a Bill for an Act to amend
Sections of the Illinois Municipal Code. Third Reading of
the Bill."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi, asks
leave to return the Bill to the Order of Second Reading for
the purpose of an Amendment. Does the Gentleman have
leave? Leave is hereby granted. Mr. Clerk."

Clerk O'Brien: "Amendment #2, Giorgi, amends Senate Bill 1319 on
page one, line one and so forth."

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

Giorgi: "Mr. Speaker, Amendment #2, this Amendment eliminates the
current law provision that territory which is contiguous in
whole or in part to any other municipality cannot be
disconnected from the municipality. It also eliminates the
current law provision that territory which is subdivided
into municipal lots and blocks cannot be disconnected. But
this Amendment, in effect, would allow a municipality to
disconnect any territory located on the border of the
municipality or a court to disconnect any territory of at
least 20 acres located on the municipality's border which
will not isolate any remaining municipal areas and not
disrupt services, planning, zoning and tax revenue. Both
actions must be initiated by the effective property owners.
There seems to be a problem about the authority to
disconnect or not disconnect, and this clarifies it
somewhat, and it also allows relief to the courts. I urge
the adoption of the Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Amendment
#2 to Senate Bill 1319. Is there any discussion? Mr.
Vinson, the Gentleman from DeWitt."

Vinson: "Yes, will the Sponsor yield?"

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

66th Legislative Day

June 20, 1983

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

Vinson: "What is the purpose for this disconnection provision, Representative?"

Giorgi: "I guess there are promoters that have annexed to municipalities - don't wish to be annexed any further, would like to disconnect, and this provision allows them to disconnect with the authority of the municipality, as long as it doesn't disrupt services, planning, zoning or other tax revenues. There's no incumbrances on the property."

Vinson: "How does the municipality going about permitting the disconnection?"

Giorgi: "Well, the petitioner... the affected property owners go the city council and petition to be disconnected."

Vinson: "How does this affect bonds which have... might have been issued."

Giorgi: "They cannot be disconnect if there is ... there is an incumbrance on the property."

Vinson: "So, if there... if general obligations bonds have been issued by the municipality after the connection..."

Giorgi: "They cannot... They cannot disconnect."

Vinson: "They cannot disconnect. Special assessments the same way?"

Giorgi: "Correct."

Vinson: "No further questions."

Giorgi: "I urge the adoption of the Amendment."

Speaker Greiman: "There further discussion? There being none, the question is, 'Shall Amendment #2 to Senate Bill 1319 be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Giglio, amends Senate Bill 1319..."

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

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

66th Legislative Day

June 20, 1983

#3."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, I'm going to withdraw Amendment #3 and I have Amendment #5, because Zeke's Amendment was just adopted. And it... there has... there's some technical words that had to be changed on the first page; otherwise, it's the same."

Speaker Greiman: "Gentleman withdraws Amendment #3 to Senate Bill 1319. Are there any further Amendments?"

Clerk O'Brien: "Amendment #4, Karpel - Vinson."

Speaker Greiman: "The Lady from DuPage, Ms. Karpel. Withdrawn? The Lady withdraws Amendment #4 to Senate Bill 1319. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Giglio, amends Senate Bill 1319..."

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

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 is technically the same as Amendment #3, except for the language on the first few lines. What it actually does, it's permissive. It gives municipalities under 3000 population the option to have primaries whereby, in the general elections, they could have a majority. What's happening now is when three or four people file, such as a president or a candidate for mayor, three or four people file for the one position and none of the candidates gets a simple majority. Some people in the towns that I represent resent that, and they had asked that some legislation be corrected whereby the municipality, with the board, can pass an ordinance whereby allowing this and by referendum so the people can accept it. And that's what this Amendment does, and I would appreciate your favorable support."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to Senate Bill 1319. Is there any discussion?"

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

66th Legislative Day

June 20, 1983

Mr. Piel."

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

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

Piel: "Frank, on page number five, it talks about candidates for president or trustee who end up tied after a primary. Maybe I'm under... misunderstanding exactly the wording here, but would you... Alright, first of all, would you explain Section 3.5 to me? I'm not quite sure what happens in case of a tie. It's talking about drawing by lot."

Giglio: "By lots, yeah. Okay. It says... Yeah. It's just what it says, Bob. If upon the canvass, the returns of candidates... should find there be a tie for president or trustee so that the appropriate number of candidates receiving the highest number, blah, blah, blah, shall be nominated..."

Piel: "The question... Let me explain why I... why I'm asking the question. Maybe I misunder... Maybe I misunderstood the way it's stated in here, but I would understand it... Let's say that you're supposed to nominate four, and the last two are tied; that by a lot you would draw one and only one of those two candidates would appear on the general election ballot. Is that what it's supposed to mean?"

Giglio: "No, no... what it means. I think this is if in the general election, after it's all over, it's a tie, the one that wins by the lottery is the winner. See, the whole intent of the Bill, Bob, is ... Well, you know what happened in Lansing. They never had a simple majority. They had more than two candidates, and the people, you know, had a referendum; yet, there was a quirk in the law. And they didn't think they were getting treated fairly. So, that's what we're trying to amend here in the Election Code."

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

66th Legislative Day

June 20, 1983

Piel: "So, basically what this would be, in the case of a tie for a specific office, instead of having a run-off election, it would be done by a lottery, and the one whose name was drawn would be the president or trustee, whoever is..."

Giglio: "Right."

Piel: "Thank you."

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

Vinson: "Will the Gentleman yield?"

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

Vinson: "Representative, what is the impact of your Amendment on Representative Giorgi's Amendment?"

Giglio: "I don't think there's any impact."

Vinson: "Well, it would appear to me that you've lost his Amendment in the process, haven't you?"

Giglio: "I what?"

Vinson: "You delete... You delete his Amendment with your Amendment."

Giglio: "No, that was #3. This... That's why I withdrew Amendment #3 to put on Amendment #5 to change the technical words on the first page."

Vinson: "And your Amendment does not delete his Amendment?"

Giglio: "No, that's what... It's not supposed to, unless staff has got wrong information."

Vinson: "No further questions."

Speaker Greiman: "Further discussion? There being none, Mr. Giglio to close."

Giglio: "I would just ask for your favorable support."

Speaker Greiman: "Question is, 'Shall Amendment 5 be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on

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

66th Legislative Day

June 20, 1983

the Order of Short Debate. Leave is hereby granted. Now we are on the Order of Third Reading. There is another list, Ladies and Gentlemen, that is prepared here for your adding additional Bills. So, if you care to, you may proceed to the well and add additional Bills. Now, we are on the Order of Senate Bills Third Reading. And on that Order, Senate Bill 26. Mr. Clerk."

Clerk O'Brien: "Senate Bill 26, a Bill for an Act to amend the Agent Orange Study Act. Third Reading of the Bill."

Speaker Greiman: "Mr. O'Connell. Mr. O'Connell in the chamber? Alright, out of the... out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 125. Mr. McAuliffe in the chamber? Out of the record. On the Order of Senate Bills Third Reading... Mr. Bonan, stay in your seat. Mr. Clerk, call the Bill. 149. I'm sorry. On the Order of Third Reading appears Senate Bill 149."

Clerk O'Brien: "Senate Bill 149, a Bill for an Act to amend an Act in relation to taxation of gasohol. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Bonan, asks leave to return the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted, and the Bill is on the Order of Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #2, Bonan, amends Senate Bill 149..."

Speaker Greiman: "Gentleman from Cook, Mr. Bonan, on Amendment #2 to Senate Bill 149."

Ronan: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to Senate Bill 149 puts an expiration date on the gasohol exemption of December 31, 1992 in order to get the state legislation to conform to federal legislation. I move for the adoption of the Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Senate Bill ... of Amendment 2 to Senate Bill 149. Is there any

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

66th Legislative Day

June 20, 1983

discussion? There being none, the question is, 'Shall Amendment #2 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Third Reading appears Senate Bill 171. Mr. O'Connell in the chamber? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 174. Mr. McCracken. Oh, Mr. O'Connell has just walked in and joined us. So, we'll go back to 171. On the Order of Senate Bills Third Reading appears Senate Bill 171. Gentleman from Cook, Mr.... Gentleman from Cook, Mr. O'Connell."

O'Connell: "Mr. Speaker, I understand that the Amendment has not been printed that was to go on..."

Speaker Greiman: "Alright. Then it will be out of the record. How about 26?"

O'Connell: "I'm prepared to go forth with Senate Bill 26."

Speaker Greiman: "Alright. On the Order of Senate Bills Third Reading, 26. Mr. Clerk."

Clerk O'Brien: "Senate Bill 26, a Bill for an Act to amend the Agent Orange Study Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, asks leave to move the Bill... to return the Bill to the Order of Second Reading. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk."

Clerk O'Brien: "Amendment #2, Curran, amends Senate Bill 26 on page one and so forth."

Speaker Greiman: "Mr. Tuerk. Oh, I'm sorry. Mr. Curran. Mr. Curran on Amendment #2 to Senate Bill 26."

Curran: "Thank you, Mr. Speaker. Amendment #2 provides for the Viet Nam Veterans' Leadership Program Act. It establishes the Viet Nam Veterans' Leadership Program as an agency to

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

66th Legislative Day

June 20, 1983

work with the Department of Commerce and Community Affairs to work with identifying job opportunities, training and other... and a general wholistic approach to the Viet Nam veterans' situation in Illinois. The Viet Nam Veterans' Leadership Program will be largely a volunteer effort. This is enabling legislation just to let them work at the Department of Commerce and Community Affairs. It is my understanding that the Department of Commerce and Community Affairs is in support of this program, and it is also my understanding the Sponsor is in support of this Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Amendment 2 to Senate Bill 26. On that, is there any discussion? The Gentleman from Adams, Mr. Mays."

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

Speaker Greiman: "Gentleman indicates he will yield for a question."

Mays: "Mike, this is geared toward Viet Nam vets for a training program. Is that correct? Is that veterans that have been active duty while the war was going on or what? You know, like in our scholarship program, we currently just recognize those who served during a time of war. Does this Amendment address that?"

Curran: "It... It deals with veterans who served at the time of the Viet Nam era conflict, because we find that many of those people who served during that time have the same kinds of problems."

Mays: "So, somewhere it is explicitly directed towards those who served during the time... during the conflict, during the period of conflict in the Viet Nam War. Is that correct?"

Curran: "It is primarily those, and it is aimed at those. And the Viet Nam Veterans' Leadership Program is aimed at those. We do not totally limit it just to those, but

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

66th Legislative Day

June 20, 1983

primarily those are the veterans who would be assisted under this Program."

Mays: "What are the limitations, and where could you direct me to view them in this Amendment here?"

Curran: "In Section 4, Representative, on the... Let's see. You're using a green sheet. I would imagine it would be on the back of the first side there. Section 4 - 'The services to be offered under this Act shall be provided to but not necessarily limited to veterans of the United States Armed Forces who served during the American involvement in Viet Nam'."

Mays: "So, provided to but not limited to veterans who served then. This is really then a veterans... an overall veterans. It's not specifically limited to that one group."

Curran: "We feel that that... that group of veterans will receive most of the benefit, but I don't think there's any reason for us to limit veterans who started just before or happened to be just after. But, obviously, the vast majority of people who served during that period of time had the same kinds of problems, and those are the... that's the kind of approach that we're attempting to look into here - is a wholistic approach toward improving the situation of Viet Nam era veterans."

Mays: "What kind of benefits will they be entitled to?"

Curran: "Under this Program it would be primarily referral, counseling, we'd hope job training, developing plans to include the veterans in those kinds of programs."

Mays: "Thank you very much. To the Amendment..."

Speaker Greiman: "Representative Matijevich in the Chair."

Mays: "To the Amendment, Mr. Speaker."

Speaker Matijevich: "Proceed."

Mays: "I support Amendment #2 to Senate Bill 26. I think there

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

66th Legislative Day

June 20, 1983

may be some language we may want to put in there that would better define the scope of the program and the benefits also. I won't even comment on the germaneness of the thing. I think it's a good Amendment, and I would urge support."

Speaker Matijevich: "Gentleman from DeWitt, Representative Vinson. Representative Vinson, are you seeking attention?"

Vinson: "Yes, Mr. Speaker. First of all, I rise to question the germaneness of Amendment #2. The Bill... The underlying Bill is an Act to amend Section 6 of the Agent Orange Study Act. The Amendment grants a whole new authority to the Director of the Department of Community... Commerce and Community Affairs unrelated entirely to Agent Orange or the Agent Orange Study Act. It goes far beyond the scope of the initial Bill and is totally unrelated to it. And for those reasons, I believe the Amendment should be declared nongermane. Beyond that, I would call the Chair's attention on page three of the Amendment to line 34 which, in effect, relates to line 12 of the underlying Bill. What that says is that a specific Section of the Agent Orange Study Act is repealed. And I think it's quite clear, under the Constitution of Illinois, that you have to set forth what you're repealing in the statute if you're going to repeal it. That's a clear provision in the Constitution, and I'd ask the Chair, number one, to rule that the Amendment's nongermane and, number two, to rule that the Amendment's out of order and unconstitutional."

Speaker Matijevich: "We'll take that under advisement and report back to you. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield to a question? Mr. Sponsor, did I understand you correctly that this Program was not... was not limited to those who served in Viet Nam during the Viet

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

66th Legislative Day

June 20, 1983

Nam conflict?"

Curran: "That's correct, but it would be to the... but it would be to the veterans who are unemployed currently."

Hoffman: "Is this then really... The contents of the Bill are, in fact, something different than the title of the Act, 'Viet Nam Veterans' Leadership Program Act', would indicate?"

Curran: "No. No."

Hoffman: "How are they not in conflict then if you are including veterans other than those who served?"

Curran: "Let me explain something to you. The Viet Nam Veterans' Leadership Program is a leadership program manned entirely by Viet Nam era veterans. These are people whose function it is to improve the lot and image of Viet Nam era veterans. The head of the Viet Nam Veterans' Leadership Program in Illinois is Illinois' only Congressional Medal of Honor winner in the Viet Nam War. His name is Allen Lynch. And what Allen Lynch accomplished to get the only Illinois Congressional Medal of Honor was an incredible act of heroism. This is the man who is in charge of this organization. Illinois' only Congressional Medal of Honor winner in the Viet Nam conflict."

Hoffman: "That's fine, but what does that mean?"

Curran: "That means that this is the organization that would be carrying out this Program."

Hoffman: "Are you suggesting..."

Curran: "We've already been meeting with the Department of Commerce and Community Affairs, and we believe that they are totally in cooperation with the Viet Nam era... Viet Nam Veterans' Leadership Program."

Hoffman: "You believe they are?"

Curran: "I believe they are, because Allen Lynch just told me outside here just a few minutes ago."

Hoffman: "Are you... You are then telling the General Assembly

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

66th Legislative Day

June 20, 1983

that there is, in fact, already in place a veterans... Viet Nam Veterans' Leadership Program and that, by this Amendment, you are attempting to put that into statute on this Agent Orange Bill. Is that correct?"

Curran: "This is a volunteer organization that is operating outside of any contact with State Government. What this would do is bring them in with the Department of Commerce and Community Affairs, allow them to work with job service and other referral-type programs, and it's a... It would be the kind of thing which would greatly strengthen their ability to deal with the problems faced by Viet Nam era veterans."

Hoffman: "So, you're taking this independent, voluntary agency and placing them in, in a sense, in the statute and in the existing bureaucracy. Is that correct?"

Curran: "With cooperation of the Department of Commerce and Community Affairs."

Hoffman: "And you are suggesting that, to the best of your knowledge, the Department of Commerce and Community Affairs is in support of this Amendment?"

Curran: "That is correct."

Hoffman: "Let me ask the question more directly. Is the Department of Commerce and Community Affairs in support of this Amendment?"

Curran: "Is the Department of Commerce and Community Affairs in support of this Amendment? This is just enabling legislation, and I just discussed this with Allen Lynch just a few minutes ago outside in the lobby. And it is my belief that that man is telling me the truth when he says that he's met with people in the Department of Commerce and Community Affairs, including the Director, and that they are in agreement with this Program."

Hoffman: "You're not suggesting then, because the statement that

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

66th Legislative Day

June 20, 1983

they're in agreement with the Program, that they are in support of the Amendment. Those are not synonymous. Is that correct?"

Curran: "I think they're close enough that I can say yes to that."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I won't comment further except to say, hopefully, you've all had an opportunity to look at this Amendment. I would defer to the Speaker and the Parliamentarian to rule on the germaneness, which I think is fairly apparent and obvious."

Speaker Matijevich: "Yes, on the... on the matter of germaneness, the Amendment does refer to one subject matter and is germane. On the matter of the point of order, it does change the Sections and is in order. So, on both counts, the Bill and Amendment are in order. Follow my... Let's see. Representative O'Connell."

O'Connell: "Mr. Speaker, Members of the House, I'm somewhat bewildered. I've been in this chamber now for over two years, and everytime Representative DiPrima has got up on a veterans' matter, whatever it related to, the plurality of the numbers amaze me. Representative Curran is getting up on a veterans' issue that is restricted to one segment of the veteran population - the Viet Nam veteran era veteran. Why all the concern? There is no appropriations found in the Amendment. It is simply an enabling legislation that sets the process in motion to set up a Viet Nam veteran job opportunities program. It's clear. Anyone who reads newspapers, anyone who is familiar with the statistics of unemployment that the most highly visible unemployed individual is the Viet Nam veteran among others. Why then cannot we, as a state, accept a responsibility to try and address that problem for a unique group of individuals who gave of their own selves for our betterment? I can't see

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

66th Legislative Day

June 20, 1983

why this Amendment should have any discussion, let alone debate, and I would ask for your favorable adoption."

Speaker Matijevich: "Were you closing or...?"

O'Connell: "It's not my Amendment, Mr. Speaker."

Speaker Matijevich: "Alright. Representative Curran to close."

Curran: "I just want to echo the sentiments of Representative O'Connell. Frankly, I can't see the reason for any debate or discussion. This is a largely volunteer group. Their efforts with the Department of Commerce and Community Affairs will be largely volunteer. There will be minor support required from secretaries and the like, stationery, a little bit of travel. This is the kind of thing that we've been striving for in State Government to make our dollars go farther. I think any votes to the contrary are votes against Viet Nam veterans, and I don't think there's any other way to look at it. If you vote red, you're voting against Viet Nam veterans. That's the way it is. Thank you."

Speaker Matijevich: "Representative Curran has moved for the adoption of Amendment #2 to Senate Bill 26. Those in favor say 'aye', those opp... Roll Call. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 79 'ayes', 32 'nays', and Amendment #2 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. There is a request for a fiscal note. Two requests. The Gentleman from Cook, Representative O'Connell."

O'Connell: "Mr. Speaker, Amendment #1 was adopted in Committee. At this time, I would ask leave to withdraw Amendment #1, and I think that would take off the request for a fiscal

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

66th Legislative Day

June 20, 1983

note. Strike that..."

Speaker Matijevich: "Representative O'Connell asks leave to table Amendment #1. Does he have leave? Leave. Leave, and Amendment #1 is tabled. The requests are still filed with the Clerk. Unless they're withdrawn, the Bill will stay on Second Reading. Tabled Amendment #1. Representative O'Connell."

O'Connell: "Mr. Speaker, I would move that the fiscal note be removed... not apply."

Speaker Matijevich: "Representative O'Connell moves that the Fiscal Note Act does not apply. Those is favor, well let's wait til this... On that, Representative Johnson."

Johnson: "I really think, Mr. Speaker and Members of the House, that everybody ought to reflect a little bit on how we vote on this and related Motions. It's almost become a knee jerk reaction. If somebody on your side vot... moves that the fiscal note do not apply, you vote with him, and contrary wise. But what we're dealing with is something much more important, even in the rules of the House and more important than partisan structure. What we're dealing with is a statute that was enacted for a specific reason. And the reason is because enactments of this Legislature can and do have effects on the fiscal makeup of the state and what we're doing with the citizens tax dollars. That's the reason the Act was enacted, and the reason that we've incorporated that into our rules and the reason we have the procedures that we do here. And so, I would submit to you that if you look to see what this Amendment does, see what the Bill does and then see what impact this can, or does, or might have on the state's fiscal condition, I would submit to you that the Motion, while it may be made in all best intentions is not well founded. And I would urge people on both sides of the aisle for their protection now

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

66th Legislative Day

June 20, 1983

and their protection when their Bills and similar situations arise in the future to vote 'no' on this Motion, so that we'll have an opportunity for the appropriate bodies to let this Body know and the people know what our enactments and this enactment specifically is going to do with their tax dollars."

Speaker Matijevich: "Representative O'Connell... Representative Stuffle."

Stuffle: "Yes, to respond to the remarks of the Gentleman from Champaign, I think we've seen today, at least, three occurrences on this issue of the Fiscal Note Act. The point of it is, there seems to be many people on this floor that confuse the Fiscal Note Act and the Mandates Act provisions. In the exemptions that are provided there and the abilities provided therein, to particularly and specifically in the Fiscal Note Act, wherein a Sponsor may, by law, not by our rules, ask for the waiver of the application of the Fiscal Note Act if that Sponsor believes that an Amendment may not change the fiscal impact and that no new needed fiscal note is called for, or to waive those provisions where clearly there is no Fiscal Note Impact at all. That is the key element, I think. Earlier today on one of our other Bills and it's on point here, before someone questions what I'm talking about, there was raised the question of a fiscal note about a Bill that had nothing to do with State Government, or any agency of State Government, or any reimbursement program. Clearly within the law, the statutory provisions of the Fiscal Note Act, Representative O'Connell has this right. More importantly, we should look to the opposite of what the Gentleman from Champaign indicated. He suggests we're only trying to, I guess, hide from the public fiscal impact. The fact of it is that you can bring this House to a screeching halt by

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

66th Legislative Day

June 20, 1983

merely rising to ask for a fiscal note on every Bill, even if it has no effect on State Government whatsoever, and that's exactly what's been done today. To rise on Bills that have no impact on State Government fiscally, that have no purview whatsoever within the confines of the Fiscal Note Act whatsoever. So the opposite ought to be looked at too. We're here to serve the public in more ways than one. We're not trying to hide anything. Representative O'Connell's trying to satisfy a legitimate interest, move the Bill along and indicate that the Act does not apply or that no new Act note is necessary. And he's absolutely right."

Speaker Matijevich: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman who just spoke is partially right, but he doesn't take it far enough because the problem is that this is exactly one of those Bills where we ought to get a fiscal note on it. This is a Bill that is going to cost state money, if there's any effect to it at all, if anybody every carries out what is intended by this Bill. And, I am one person. I don't know whether there's more than one who requested a fiscal note on this Bill as amended. I did so with no interest in further amending the Bill, or delaying the Bill, or any of those other reasons for which fiscal note requests are sometimes made, as we all know. But I did so because of the spirit and letter of the Fiscal Note Act. The people of Illinois and the people on this floor are entitled to know how much this is going to cost. And I think that we ought to know that, and I think the Sponsor himself, who is not the one who made the Amendment, ought to know that before he advances his Bill. It is the fact that occasionally fiscal notes are requested when obviously there is no fiscal impact. That is not the case in this

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

66th Legislative Day

June 20, 1983

situation, and the Gentleman from Champaign was correct in saying that this Motion, although certainly under the Act the Sponsor has the right to make it, has been abused this Session. It has become almost standard practice that if a Member of the Majority is sponsoring a Bill, he will make that Motion if a fiscal note is requested. And it's almost standard practice that the Majority in the House will concur with him. I think that might be appropriate in instances where obviously a fiscal note was requested only to hold up a Bill. But this is a Bill that will clearly have fiscal impact. The Sponsor said before that there's no appropriation in this Bill, so we ought to go ahead and adopt the Amendment. But it is a substantive Amendment that would later require an appropriation. And it is exactly that kind of Bill for which a fiscal note ought to be affixed. I would hope that the House would defeat this Motion in honor of the Fiscal Note Act, and also, in honor of having some information about this Bill before we vote on it on Third Reading, so that we will know what the fiscal impact on the taxpayers of this state will be. Thank you."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Pursuant to Rule 80, I now ask that two other Members join me to dis... dissent respectfully from any action of the House considered injurious to the public. I consider the ruling of the Chair on the germaneness decision in regard to Amendment 2 to be injurious to the public in this case. I ask that our dissent be recorded, and I take that extraordinary measure only because it has seemed that when Mr. Getty serves as Parliamentarian in the chamber, we get relatively fair rulings on the subject of

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

66th Legislative Day

June 20, 1983

germaneness. When Mr. Getty seems to be away, those rulings take on a strictly partisan tinge. And for that reason, I ask to be recorded, have... have the dissent recorded in the record in regard to the ruling on germaneness on Amendment 2 on this Bill."

Speaker Matijevich: "I... I think Penny Pullen wanted to join for that other one. Right? Yes. She's nodding 'yes'. Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. On the germaneness question, I... I have no... nothing to say. It's already been ruled upon anyway. As far as the Fiscal Note Act and it's applicability, I don't know how you could ever determine what the actual cost of this program going into effect as a result of Amendment #3 would even be. They're going to maximize the use of the voluntary effort that's already in effect. They're going to use existing resources wherever possible, and in Section 6(d) has that estimates of the cost effectiveness of various components of the center will be reported to the General Assembly. So, I don't see why that, you know... how we could possibly comply with a fiscal note and why it would even be applicable in this case. And I would urge support of the Motion."

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

O'Connell: "Thank you, Mr. Speaker. I would join my colleague on the other side of the aisle. You cannot judge the fiscal impact of a legislative Act that hasn't even taken place as of yet; therefore, I think the question, the Fiscal Note Impact that the second Amendment, that was just placed on has, is... is... is quite clear that you cannot possibly judge its impact. Secondly, with reques... with regards to the withdrawal, tabling of Amendment #1, that withdrew any opposition that I even... had even been voiced to me

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

66th Legislative Day

June 20, 1983

before, which may have had a fiscal impact. I would simply close by asking for a favorable Motion. And the... one of the Members, previous speakers, indicated in honor of the Fiscal Note Act that they vote this Motion down. I would ask that in honor of the Vietnam Veteran, particularly those who are unemployed at this time, that you support this Motion."

Speaker Matijevich: "Representative O'Connell has moved that the Fiscal Note Act is not applicable to Senate Bill 26 and that it be moved to Third Reading. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 73 'ayes', 40 'nays', and 1 voting 'present'. And the Motion prevails. Third Reading. Senate Bill 125, McAuliffe. Are you ready on 1... Senate Bill 125? Representative McAuliffe asks leave to move Senate Bill 125 to Order of Second Reading for the purpose of an Amendment. Leave. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 125, a Bill for an Act to amend the Unified Code of Corrections and the Illinois Vehicle Code. This Bill has been read a second time previously. Amendment #2, Homer, amends Senate Bill 125 on page two by deleting line twenty-one through twenty-six and so forth."

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

Homer: "Mr. Speaker and Ladies and Gentlemen, Amendment #2 would simply allow a court in the case of a second or subsequent violation committed within five years of DUI to... in addition to mandating a minimum jail sentence of ten days or in the alternative, public service, 48 consecutive hours, would allow in addition a sentence of probation or conditional discharge, so that other conditions may be imposed in addition to the mandatory sentence, such as,

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

66th Legislative Day

June 20, 1983

mental health counseling, alcoholic rehabilitation programs. And I... it would, in my opinion, strengthen the Bill. I know of know opposition. I would ask for a favorable consideration."

Speaker Matijevich: "Representative Homer has moved for the adoption of Amendment #2. All in favor... Representative Cullerton."

Cullerton: "My understanding was that this was a technical Amendment, and in the explanation, I thought maybe there was some substantive change. I wondered if you could just tell me if this is technical or if it's substantive."

Homer: "I don't believe that the Amendment would be defined, necessarily, as a technical Amendment. If I used that language, it was used inappropriately. It actually does make a substantive change in the way that I indicated."

Cullerton: "Could you just explain it one more time. I'd appreciate it."

Homer: "All right. Under... under the existing Bill, individuals who fall within the classification of having been convicted twice of DUI within five years, the court must order them to serve 48 consecutive hours of public service or a ten day minimum jail sentence. My Amendment would not change that. What my Amendment would do would be to allow the court, in addition, to impose a period of probation or conditional discharge. The way the Bill read now, where it's classified in this Bill, the court would not have any discretion to put the person on probation. And I think there are many cases where the court may well wish to place a person on probation in addition to the minimum sentence, so as to make certain that sentence is fulfilled and also to impose other conditions that may be of benefit to that particular offender."

Cullerton: "I think it's a good Amendment. I'm just wondering

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

66th Legislative Day

June 20, 1983

whether the Secretary of State approves of it."

Homer: "Yes, both the Secretary of State and the Motor Vehicles Laws Revision Committee has approved of the Bill... of the Amendment."

Cullerton: "Thank you. All right. Thank you."

Speaker Matijevich: "Representative Levin."

Levin: "Okay, would the Sponsor yield for a question?"

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

Levin: "Representative Homer, I'm correct that your Amendment does not correct some of the other problems raised in Committee with respect to this Bill, for example, the counting of a supervision so that by the time you get to a second offense it might be the third or fourth time that the person has had a problem."

Homer: "The question that Representative Levin raises, I believe, is the definition of the word previous violation. My... that is in the original Bill as to whether a previous violation would... would take into account a previous supervision or not, and my Amendment does not address itself to that particular issue."

Levin: "Okay. So you could have the situation even with your Amendment, and I support your Amendment. But with this Bill in it's current form, you could have a situation where somebody has super... gets supervision, maybe gets a second supervision, maybe gets ten supervisions, and you never reach the so called second offense in order to get the minimum sentence."

Homer: "Neither my Bill... neither the original Bill, Senate Bill 125, nor my Amendment actually addresses itself to that issue."

Levin: "One of the other criticisms raised in Committee was that the Bill doesn't make a distinction between a second offense or a third offense. It doesn't... does not provide

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

66th Legislative Day

June 20, 1983

for an increased mandatory penalty for a third offense.
You don't address that issue either."

Homer: "No, the... neither the Bill, nor the Amendment addresses itself to that issue. The Bill, as it presently reads, is a second or subsequent violation, so that whether it be the second, third, or fourth would be treated in the same category with respect to this mandate."

Levin: "Okay. Thank you very much. You know, I think that the Amendment is a good Amendment. It cures one of the problems with this Bill. As has been pointed out in this discussion, there are a number of other problems which have not, at this point, been addressed by... by the Bill or the Amendments. Thank you."

Speaker Matijevich: "Representative Homer moves for the adoption of Amendment #2 to Senate Bill 125. All in favor say 'aye', opposed 'nay, and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Has the Amendment on Senate Bill 171 been distributed yet? All right, we'll skip that. Senate Bill 174, McCracken, on page sixteen. All right. Leave to return Senate Bill 174 back to the Order of Second Reading for the purpose of an Amendment. Leave. The Clerk will read the Bill."

Clerk O'Brien: "Amendment #3, Homer, amends Senate Bill 174 on page two by deleting line twenty-one through twenty-four and so forth."

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

Homer: "Mr. Speaker and Members of the House, this is nearly an identical Amendment to the one previously dealt with in Senate Bill 125. The only difference is that Senate Bill 174 imposes a max... a minimum mandatory sentence of seven consecutive days in jail or thirty days of community

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

66th Legislative Day

June 20, 1983

service for a violation of driving on a revoked driver's license when that license has been revoked because of a DUI, leaving the scene of a fatal injury accident, or reckless homicide. And the Amendment that I... that I have purposed, Amendment #3, would simply allow the court the discretion to an addition to imposing the mandatory minimum sentence as indicated, also allow for a sentence of probation or conditional discharge. I would move for its adoption."

Speaker Matijevich: "Representative Homer moves for the adoption of Amendment #3. Those in favor say 'aye', opposed 'nay'. Amendment #3 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 188, on page three of the Calendar, Representative Capparelli. Leave to return Senate Bill 188 back to the Order of Second Reading for the purpose of an Amendment. Leave. Clerk will read the Bill, on page three. Leave, yes. Clerk will read the Bill."

Clerk O'Brien: "Amendment #1, McAuliffe, amends Senate Bill 188 on page one in line thirty-one and so forth."

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

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 will reduce from 35,000 to 30,000 dollars the point at which a person has to file a statement of economic interest. I discussed it with the Sponsor of the Bill, and he's in agreement with the Bill... with the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate... Leave to keep the

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

66th Legislative Day

June 20, 1983

Bill on Short Debate. Leave, and the Bill will remain on Short Debate. Senate Bill 356, Jaffe. The Gentleman asks leave that Senate Bill 356 be returned to the Order of Second Reading for the purpose of an Amendment. Leave, and the Bill is on Second Reading. Read the Bill."

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

Speaker Matijevich: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, I move to table Amendment #1. This has really been agreed by everyone. It's been passed through the other side of the aisle and through our side of the aisle. It's technically incorrect and should be tabled. And the Bill was fine as it came across. So, we're moving to table Amendment #1."

Speaker Matijevich: "Representative Jaffe moves to table Amendment #1 to Senate Bill 356. Does he have leave? Leave, and Amendment #1 is tabled. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 504, Brummer. Asks leave that Senate Bill 504 be returned to the Order of Second Reading for an Amendment. Clerk will read the Amendment. Senate Bill 504 has been returned to Second Reading. It's on page eighteen of the Calendar."

Clerk O'Brien: "Senate Bill 504, Amendment #3, W. Peterson, amends Senate Bill 504 on page one in line nineteen and so forth."

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

Peterson: "First of all, Mr. Speaker, I'd like to have leave to table Amendment 2 to this Bill."

Speaker Matijevich: "Leave to table Amendment 2 to House Bill... Senate Bill 504. Leave, and Senate... Amendment #2 is tabled. Now on Amendment 3."

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

66th Legislative Day

June 20, 1983

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

Amendment 3 to Senate Bill 504 basically makes the rate change not more than double when acquisition took place. Amendment 2 tripled it, and we wanted to rescind that and make it only double. I move for the adoption of Amendment 3."

Speaker Matijevich: "Representative Peterson moves for the adoption of Amendment #3, I believe it is, Jack. Amendment #3. No discussion? All in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 559, Oblinger. Asks leave that Senate Bill 559 be returned to the Order of Second Reading for an Amendment. Leave, and Senate Bill 559 is on Second Reading."

Clerk O'Brien: "Amendment #1, Hoffman, amends Senate Bill 559 on page two between line nineteen and twenty by inserting the following and so forth."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 559 provides that the State Board of Education shall require that all school districts which receive reimbursement from driver ed file with the state an itemized account of all expenditures of such funds, not later than July 1st and January 1st of each year. This Amendment is offered at the request of the Senate Sponsor, Senator Maitland, and it ties in with the Bill in terms of limiting reimbursement to actual costs. And I would move for the adoption of Amendment #1."

Speaker Matijevich: "Representative Hoffman moves for the adoption of Amendment #1. No discussion. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further

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

66th Legislative Day

June 20, 1983

Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 588, Alexander. Representative Alexander asks leave that Senate Bill 588 be returned to the Order of Second Reading for an Amendment. Leave, and the Bill is on Second Reading. The Clerk will read the Amendment."

Clerk O'Brien: "Amendment #1, Alexander, amends Senate Bill 588 on page one..."

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

Alexander: "Thank you, Mr. Speaker. Amendment #1 deletes the word property and inserts thereof a better explanation of the need for this particular Bill. It reads rather in place of 'property' the words it should read, 'pollution control facilities under Section 21(A)3 of the Revenue Act of 1939'. And I ask for passage of this Amendment."

Speaker Matijevich: "Representative Alexander moves for the adoption of Amendment #1. On that, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, if we adopt your Amendment to the Bill, what will be the result?"

Alexander: "It would limit... it would limit the monies that would be appropriated to the local government under the... we really taking to the Bill. What it really does, it better explains the word 'property' as opposed to just anything else. It limits it to only pollution control facilities rather than just properties, period."

Vinson: "Yes, but what... after we insert that, what will it do to that kind of property?"

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

66th Legislative Day

June 20, 1983

Alexander: "The tax that would be levied by local government for over assessments, where there has been a court judgment asking for the return of the money, a local government would then be attempting to levy taxes to pay for that over assessments. The money could only be levied for properties or incidents of this sort - pollution control facilities only."

Vinson: "So, it deals with a situation where a local government may have improperly taxed pollution control facilities, and it permits a way by which they can pay the taxpayer back for that over liability."

Alexander: "That is correct."

Vinson: "Thank you."

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

Clerk O'Brien: "No further Amendments."

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

Alexander: "Thank you very kindly. I filed a second Amendment..."

Speaker Matijevich: "Oh, I'm sorry."

Alexander: "... to Senate Bill 588."

Speaker Matijevich: "All right. Leave to return to Second. Leave. We're looking for your Amendment. Evidently, there's not one printed, so we're going to have to hold this. Oh, wait a minute. Wait a minute. We don't have anything yet on 2. Evidently, it has not been, so we'll hold Senate Bill... It has not been filed, Ethel. You better... We'll hold it on Second until we find out where it's at. Senate Bill 789, Breslin. Is Peg back there? Is Representative Breslin on the floor? We'll pass that

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

66th Legislative Day

June 20, 1983

moment... Representative Breslin, I don't see her on the floor. Pass that momentarily with leave to return to that. 838, Steczko, on page twenty-one. Leave to return House Bill 838 to the Order of Second Reading for an Amendment. Leave. The Clerk will read the Amendment."

Clerk O'Brien: "Amendment #1, Steczko, amends Senate Bill 838 by deleting line sixteen and seventeen and so forth."

Speaker Matijevich: "Representative Steczko on Amendment #1, and Representative Giorgi, you're next, if you're in your office. Representative Steczko."

Steczko: "Mr. Speaker, leave to withdraw Amendment #1, please."

Speaker Matijevich: "Representative Steczko asks leave to withdraw Amendment #1. Leave. Amendment #1 is withdrawn."

Clerk O'Brien: "Floor Amendment #2, Steczko, amends Senate Bill 838 by deleting lines sixteen and seventeen and so forth."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to Senate Bill 838 simply provides for technical change recommended by the Legislative Reference Bureau. And secondly, in the Section of the Bill that deals with oil and gas pipelines inserts the word 'exclusively', and I would move for the adoption of Amendment #2."

Speaker Matijevich: "Representative Steczko asks for the adopt... moves for the adoption of Amendment #2. On that, Representative Brummer."

Brummer: "Yes, is this the one dealing with easements for cable companies?"

Steczko: "In the portionable expenses of those easements."

Brummer: "The... there had been some concern by some gas companies as a result of safety concerns. Are they in agreement with Amendment #2?"

Steczko: "Representative Brummer, I believe they are, and this still takes care of their concern with regard to those

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

66th Legislative Day

June 20, 1983

easements. And just provides that if those easements are granted exclusively for gas and oil pipelines that they are exempt from the provisions of the Bill 838."

Brummer: "And what did Amendment #1 do? It provided that if they were oil or gas lines, the provisions of this Bill would not be applicable to those easements. Is that correct?"

Steczo: "Right. Amendment #2 does exactly the same; however, during the course of the Bills progress through the General Assembly, we were notified that the railroads also had a problem. We had Amendment #1 drafted to take care of their particular problem and found out just this morning that they were already taken care of notwithstanding. So Amendment #2 specifically deals with that oil and gas pipeline question. It deletes railroads because they never had a problem in the first place."

Brummer: "Where does the language 'exclusively' rise though? In which Amendment?"

Steczo: "Number... both 1 and 2, but 1's been withdrawn so #2. Line nine of Amendment #2."

Brummer: "Thank you."

Speaker Matijevich: "Representative Vinson, are you still seeking recognition, or has your question been answered? Representative Vinson."

Vinson: "No, I'm not seeking recognition. Thank you, Sir."

Speaker Matijevich: "Representative Steczo moves for the adoption of Amendment #2. Those in favor say 'aye', opposed 'nay', and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 1027, Giorgi. Leave to return Senate Bill 1027 to the Order of Second Reading for the purpose of an Amendment. Leave. Senate Bill 1027 is on Second Reading. The Clerk will read the

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

66th Legislative Day

June 20, 1983

Amendment."

Clerk O'Brien: "Amendment #1, Giorgi, amends Senate Bill 1027 on page one by deleting all of line one and two and so forth."

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

Giorgi: "Mr. Speaker, I... leave to withdraw Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2, Giorgi, amends Senate Bill 1027 on page one by deleting all of line one and two and so forth."

Giorgi: "Mr. Speaker, Amendment #2 eliminates the contents of Senate Bill 1027 completely, so your synopsis is wrong if you're reading your synopsis. What this does is, under the provisions of Amendment #2, the State Treasurer is authorized to give preference when choosing banks for the deposit of state funds to those banks which put up as collateral for the state's deposits notes or bonds issued by local units of government in Illinois or of certain state-wide revenue bond authorities. And the second part of the Amendment is, in regard to the Department of Commerce and Community Affairs, the Department is authorized to assist any home rule unit of government upon the request of that unit of local government in putting together for sale mortgage revenue bonds authorized to be issued under the Federal Mortgage Subsidy Bond Act of 1980. I urge the adoption of the Amendment. It's self-explanatory."

Speaker Matijevich: "Representative Giorgi moves for the adoption of Amendment #2. Representative Vinson."

Vinson: "Mr. Speaker, I rise for the purposes of questioning the germaneness of Amendment #2 to Senate Bill 1027. The underlying Bill was a new Act for the creation of a new state agency."

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

66th Legislative Day

June 20, 1983

Speaker Matijeovich: "Hold it, Sam. Hold it, because the Parliamentarian has got a discussion. One second. Proceed Representative Vinson."

Vinson: "The underlying Bill, Senate Bill 1027 is a Bill for an Act creating a new state agency, a municipal financing agency. Amendment #2, completely, as the Sponsor suggested, destroys that concept, and guts that Bill and creates a new procedure for the treasurer in the deposit of state funds. Has nothing to do with the underlying subject of Senate Bill 1027. Completely changes the nature of the Bill, and for those reasons should be ruled nongermane."

Speaker Matijeovich: "Well, hold that in the abeyance. Representative... The Gentleman from Cook, Representative Piel."

Piel: "I should probably wait and find out what the germaneness answer is first, Mr. Speaker, but in the meantime, will the Gentleman yield to some questions?"

Speaker Matijeovich: "He indicates he will."

Piel: "Representative Giorgi, could you give me the reasoning behind giving preferential treatment to specific banks that are holding specific types of bonds or securities?"

Giorgi: "Well, what the original intent of the legislation was was create some kind of an infrastructure financing authority. That's to help schools, cities, counties and townships that want to build roads, bridges and so on and allow the money to be lent to them by this Illinois Municipal Financing Agency Authority. But in as much as that program was sort of complicated because of the Financing Authority, we decided to say to the treasurer that in the event banks in the districts would do this type of funding we wouldn't have to create a... we wouldn't have to create a Municipal Funding Authority. So that's the reason for the preference of those banks that will buy that

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

66th Legislative Day

June 20, 1983

paper for a school district, a city, county or township."

Piel: "What you're basically saying is, they are giving security for these specific deposits. Now are you talking as far as... the way I would read it is, you'd be talking about any state deposits. Is this correct?"

Giorgi: "Naturally."

Piel: "In other words, if they were get..."

Giorgi: "The treasurer has the authority to invest state funds."

Piel: "If they were to give federal notes as security under this, the federal notes would not, you know, they had Class A federal notes or bonds and Class B or C city bonds those city bonds would take precedence over the federal notes. Correct?"

Giorgi: "That is correct. That is correct. If a school district, the City of Rockford, or the City of Chicago Heights, or the Township of Palatine, or something wanted to sell some general obligation bonds or revenue bonds and a local bank bought the bonds and insured that that infrastructure was being built for that area, probably induce new industries into it, I think they should have a preference."

Piel: "I understand. I think what you're saying is laudable. The only question... I think you should go a little bit farther and state, you know, a comparable issue. By this, I mean... let me finish, please. By this I mean, if you had a situation where they're both Class A bonds, if you're sitting here with Class A compared to Class B, obviously the Class B has more liability than Class A bonds. And you could run into a little bit of a problem as far as the state... liability to the state goes. Going on to the last Section. What do you visualize as the cost when the state starts helping home rule units, you know, with their bond issues?"

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

66th Legislative Day

June 20, 1983

Giorgi: "Well, you're... you're doing it now. You're doing it now in your Industrial Revenue Bonding Authority. You're helping cities that ask for aid. You're doing it with the Treasurer and the Governor's issuance of a 100 million dollars. You're helping those people put together a financing package. It's is nothing new."

Piel: "But you still haven't answered my question. What do you visualize as the cost? We're adding something else. Obviously, we're talking about more state work and one thing or another, and I'm just saying you're asking what the cost would be."

Giorgi: "I'm sure that... I'm sure the Department of Commerce and Community Affairs, who's entrusted with this authority, if it comes expensive, will be back to us asking us for financial aid, but until that time, I think they can be able to do with inhouse help."

Piel: "In other words, what you're trying to say is you don't visualize, even though we're throwing more work on the Department, that it'll cost them any more money?"

Giorgi: "I'm only trying to increase productivity by maybe 10%."

Piel: "You still haven't answered my question. All I'm trying to find out is what you figure the cost would be, the additional cost to the state."

Giorgi: "Well, it all depends on the mental quotient of the person you're working with. Some people can put it together in no time at all."

Piel: "Well, let's take the mental quotient of the... Let's take the mental quotient of the individual who introduced the Amendment. Let's go from that point on."

Giorgi: "Well, you're talking about a geni. We don't want to get into geni versus mentally retarded."

Speaker Matijevich: "Let's... let's... let's hold down the personalities, and let's get down to the Amendment."

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

66th Legislative Day

June 20, 1983

Representative Piel."

Piel: "No further questions, Mr. Speaker. Thank you."

Speaker Matijevich: "On the matter of germaneness, both the Amendment and the Act pertain to the method of purchasing municipal bonds and is germane. Representative Vinson."

Vinson: "Well, Mr. Speaker, I would simply point out that the Amendment doesn't even deal with purchase of municipal bonds. That's how ludicrous these rulings are getting."

Speaker Matijevich: "The Gentleman from Cook, Representative DiPrima. DiPrima's light's been on. I guess... Flag Day was last week, Larry. Is your light on? Do you want to... Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, I have an Amendment here to be... I move the previous question."

Speaker Matijevich: "Wait a minute, DiPrima. Are you on Amendment #2 to Senate Bill 102... 1027?"

DiPrima: "That's right."

Speaker Matijevich: "Okay."

DiPrima: "No, 1336."

Speaker Matijevich: "Oh, well, you're..."

DiPrima: "I move the previous question."

Speaker Matijevich: "We're getting there, but you're a little early. Representative Winchester."

Winchester: "Thank you, Mr. Chairman, Members of the House. Would the Gentleman yield for a question?"

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

Winchester: "Is this the same piece of legislation that we had in Economic Recovery that the... the Department of Commerce and Community Affairs had objections with, and you indicated that you would work with them to try to resolve the Amendment?"

Giorgi: "We couldn't resolve it, so we gutted the Bill 1027. It's gone."

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

66th Legislative Day

June 20, 1983

Winchester: "All right. Well, but one of the objections was having the State Treasurer as the Chairman of the Authority. Now, I notice that in your Amendment..."

Giorgi: "There's no authority. There's no authority, Bob."

Winchester: "That's a different."

Giorgi: "It's a completely... the Amendment is... just allows the... no Authority."

Winchester: "Has that... where's that Bill at now? Has it passed already?"

Giorgi: "The Bill died."

Winchester: "Well, wasn't this a companion Bill to that Authority, that you have to create the authority for this... 1027 wouldn't be any good?"

Giorgi: "In my opening remarks, I indicated that the Amendment gutted the Bill. The Amendment... the Bill is gone. You know, like Blair and George Ryan used to do. The Bill is gone."

Winchester: "Now, this becomes a whole new Bill with Amendment #2?"

Giorgi: "The Amendment is the Bill."

Winchester: "Well, if it... well, Representative Giorgi... to the Speak... to the Bill. The Department of DCC... the Department of Commerce and Community Affairs opposed the Bill in its original form. I'm not sure what this Amendment will do to the Bill, but I suppose to allow the Sponsor to get his Bill in proper shape and perhaps we should support it. But there is problems with the original Bill, and I hope that you have... all right."

Speaker Matijevich: "Representative Ropp."

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

Speaker Matijevich: "He indicates he will."

Ropp: "Under your clear explanation of this Amendment, would it in any way now allow the State Treasurer to get involved in

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

66th Legislative Day

June 20, 1983

bonds that a local municipality will be dealing with?"

Giorgi: "All this does is that it recommends that he give preference to banks that'll buy the bonds you're talking about. It has nothing to do with the bonds. Nothing to do with the bonds."

Ropp: "Okay. In other words, this will have no effect on a local municipality's credit rating, or..."

Giorgi: "Nothing whatever."

Ropp: "Okay. Good enough. Thank you."

Speaker Matijevich: "Representative Giorgi moves for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no', and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, pursuant to the rules, that Bill should be moved back to Second Reading First Legislative Day. It amended the title."

Speaker Matijevich: "Giorgi said 'yes'. He's been agreeing with you too much today. The Bill will return back to the Order of Second Reading First Legislative Day. We skipped over a Bill inadvertently, Senate Bill 749, Wolf. Leave to return Senate Bill 749, it's on page twenty, back to the Order of Second Reading for the purpose of an Amendment. Leave. Read the Amendment on Senate Bill 749."

Clerk O'Brien: "Amendment #1, Capparelli - Wolf, amends Senate Bill 749 on page one and so forth."

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

Capparelli: "Thank you, Mr. Speaker. Amendment #1 to Senate Bill 749 is just what it is, 'Hunting and discharge of firearms are prohibited on Port District Property.' We passed this

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

66th Legislative Day

June 20, 1983

Bill out on House Bill 88, got in a little confusion in the Senate, and the Bill was killed. And I would like approval of this Amendment."

Speaker Matijevich: "Representative Capparelli moves for the adoption of Amendment #1 to Senate Bill 749. No discussion. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Vinson: "That one did the same thing. It changed the title, and it ought to be kept on Second Reading First Day."

Speaker Matijevich: "We're going to hold. We've got to look at the Bill. All right, the Bill will be on Second Reading First Legislative Day. 1146, Tate. I think you've changed, and you want to leave the Bill where it's at. Senate Bill 1232, Bernard Pedersen asks leave that Senate Bill 1232 be taken back to the Order of Second Reading for the purpose of an Amendment. Leave, and 1232 is on Second Reading. The Clerk will read the Amendment."

Clerk O'Brien: "Amendment #2, White, amends Senate Bill 1232 on page three."

Speaker Matijevich: "Is Representative White here? Jesse White here? What's your pleasure, Mr. Pedersen?"

Pedersen: "Well, Mr. Speaker, if you want me to go ahead with it, I can explain what they're designed to do."

Speaker Matijevich: "Leave that Representative Pedersen discuss... proceed with Amendment #2. Leave. Proceed."

Pedersen: "Well, Mr. Speaker, there are... incidentally, there are two Amendments, Amendment 1 and 2. I'll address #2 first. Amendment #2 is... all it is designed to do is to make sure that a... that a day-care center has been in business for at least one year, if they're going to

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

66th Legislative Day

June 20, 1983

participate in subsidized day-care. And that's just designed to provide some stability for... for the care. In other words, if a business can't survive one year, they probably shouldn't be involved. So..."

Speaker Matijevich: "Representative Pedersen moves for the adoption of Amendment #2. The Gentleman from Cook, Representative Piel."

Piel: "Mr. Speaker, I reluctantly stand up, but I don't think we can go to Amendment #2 first, because if you'll look at Amendment #1 and 2, both deal with the same things. So... both deal with the same areas, page three, by deleting line four and five, and then if you were to put 1 in after that, it's by inserting after line five. Well, if 2 was adopted first, you wouldn't have a line five on there. So, we'd have to take Amendment #1 first."

Speaker Matijevich: "One moment. We can't seem to find Amendment #1, and Representative White is here now. We have an Amendment #1 now. Is that White also? Representative White on Amendment #1 to Senate Bill 1232. The Gentleman from Cook."

White: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment 1, I don't know if we flip-flopped these or not, but Amendment #1..."

Clerk O'Brien: "Amendment #1 is on page three by inserting after line five the following: 'Township governments which contract for day-care.'"

Speaker Matijevich: "Representative White."

White: "You want me to talk about the Amendment. Do you agree that it's in order?"

Speaker Matijevich: "Somebody... Amendment #1 is in order, and we haven't adopted it yet."

White: "Okay. Well, the Amendment is a simple one, one that has been agreed with by Representative Pedersen and I. And all

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

66th Legislative Day

June 20, 1983

that it does is just puts township governments with regard to day-care centers into the same posture that we do... that we handle DCFS..."

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

Clerk O'Brien: "Amendment #2, White, amends Senate Bill 1232 on page three by deleting line four and five and inserting in lieu thereof the following: 'For-profit of non-for-profit...'"

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

White: "And all this Amendment does, Mr. Speaker and Ladies and Gentlemen of the House is, it treats for-profit and non-for-profit the same."

Speaker Matijevich: "Representative White moves for the adoption of Amendment #2. Those in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 1333, Currie asks leave that Senate Bill 1333 be returned to the Order of Second Reading for the purpose of an Amendment. Leave. Clerk will read the Amendment. Representative Vinson, for what purpose do you rise?"

Vinson: "I've got a...our note shows 1330."

Speaker Matijevich: "13... what?"

Vinson: "Our note shows 1330."

Speaker Matijevich: "1330. Well, I've got 1333 and 1336, and those are the last ones. And then we're going to go to Consideration Postponed."

Vinson: "You don't show 1330?"

Speaker Matijevich: "I don't have it. We've got another list, but we won't have time to get to it. It may be on the

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

66th Legislative Day

June 20, 1983

second list."

Vinson: "No, it was on the first list."

Speaker Matijevich: "It's not even on the second list. Nobody's informed us of 1330, yet."

Vinson: "All right."

Speaker Matijevich: "Senate Bill 1333 is on Second Reading. The Clerk will read the Amendment."

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

Speaker Matijevich: "Representative Piel, for what purpose do you rise?"

Piel: "Mr. Speaker, you announced that Senate Bill 1333 was Representative Currie's Bill. It's Representative Barnes' Bill. Representative Currie's Amendment."

Speaker Matijevich: "Oh, I'm sorry. Representative Barnes asks leave that Senate Bill 1333 be returned to the Order of Second Reading for the purpose of an Amendment. It's Barnes... Barnes - Currie. Let's not get into that today. We've been doing all right so far. What's that? Let's... let's hold this Bill while Currie walks over to Jane Barnes. Senate Bill 1336, Kulas asks leave to return Senate Bill 1336 back to the Order of Second Reading for the purpose of Amendment. Leave, and Senate Bill 1336 is on Second Reading. The Clerk will read the Amendment. This is the DiPrima Amendment we've been waiting for. Read the Amendment."

Clerk O'Brien: "Amendment #2, DiPrima, amends Senate Bill 1336 as amended in the title and the introductory portion Section 1 and so forth."

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

DiPrima: "Yes, Sir, this Amendment is approved by all the county police departments, and I would appreciate adopting of this Amendment to Senate Bill 1336."

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

66th Legislative Day

June 20, 1983

Speaker Matijevich: "Representative DiPrima moves for the adoption of Amendment #2. Representative from DeWitt, Representative Vinson."

Vinson: "I don't seek recognition."

Speaker Matijevich: "All in favor of Amendment #2 say 'aye', opposed 'nay', and Amendment #2 is adopted. Are there further Amendments?"

Vinson: "No further Amendments."

Speaker Matijevich: "Third Reading. We have another Bill, Senate Bill... Representative DiPrima, for what purpose do you rise?"

DiPrima: "Well, I'd like to give a close out on the Poppy Day Contribution."

Speaker Matijevich: "No, not now. I'm sorry. You'll have to do that some other time. Senate Bill 668 on Third... as leave that Senate Bill 668 be returned to the Order of Second Reading for the purpose of an Amendment. Leave, and Senate Bill 668 is on Second Reading. The Clerk will read the Amendment."

Clerk O'Brien: "Amendment #2, Davis, amends Senate Bill 668 on page eight by deleting five through ten and so forth."

Speaker Matijevich: "The Gentleman from Will, Representative Davis, on Amendment #2."

Davis: "Well, thank you, Mr. Speaker. Amendment #2 seeks to do the same thing that... for elementary districts that the underlying Bill does for unit districts, which is to reduce the qualifying tax rate from 128 to 123. As far as we know, it only affects one school district in the state."

Speaker Matijevich: "Representative Davis moves for the adoption of Amendment #2. Those in favor say 'aye', opposed... I'm sorry. Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

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

66th Legislative Day

June 20, 1983

Cullerton: "Representative Davis, there was an Amendment #1 to the Bill which had the effect of ensuring that the school districts not effected by the Bill would not have any aid reduced, and I wondered if your Amendment was so drafted."

Davis: "Well, the Amendment #1 put in that it had to have a separate line item. It would also apply to this particular Bill."

Cullerton: "That does apply to yours?"

Davis: "Yes, it's the same Subsection D(2)."

Cullerton: "Okay. Fine. Thank you."

Speaker Matijevich: "Representative Davis moves for the adoption of Amendment #2. Those in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Cullerton: "No further Amendments."

Speaker Matijevich: "Third Reading. Representative Currie and Barnes now have... are in concert, and we ask leave to return Senate Bill 1333 back to the Order of Second Reading for an Amendment. Leave. Senate Bill 1333 is on Second. The Clerk will read the Amendment."

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

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

Currie: "Thank you, Mr. Speaker, Members of the House. This Amendment is proposed by the Legislative Reference Bureau. Some things were inadvertently underlined in a previous Amendment, and the underlinings have been removed. That's all that Amendment 2 to Senate Bill 1333 does."

Speaker Matijevich: "Representative Currie moves for the adoption of Amendment #2 to Senate Bill 1333. Those in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. On page thirty-three of the

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

66th Legislative Day

June 20, 1983

Calendar, under the Order of Consideration Postponed appears Senate Bill 286, Vinson. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 286, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 286 is a Bill agreed on. It's an unemployment compensation Bill, agreed on by the AFL-CIO and the state business organizations. What it does is that it deals with the situation where you have an employee, a part-time employee, who has been... who is employed by both government and business, and it says that if he should lose his business job, his governmental employer will not have his unemployment insurance taxed to him. It does the same thing in regard for not-for-profit corporations. As I say, it's an agreed Bill. It will save money for governments throughout the state, particularly the local government units throughout the state, and I would urge its adoption."

Speaker Matijevich: "Representative Vinson has moved for the passage of Senate Bill 286. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative, when we discussed this the first time, I believe that I questioned you or made a point concerning the issue of other Bills that do the same thing or do similar things. I believe House Bill 881, Breslin, has already passed and is in the Senate. Could you indicate what the difference is between that Bill and this Bill."

Vinson: "I believe that this Bill is now in the same shape as

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

66th Legislative Day

June 20, 1983

that Bill."

Cullerton: "It is in the same shape."

Vinson: "I believe so."

Cullerton: "So this would just be a guarantee that we'd have at least one of them passed, if we passed this one."

Vinson: "That's correct. As you know, sometimes the other chamber doesn't see fit to do what's right."

Cullerton: "Do we... do we also know that our Governor will sign both Bills, both Representative Breslin's Bill and Representative Vinson's Bill?"

Vinson: "Well, I personally attach no pride of authorship to this and would not ask the Governor to sign it or veto it. He might weigh Representative Breslin and Senator Fawell, but I'm not going to get involved in the situation."

Cullerton: "He might weigh them?"

Vinson: "And I don't think... I beg your pardon."

Cullerton: "You say he might weigh'em? Before or after?"

Vinson: "Well, we'll let her chose."

Cullerton: "Okay. No further questions, Mr. Speaker."

Speaker Matijevich: "Representative Huff."

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

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

Huff: "Okay. As I heard you explain this measure, Representative Vinson, you were saying that the... the unemployed recipient benefit wages would not be charged to this governmental employer?"

Vinson: "That's right. They would be charged to the private employer."

Huff: "They'll be charged to his private employer, the one he lost the job from?"

Vinson: "That's correct."

Huff: "All right. Thank you."

Speaker Matijevich: "There's no further debate. Representative

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

66th Legislative Day

June 20, 1983

Vinson has moved for the passage of Senate Bill 286. The question is, 'Shall Senate Bill 286 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 113 'ayes', 1 'nay', and Senate Bill 286, having received a Constitutional Majority, is hereby declared passed. Senate Bill 434, Levin. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 434, a Bill for an Act to amend the Condominium Property Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Levin, on Senate Bill 434."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House (sic - Senate) Bill 434 was the subject of hearings before the Condominium Subcommittee... Condominium Study Commission last fall, and intends, together with a number of the other Bills that are in this same package, to update problems that have existed with the condominium laws which we passed five years ago, which have now been in effect, and we've seen some of the practical effects. And there's a need to clarify some vague questions in order to avoid future litigation. This particular Bill deals with two issues as amended. First of all, it clarifies when there is to be a turnover from the developer to the associations, the kinds of documents that should be turned over. And secondly, it clarifies that at the time of an election where unit owners may request the names and addresses of other unit owners that that would include where a... the beneficiary of a land trust is designated as the person able to cast a vote, that individual as well. These Bills are supported by the realtors, the home builders, the condominium associations. I know of no opposition. Based on my involvement in the field, and I do

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

66th Legislative Day

June 20, 1983

represent associations, it's very badly needed. And I urge a favorable vote."

Speaker Matijevich: "Representative Levin has moved for the passage of Senate Bill 434. The question is, 'Shall Senate Bill 434 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 115 'ayes', no 'nays', and Senate Bill 434, having received a Constitutional Majority, is hereby declared passed. Senate Bill 490, Flinn. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 490, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn, on Senate Bill 490."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 490 extends the life of the driver's license from three years to four years, and it raises the price of them to commensurate for the increased one year. It is a method of saving cost from an administrative standpoint. It is supported by the Secretary of State, and it is also supported by Illinois... I mean the Motor Vehicles Laws Commission. And I would ask for the adoption of the Bill and would answer any questions."

Speaker Matijevich: "Representative Flinn has moved for the passage of Senate Bill 490. There's no discussion. The question is, 'Shall Senate Bill 490 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 116 'ayes' and no 'nays', and Senate Bill 490, having received the Constitutional Majority, is hereby declared passed. With

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

66th Legislative Day

June 20, 1983

leave of the... With leave of the House, we left one Bill off our list on Third Reading, Senate Bill 1312, Terzich. Leave to return to Senate Bill 1312 back to the Order. Leave. The Clerk will read the... read the Amendment."

Clerk O'Brien: "Senate Bill 1312..."

Speaker Matijevich: "Representative Vinson, for what purpose do you rise?"

Vinson: "From the time you started announcing that until the time you read through that announcement, I had my light on. I was yelling loudly, and I had my hand raised. Now, I object to that, and I objected to that in a timely fashion. You don't have any authority for getting there on the Calendar, and I object to it."

Speaker Matijevich: "Well, I'm sorry. We've been getting... getting along. It was on the list, and we inadvertently went over it, Representative Vinson. And I try to accommodate everybody that I could. Started today, after Friday. Speak gently, Sam. Hold a big stick though. Is it all right? Okay. The Amendment on Senate Bill 1312."

Clerk O'Brien: "Amendment #2, Braun, amends Senate Bill 1312 as amended with reference to the page and line numbers and so forth."

Speaker Matijevich: "After all that, is Representative Braun on the floor? Is Representative Braun in the Assembly? Did you know that Terzich? That's a nice how-do-you-do. What's your pleasure, Representative Terzich?"

Terzich: "I move that Bill be tabled."

Speaker Matijevich: "Representative Terzich..."

Terzich: "No, no, no, no, I mean Amendment #2."

Speaker Matijevich: "Representative Terzich moves to table Amendment #2. Does he have leave? Leave, and Amendment #2 is tabled. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Terzich, amends Senate Bill

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

66th Legislative Day

June 20, 1983

1312 as amended."

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

Clerk O'Brien: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3 comes in compliance with the Department of Revenue to determine the... what would be excluded under the Bill."

Speaker Matijevich: "Representative Terzich moves for the adoption of Amendment #3. There's no discussion. Those in favor say 'aye'. Just one moment. Representative Hastert."

Hastert: "Would the Representative explain that again, please?"

Speaker Matijevich: "Once... one more time."

Terzich: "Yes, the Department of Revenue, to make sure that the Bill, you know, the Amendment applies strictly to what was to be excluded such as on silver, about 980 parts per thousand, and also for the United States Medallion. It's simply from the Department of Revenue, which they wanted to clarify the Bill."

Hastert: "The United States Medallion, did you say?"

Terzich: "That's correct."

Hastert: "Okay. Then, also, then this is... still exempts the sales tax, as you did before. Is that correct?"

Terzich: "Correct."

Hastert: "And you're saying then that the Illinois Department of Revenue approves of this concept."

Terzich: "I said that this clears up an objection that they have about exactly what will be excluded under this..."

Hastert: "Was that their only objection?"

Terzich: "That's correct."

Speaker Matijevich: "Representative Terzich moves for the adoption of Amendment #3. Those in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Are there further Amendments?"

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

66th Legislative Day

June 20, 1983

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. On page fourteen, on the Order of Senate Bills Third Reading appears Senate Bill 2, Representative Rea. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill #2, a Bill for an Act concerning public utilities. Third Reading of the Bill."

Speaker Matijevich: "Representative Rea on Senate Bill 2."

Rea: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2 is the same as House Bill 99 which we passed out of here 94 to 11. And what this does, it eliminates the automatic fuel adjustment clause. At the present time, the additional cost of transportation on out-of-state coal can be passed automatically to the consumer, and this would eliminate that. It does not mean that it cannot be included in the cost, but it means that they would have to go before the Commerce Commission in order to get that. It would... implementation of both Senate Bill 2 and House Bill 99 would reduce unemployment of state coal miners and unemployment in mining communities by increasing the production of Illinois coal mines. It could reduce a number of state dollars spent for unemployment, for insurance payments and also help to replace the loss to state sales tax, personal income tax and corporate income taxes resulting from unemployment. And I would... a similar Bill, House Bill 99 just passed out of the Senate today 57 to nothing, and I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of Senate Bill 2. On that, the Gentleman from Kendall, Representative Hastert."

Hastert: "Yes, would the Sponsor yield, please?"

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

Hastert: "Representative Rea, could you tell us what the cost to

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

66th Legislative Day

June 20, 1983

the State of Illinois would be?"

Rea: "Well, actually, it could very well be a savings to the State of Illinois because of the additional employment, because of the collections of sales tax and other revenues that could come into the State of Illinois."

Hastert: "And then, also on this, is there... is there a pass through of cost in any way?"

Rea: "Would you repeat your question please?"

Hastert: "In this Bill, do you allow for any type of pass through of costs?"

Rea: "It would allow for the pass through of the transportation cost on out-of-state coal, but they would have to request the... and would have to show cause for the increase costs of their transportation."

Hastert: "And who pays that pass through?"

Rea: "At the present time the consumer is paying for that pass through."

Hastert: "All right. And then you're saying with the 'implemation' (sic - implementation) of this piece that that pass through can only be done with permission of the Commerce Commission. Is that correct?"

Rea: "It would require the approval by the Commerce Commission. That's correct."

Hastert: "Could this raise the cost of Illinois coal?"

Rea: "No. Actually it would require better planning in terms of... and... and would not... it would not raise the cost. In your transportation costs of out-of-state coal now can cost as much as 70% of a ton of coal."

Hastert: "Would this also apply to other coal other than Illinois coal?"

Rea: "This would certainly apply to out-of-state coal, and we have over 20 million tons of out-of-state coal coming in that's used in Illinois now. And this would be an

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

66th Legislative Day

June 20, 1983

incentive to... for the utility companies to utilize Illinois coal."

Hastert: "What does this do? Does it have anything to do with the cost of scrubbers or anything like that?"

Rea: "No. This does not, and we, at the present time, we are paying for the cost, in some instances, of scrubbers, and this we can pay. I feel that we should be able to put that money to scrubbers and other pollution control equipment, rather than to the transportation of out-of-state coal, which then... this helps our economy of the State of Illinois."

Hastert: "Well, Representative Rea, when this cost is passed through will Illinois utilities have to borrow money in order to pay those extra costs that they ordinarily would pass through?"

Rea: "In my opinion, they would not have to because... by planning in advance of what the..."

Hastert: "I didn't hear that. Would you repeat, please?"

Rea: "There's already much excess capacity. In my opinion, there would not be, because they would be... they would be planning in advance."

Hastert: "All right. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Hastert: "I think Representative Rea just hit the nail right on the head. He talked about excess capacity. That's exactly what we have in northern Illinois. And even though this legislation is designed to burn Illinois coal, I think what we're going to do is have... use the excess capacity that we have in our nuclear power plants. When our Illinois power companies or utility companies have to borrow money, where they would ordinarily pass through for the cost of coal, what you're doing is raising the cost of coal produced electricity. And I know in northern Illinois,

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

66th Legislative Day

June 20, 1983

where we have excess power that could be done with nuclear plants, the option is to go to nuclear energy, instead of using coal. I think this is probably well intended legislation, but I think it's gone astray. And I think we ought to take a double look at this before we vote for it."

Speaker Matijevich: "Representative Rea to close."

Rea: "Thank you, Mr. Speaker, Members of the House. This Bill was passed out of the Senate, I believe, by 36 to 15, and it is supported by the UMWA, the Coal Association, AFL-CIO, and has been agreed by many other groups and feel that this will be very beneficial to the use of Illinois coal because we have had a continual increase of out-of-state coal coming into Illinois and being burned in Illinois when we are the leaders in bituminous coal. And this would be an incentive for the use of our coal, and I ask for a favorable Roll Call."

Speaker Matijevich: "Representative Rea has moved for the passage of Senate Bill 2. The question is, 'Shall Senate Bill 2 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish. The Clerk will take the record. On this question, there are 9... 9... Hoffman 'aye', Gene Hoffman 'aye'. There are 95 'ayes', 19 'nays', and Senate Bill 2, having received the Constitutional Majority, is hereby declared passed. Senate Bill 3, Representative Pangle. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 3, a Bill for an Act to create the Kankakee River Commission. Third Reading of the Bill."

Speaker Matijevich: "The Gentlemen from Kankakee, Representative Pangle."

Pangle: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Kankakee River Commission is a Commission to study and make recommendations regarding the condition of

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

66th Legislative Day

June 20, 1983

the Kankakee River, and I ask for its passage."

Speaker Matijevich: "Representative Pangle has moved for the passage of Senate Bill 3. On that, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Now, Representative, there are nine members of this Commission as the Bill is amended?"

Pangle: "That's correct."

Vinson: "Three of them are Legislators?"

Pangle: "That's correct."

Vinson: "Six of them are public members?"

Pangle: "That's correct."

Vinson: "Two of them have to be appointed by the President of the Senate, two by the Speaker, and one by the Minority Leaders in either chamber?"

Pangle: "Yes, Sir."

Vinson: "But they also have to come from designated geographical areas. Is that correct?"

Pangle: "That's correct."

Vinson: "Now, what happens if the President of the Senate appoints two from the Kankakee area and the Speaker of the House appoints two from the Kankakee area?"

Pangle: "We'll have too many people from the Kankakee area on the Commission, and I would imagine someone would have to resign their appointment, so we could get some from Wilmington and the other areas. I hope that there would be some communications prior to the appointments being made."

Vinson: "But you do admit that there is potential for a conflict in that because of the separated appointments and the separated qualifications?"

Pangle: "Yes, I would agree to that."

Vinson: "Now, Representative, is it your intention that this

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

66th Legislative Day

June 20, 1983

Commission will receive an appropriation?"

Pangle: "Yes, I am."

Vinson: "I beg your pardon."

Pangle: "Yes, hopefully."

Vinson: "Would you rather spend the money on the Commission than on Mental Health?"

Pangle: "Well, I... you know, I think that both are very important issues. We're not talking about spending a great deal of money on the Commission. I believe it's 5,000 dollars per year on the Commission."

Vinson: "Now..."

Pangle: "And we're not sure we would spend 5,000 dollars. The... the appropriation would be basically for out of... out of pocket expenses, and just for secretarial, a part-time situation."

Vinson: "Are you familiar with the community known as Deselm?"

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

Vinson: "Are you familiar with the community known as Deselm in Kankakee County?"

Pangle: "Yes."

Vinson: "Is that in the Kankakee area or the Wilmington area?"

Pangle: "LaSalle is in the Wilmington area."

Vinson: "And why is it in the Wilmington area rather than the Kankakee area?"

Pangle: "... over by LaSalle Peru and it curves over toward Wilmington."

Vinson: "I beg your pardon."

Pangle: "It goes through the Kankakee, and it goes up to Wilmington."

Vinson: "Well, isn't that community about halfway between Kankakee and Wilmington?"

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

Vinson: "Isn't that community about halfway between Kankakee and

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

66th Legislative Day

June 20, 1983

Wilmington?"

Pangle: "No."

Vinson: "Deselm is not... Deselm?"

Pangle: "Deselm, yes. Yes, it is."

Vinson: "It's about halfway between Kankakee and Wilmington?"

Pangle: "Yes."

Vinson: "Well, is it in the Kankakee area or the Wilmington area?"

Pangle: "Yes, it is."

Vinson: "The Kankakee or the Wilmington area? That was a true or false that you..."

Pangle: "I believe it's... actually, Deselm is up in the Manteno east area."

Vinson: "Well, could a resident from Deselm be appointed pursuant to the appointments authorized from the Kankakee area?"

Pangle: "I believe there's only about... I don't believe there's even a town of Deselm. I think they used to have a trading post there. I..."

Vinson: "You're saying that the community of Deselm doesn't matter?"

Pangle: "Well, if you want to know the honest truth... every... every area, even though it may not be in my district is important, as far as we're concerned with the Kankakee River."

Vinson: "Okay. Now, would a... would a resident of that community be appointed under the Kankakee authority or under the Wilmington authority?"

Pangle: "Kankakee, I would think. It would be... Deselm's more in Kankakee than it is Wilmington."

Vinson: "What about 'Richie'?"

Pangle: "Yeah, it also... it could be either one, Mr. Vinson."

Vinson: "It could be either one?"

Speaker Matijeovich: "That's halfway between somewhere and

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

66th Legislative Day

June 20, 1983

nowhere."

Vinson: "Well, it would... it would appear to me that you've got a real problem with this. Now, I think we ought create some legislative history on some of these other communities, don't you? What communities would be in the Mokence area?"

Pangle: "Well, you'd have... in the Mokence area, you would have Mokence. You would have Pembroke Township. You'd have St. Anne. You'd have 'Hopkins' Park. A lot of... I'd like to know your point, if I may."

Vinson: "Well, I just want to make sure that these various appointing authorities have clear legislative history on the qualifications of the people they have to appoint. I mean you do use the term Kankakee area, Wilmington area and Mokence area in the statute, don't you?"

Pangle: "Right."

Vinson: "Aren't you concerned about the vagueness of that?"

Pangle: "No, I'm not really."

Speaker Matijevich: "Let's kind of move along. We got about 400 hundred Bills on the Calendar."

Vinson: "Mr. Speaker, to the Bill."

Speaker Matijevich: "Yes, Representative Vinson."

Vinson: "I rise in opposition to the Bill, both because of the vagueness of the Bill, as it defines geographical areas and as it specifies appointments. But even more importantly, we are dealing with a very severe fiscal crunch in the State of Illinois. Now, one of the areas where we could save upwards of some five million dollars would be by abolishing legislative Commissions. If we are going to demonstrate the discipline to abolish Commissions during the appropriations process, we've got to demonstrate discipline now at this stage in the process not to create new Commissions. If we're going to go through the process

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

66th Legislative Day

June 20, 1983

of creating a new Commission, everybody... every time someone wants a press release or a campaign issue to run on, then what we're doing is we're driving a nail in the coffin of an extravagant tax increase for the State of Illinois. It's going to take 1.6 billion tax increase if we're going to give everybody their own particular Commission, their own particular pork barrel to rely on in this state. If we choose, instead, to discipline ourselves, not create extravagant new Commissions, expensive new Commissions and to control the expenses of government, then we can deal with a much smaller tax increase in the State of Illinois. We have no need for 1.6 billion dollars, if the General Assembly will demonstrate some self-discipline in the area of Commissions in the area of overhead budgets and so forth for state agencies. For those reasons, I rise in opposition to this new Commission and would suggest that anybody that votes for this new Commission is also, whether they want to or not, voting for a tax increase on the order of magnitude of 1.6 billion dollars for this state."

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

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

Speaker Matijevich: "Representative Wolf moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', those opposed 'no'. Those in favor vote 'aye', those opposed vote 'no'. It takes two-thirds. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 69 'ayes' 42 'nays', and the Motion fails. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Probably the Kankakee River has been as well

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

66th Legislative Day

June 20, 1983

studied as any other tributary of the great Mississippi River in this state. We don't need more studies. We don't need more Commissions. The reports are already there. All we need to do is to respond to the studies that are already made, cause the fact of the matter is that as recently as last year, a public meeting was held in the area. And the people didn't want more studies. They wanted action. And those who have looked at this problem, they know where the problem rests. The problem rests in the farm lands that are adjacent to the river. And, in fact, a study done by the United States Corps of Engineers looked at the question of the Kankakee River, not only in Illinois but into Indiana and rejected a program which was suggested there. So, not only do we not need the Commission for fiscal reasons, we do not need the Commission to pile another study on top of already existing studies. And it's for that reason, as well as the one mentioned previously by the Representative from DeWitt, that I stand in opposition to this Bill."

Speaker Matijevich: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. The Gentleman, the previous speaker said that this has been studied, studied, studied and studied, and maybe it has. It's been studied off the cuff, but it never really has been studied legitimately. Now, Gerry Joyce from Pangle's district has been trying to from this Commission for years. They're asking for an almost minuscule appropriation of 5000 dollars and promise that they don't even know whether they're going to spend it. I happen to come from a little town that Sam brought up a minute ago, Wilmington. Last year, Wilmington was inundated with water for almost two weeks. The ice had banked up down river toward Dresden, and there was water

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

66th Legislative Day

June 20, 1983

running over Route 66 or 53, as it's known now, about four foot deep. Now, we've never, ever, ever done a thing to try to eradicate that problem. And if you will remember back about four or five years ago where I stood on this very House floor - Sam, I wish you'd pay attention. Sam Vinson. Sam Vinson. I'm paying atten... I wish you'd pay attention. You remember about four years ago I stood on this very floor asking for some help from... from the Corps of Engineers in trying to get that ice knocked out of the river along Dresden where it was flooding all the people in the cottages. I happen to have a cottage right there, even though my cottage did not get flooded. But, nevertheless, I have sympathy for all the rest of those people. This is... This is costing those people in agony and in money millions and millions of dollars almost every year, and I can't see why anybody would oppose such a minor Bill which is so important to the people in that very area. I can't see any reason in the world why anybody wouldn't support this."

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

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

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

Hallock: "Do you have any idea as to how many rivers there might be in the State of Illinois?"

Pangle: "No, I certainly don't."

Hallock: "Well, I asked the question, because I come from a district, the City of Rockford, which has, within its boundaries alone, at least two major rivers, and surely, of course, we could have a study Commission as well to ponder the problems that may arise from that river as it comes through Wisconsin and on down to the Mississippi River. It

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

66th Legislative Day

June 20, 1983

would seem to me that every other district in our state has at least one major river and probably many more. If we were to establish a Commission for each river, do you have any idea what the cost might be for such a program?"

Pangle: "I didn't hear your last part. Sorry."

Hallock: "If we establish a Commission for each river that exists in Illinois, do you have any idea what probable cost we might entail by that idea?"

Pangle: "No, I certainly don't. I can only suggest to you, if you do have the rivers and you would like to propose a Commission that you recommended on the House floor. How many of your rivers that lead into your district are from another state that has dredged that river completely all the way through that state so it looks like a superhighway. Then when it gets into your district, it slows down, fills up, takes erosion away from all of the farmers along the side of the rivers, cause floods, tears out trees on sides of the river and completely fills it up with sediment from the Indiana line into Illinois?"

Hallock: "Well... All of them. All of the above. I would just say, Mr. Speaker, to the Bill..."

Speaker Matijevich: "Proceed."

Hallock: "... that his partial response to my question highlights the problem with this Bill itself. The numerous rivers in Illinois, many of which have problems - the one in my district, of course, has problems from time to time and has.. the problems may emanate from Wisconsin where the river comes. But it would seem to me that if we seek to establish a Commission for each river that we have in our state, we're talking about taking money away from education, and mental health and other laudible programs which won't be there, because we, in fact, have established Commissions for all rivers. I would suggest to the Sponsor

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

66th Legislative Day

June 20, 1983

of this Bill that if he has a local problem, study it locally, resolve it and deal with it in his community, not here in the General Assembly by way of spending state money. Thank you."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's obvious to me that we do have to study this problem in the Kankakee River; because, as I can see from our conversation here, there are a lot of unanswered questions. There's a lot of discussion on this Bill. So, it's obviously that there must be... there's a need for a Commission. I would even go as far as to recommend to Representative Pangle that he suggest to the Gentleman from DeWitt be appointed to this Commission so that he can brush up on his geography in the State of Illinois. This is a simple Bill. The cost of the Bill is one-eighth the salary of former Representative Bower, and I would recommend an 'aye' vote."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would rise in support of this Commission. The state can spend 50,000 dollars building a newspaper stand. I think we can afford 5000 dollars to study the Kankakee River."

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

Leverenz: "I move the previous question."

Speaker Matijevich: "Representative Leverenz moves the previous question. The question is, 'Shall the main question be put?'. Those in favor say 'aye', those opposed 'no', and the main question is put. The Gentleman from Kankakee, Representative Pangle, to close."

Pangle: "Thank you, Mr. Speaker. I agree with those of you on

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

66th Legislative Day

June 20, 1983

the other side who may have river problems within your district. I happen to be concerned about the problem that we have in Kankakee, and I think Senator Joyce has been concerned. I also agree that there has been other Commissions appointed, but most of them Commissions have been appointed three to six months prior to an election and has been a political tool and a political tool only. We're going to try to solve the problems by working with the State of Indiana with this Commission to solve the problems we have with the flooding, the problems with the sediment filling up the river. Kankakee River used to be a nice river to boat and fish on. You can't either do either one now. It's impassable. There's no fish. The Indiana dredging has completely ruined the Kankakee River. We're going to try to work with them to get this problem solved. Maybe something out of this Commission can be beneficial to you in your district with your river problems, and I sincerely would appreciate an 'aye' vote on this matter."

Speaker Matijevich: "Representative Pangle has moved for the passage of Senate Bill 3. The question is, 'Shall Senate Bill 3 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Koehler, one minute to explain her vote. Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I regretfully must rise in opposition to this piece of legislation, even though I do represent... I do... I do respect Representative Pangle's motives for... for sponsoring this legislation. However, he has a piece of legislation here that's going to cost the State of Illinois tax money; but, yet, he has no accompanying appropriation Bill. That means that later he is going to come back and ask for money for this Commission. But, yet, the Bill itself authorizes... The Commission may, without regard to

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

66th Legislative Day

June 20, 1983

the Personnel Code, employ and fix compensation for staff that it deems necessary or desirable. Now, I believe that this is a little lax and..."

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

Karpiel: "... and is not a good piece of legislation, even though he does have good motives for sponsoring it. And I agree with Representative Hallock that this should be handled locally, rather than at the state level. Thank you."

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

Leverenz: "Thank you, Mr. Speaker. Certainly, the money will be made available as was in Senate Bill 278. For the Representative on the other side, we'll make sure the money is there. Furthermore, the work that the Gentleman here... that he is proposing this Commission in one vote or one Amendment definitely has saved, through his work and the Appropriations Committee, ten times over this. So, I would ask that you would give consideration in a positive way to his idea. And to those who stand up and say, 'We'll have one for every river in the state', I suggest you just forgot about taking care of yourself. Thank you."

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

Zwick: "Thank you, Mr. Speaker, Members of the House. In all candor, I must admit that I never really questioned whether or not you would find an appropriation for this Bill. I knew that somehow you would. We now have almost one Commission for every Member of the General Assembly. We're getting very close. My last statistic showed about eight and a half million dollars that we spend on Commissions in the State of Illinois. Now, I think this vote is truly symbolic of the commitment on the part of this General Assembly to cut expenses. Are we going to make those hard

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

66th Legislative Day

June 20, 1983

decisions that all of us have been going out to the media with all kinds of rhetoric on on how we're going to increase money for education and all of those things that are our top priority items theoretically?"

Speaker Matijevich: "Lady bring her remarks to a close."

Zwick: "Top priority is not supposed to be Commissions for our own districts. Top priority is supposed to be very substantive issues, and this is not one of them. In better times, I would have no problem with something like this. Buy anyone who is voting for this..."

Speaker Matijevich: "Have all voted?"

Zwick: "... better consider it when they vote on the income tax."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 69 'ayes', 44 'nays', 1 voting 'present', and Senate Bill 3, having received the Constitutional Majority, is hereby declared passed. Senate Bill 10, Representative Ewing. The Clerk will read the Bill. Is Representative Ewing on the floor? Representative Ewing? Take... Take the Bill out of the record. Now we're going to return to try to bring some Bills back from Third Reading, Short Debate. On page five appears Senate Bill 467, Wolf. Do we have leave to return Senate Bill 467 back to the Order of Second Reading for the purpose of Amendment? Leave. Clerk will read the Amendment."

Clerk Leone: "Amendment #1, Cullerton, amends Senate Bill 467 on page two and so forth."

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

Cullerton: "Yes, this is really a technical Amendment. The Bill amends the Hazardous Material Transportation Act providing for immunity for those assisting in hazardous waste cleanup, and the Amendment just adds the language that makes it clear that the immunity would only apply for those

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

66th Legislative Day

June 20, 1983

actions growing out of such assistance or advice that would be provided. And I would ask for the adoption of the Amendment."

Speaker Matijevich: "Representative Cullerton has moved for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain on the Order of Short Debate. Leave, and the Bill will remain on Short Debate. On page... Senate Bill 1070... Representative McAuliffe, would you want to come up here for a moment? 1104, Representative Wolf, on page 12. Leave that we return this Bill back to the Order of Second Reading for the purpose of Amendment. Leave, and the Bill is on Second Reading. The Clerk will read the Amendment."

Clerk Leone: "Amendment #2, Cullerton, amends Senate Bill 1104 as amended."

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

Cullerton: "Yes, this is a recommendation by the Motor Vehicles Law Commission. We had earlier, on Amendment #1, put in a period of 12 months in which one would have to have violated this particular Section to have your license suspended. We have now, with this Amendment, making that over a broader period of time, making it three years. So, I move for the adoption of the Amendment."

Speaker Matijevich: "Cullerton has moved for the adoption of Amendment #2 to Senate Bill 1104. All in favor... On that, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

McCracken: "Representative Cullerton, I don't understand it. Is it violations which occur within any three-year period now?"

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

66th Legislative Day

June 20, 1983

Is that it?"

Cullerton: "That's correct, as opposed to any one-year period."

McCracken: "And... And so it's three violations within three years for the Act to be effective or operative."

Cullerton: "Right. Right. The way the Bill was originally drafted there was no time period at all so that over a 40-year period the third time you passed a school bus you'd lose your license, even if it's over 40 years. Well, so my initial Amendment #1 said make it over a 12-month period. The Motor Vehicle Laws Commission people asked that I expand that to a three-month period... three-year period, and I agreed."

McCracken: "Thank you."

Speaker Matijevich: "No further discussion, Representative Cullerton moves for the adoption of Amendment. All in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends Senate Bill 1104..."

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

Cullerton: "Yes. I would ask to withdraw Amendment #3."

Speaker Matijevich: "Representative Cullerton asks leave to withdraw Amendment #3. Leave, and Amendment is withdrawn. Further Amendments?"

Clerk Leone: "Amendment #4, Cullerton, amends Senate Bill 1104 on page four and so forth."

Speaker Matijevich: "Representative Cullerton on Amendment #4."

Cullerton: "I would ask to withdraw Amendment #4."

Speaker Matijevich: "Leave to withdraw Amendment #4. Leave? It is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain

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

66th Legislative Day

June 20, 1983

on the Order of Short Debate. Leave, and the Bill will so remain. Senate Bill 1052, Klemm. Clerk... Leave that this Bill be returned to the Order of Second Reading for the purpose of Amendment. Leave, and the Clerk will read the Amendment."

Clerk Leone: "Amendment #1, Klemm, amends Senate Bill 1052 on page one and forth."

Speaker Matijevich: "Gentleman from McHenry, Representative Klemm, on Amendment #1."

Klemm: "Thank you, Mr. Speaker. Amendment #1 simply adds and leave in the Bill the Statute of Limitations of two years, which I promised the Committee I would do, and I ask for the adoption."

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

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave that this Bill remain on the Order of Short Debate. Leave, and the Bill remains on Short Debate. Senate Bill 1147, Terzich. Leave that this Bill be returned to the Order of Second Reading for the purpose of Amendment. Leave. Clerk will read the Amendment."

Clerk Leone: "Amendment #2, Preston, amends Senate Bill 1147 as amended."

Speaker Matijevich: "The Gentleman from Cook, Representative Preston, on Amendment #2."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 was a Bill that flew out of the House and, unfortunately, died in the Senate for lack of a Senate Sponsor. It's very noncontroversial. The Bill simply amends the Downstate Police Pension Board Act to permit that the four quarterly meetings of downstate police

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

66th Legislative Day

June 20, 1983

pension boards, which are now required to meet on the second Tuesday of the months of January, April, July and October, I believe it is, rather than requiring them to meet only on the second Tuesday of the month, they can meet any day of that month that is agreed to by that individual board. This permits individuals who want to attend pension board meetings of various downstate police boards to do so. Right now, they can't since they all meet on the same evening."

Speaker Matijevich: "Representative Preston has moved..."

Preston: "And I move for the adoption."

Speaker Matijevich: "... for the adoption of Amendment #2. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, will the Gentleman yield for a question?"

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

Vinson: "On page one of your Amendment, lines 13 through 19, would you explain what the thrust of that is?"

Preston: "Representative, can you repeat your question, please?"

Vinson: "Yes. On page one of your Amendment, lines 13 through 19, would you explain what the thrust of that is?"

Preston: "This talks about the reserve requirement of the various police pension boards and deletes the... the language there that talks about the 10,000 dollar minimum for those reserves. Representative Vinson, as you may recall when this Bill came up, I think it passed the House, I believe, with 9 'no' or 'present' votes on it, and the rest were... It flew out of there. There was ... The Bill was supported by the State Police... I think it's Lodge 41 of the Fraternal Order of Police, by the Cook County Patrolmen's Association and on and on."

Vinson: "My question really is does the amount of reserve, is it increased or decreased by this Amendment?"

Preston: "In dollar amounts, I'm not sure it makes any difference

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

66th Legislative Day

June 20, 1983

by virtue of this Amendment. I think the idea was to take the 10,000 dollar amount off to increase, in the in futuro, the reserve requirement so that it could not be decreased any further than it has been in some of the pension boards. The dollar effect of that is presently minimal. I think it has a prospective view."

Vinson: "I'm not sure what that answer meant. Would you give that to me one more time?"

Preston: "Yes. Right now I don't believe that there is any... that this makes any change in the present reserve requirement. I think the reason for this - many of the downstate pension... police pension boards are very underfunded. This... The purpose of this is to see that there are no further... there's no further deterioration in the funding of it, but it has, I believe, currently no fiscal impact on those boards whatsoever. It's something to see to it that there is not any detriment to those funds from today on."

Vinson: "No further questions."

Speaker Matijevich: "The Gentleman from Versillion, Representative Stuffle."

Stuffle: "Yes, will the Sponsor yield to a question? Representative Preston, I heard Representative Vinson's questions. Two questions to you. I can't find the Amendment, number one. But the question, number one, is does this change the actuarial valuation regarding the agreement that was made here some years ago - I think that's what Sam was getting at - concerning the amortization over, I believe, forty years for the pension funds... the downstate pension funds, the amount that has to be annually put in?"

Speaker Matijevich: "No, it does not. That... My belief is that it does not touch that at all. That was never brought up

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

66th Legislative Day

June 20, 1983

to me at all."

Stuffle: "Second question. I think I heard you indicate that this is the same with regard to the pension fund monthly meetings as the Bill you passed. What is the position of the other police groups on this Amendment so we'll know; FOP, PBNPA, IPA?"

Preston: "When it came up in Committee the second time, there was no... I hesitate to say something that I may not be sure of. I know that the State Troopers Lodge, the Fraternal Order of Police testified in favor of this Bill. I know that the Cook County Patrolmen's Association testified in favor of this Bill. The first time it was up, I believe one of the FOP lodges was opposed to it, and then withdrew their opposition, I believe, when it was called up the second time and after it was explained. That's my..."

Stuffle: "Well, the Patrolmen's Lodge isn't affected by it anyway. So, I'm not too concerned about them. My concern is with those, particularly with the Police Benevolent and Protective and the IPA that represent most of the downstate pension fund cities, in terms of their community police, what their position is on this Amendment."

Preston: "I... I don't know what their... what the latest position that they have on it is. I can only tell you this, Representative, that this Bill is purely and simply in favor of police officers throughout this state who are members of any of the downstate police pension systems. That's the whole purpose of the Bill is to benefit the police officer. And the... allowing... Changing the meeting date to any date of those four months that the board itself determines they should have their meeting, enables you, Representative Stuffle, if you desire, to attend more than one pension board... board meeting. Right now, under present law, since they all must meet

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

66th Legislative Day

June 20, 1983

throughout the state on the second Tuesday of the month, you have to take your pick of which one you want to go to, because they all meet the same day, the same time. With this, you can go to any pension boards you may want to. And, indeed, some of the Patrolmen's Association's want to attend pension board meetings of Evanston, of Wheeling, of Peoria, of various downstate police pension boards. So, it's strictly for the benefit of police officers and does... has very little impact other than that."

Stuffle: "Can you find out, before Third Reading for us, where those groups stand on the Amendment so we'll know?"

Speaker Matijeich: "Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I just wanted to answer a question that Representative Stuffle asked. The Fraternal Order of Police and the Policemen's Benevolent Association is opposed to the Bill, and they still are opposed to it."

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

Terzich: "Well, according to the Pension Laws Commission, we did meet on this Bill, and the Pension Laws Commission did not have any objections to the funding method as alluded by Representative Stuffle. It just brings it in line. As a matter of fact, that probably could be excluded because of their forty year funding requirement. As far as the other portion, it simply removes that the quarterly board meetings be held on the second Tuesday of the month. Other than that, they have really... it has no fiscal impact and; therefore, they recommend that it be approved."

Speaker Matijeich: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker. I'd just ask for a favorable Roll Call."

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

66th Legislative Day

June 20, 1983

Speaker Matijevich: "Representative Preston has moved for the adoption of Amendment #2. Those in favor say 'aye', those opposed say 'no', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Terzich, amends Senate Bill 1147 as amended."

Speaker Matijevich: "Representative Terzich on Amendment 3."

Terzich: "Yes, Mr. Speaker, Members of the House, Amendment #3, this Amendment replaces Amendment #1 which contained some technical drafting errors, and it simply revises the provision concerning the requirements for annual actuarial statements."

Speaker Matijevich: "Representative Terzich moves for the adoption of Amendment #3. If there's no discussion, those in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Senate Bill 1239... Leave that this Bill remain on the Order of Short Debate. Leave, and the Bill will remain on Short Debate. Senate Bill 1239. Jaffe asks leave that this Bill be returned to the Order of Second Reading for the purpose of Amendment. Leave, and the Bill is on Second Reading. The Clerk will read the Amendment."

Clerk Leone: "Amendment #1, Cullerton, amends Senate Bill 1239 as amended."

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

Cullerton: "Yes, this Amendment, I believe, was agreed to in the Committee. It takes out the nonprobationable language, and I would move for the adoption of Amendment #1."

Speaker Matijevich: "Representative Cullerton moves for the adoption of Amendment #1. Representative Friedrich, are you on this Amendment or... No? I'm going to call you

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

66th Legislative Day

June 20, 1983

right after this. There's no discussion. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1239 as amended."

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

Cullerton: "Yes, this is also a technical Amendment..." It takes out the nonprobationable language, and I would move for the adoption of Amendment #1."

Speaker Matijevich: "Representative Cullerton moves for the adoption of Amendment #1. Representative Friedrich, are you on this Amendment or... No? I'm going to call you right after this. There's no discussion. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1239 as amended."

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

Cullerton: "Yes, this is also a technical Amendment..."

Speaker Matijevich: "Representative Cullerton moves for the adoption of Amendment #2. Those in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading, and leave that this Bill remain on the Order of Short Debate. Leave, and the Bill will remain on Sho... the Order of Short Debate. Gentleman from Marion, Representative Friedrich, for the purpose of an announcement."

Friedrich: "Mr. Speaker, Members of the House, I would like to ask the Republicans to go immediately to room 118 upon adjournment for a short conference."

Speaker Matijevich: "Republicans are asked to go to room 118 for

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

66th Legislative Day

June 20, 1983

a Republican conference immediately after adjournment. Announcement, Representative Pierce, Chairman of the task force. Representative from Lake, Representative Pierce."

Pierce: "Thank you, Mr. Speaker. The Speaker's Task Force on Taxation will meet immediately upon adjournment in the Speaker's Office. That's for the Democratic Members this time."

Speaker Matijevich: "Representative Woods Bowman and Representative Leverenz announce for the Members of the Appropriations Committee that their annual get together is immediately after adjournment. Right, Leverenz?"

Leverenz: "The Appropriations soiree. That's correct."

Speaker Matijevich: "And Woods Bowman."

Bowman: "Fallingbrook."

Speaker Matijevich: "Representative Richmond, for what purpose do you seek recognition? Richmond."

Richmond: "Thank you, Mr. Speaker. To request the waiving of the appropriate posting rules in order that Senate Joint Resolution 35 may be heard in Ag Committee in a special two minute session immediately following adjournment tomorrow afternoon."

Speaker Matijevich: "Leave that House (sic - Senate) Joint Resolution... suspend the appropriate rule and use the Attendance Roll Call so that House (sic - Senate) Joint Resolution 35 be held immediately after adjournment tomorrow in Room 122-B. Does he have leave? Leave, and the Attendance Roll Call will so journalize. Representative DiPrima, can we hold that till tomorrow? Everybody's anxious to leave. The Majority Leader, Representative Jim McPike."

McPike: "Thank you, Mr. Speaker. I move the House stands adjourned until tomorrow at the hour of 9:00 a.m."

Speaker Matijevich: "Representative McPike moves for the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
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adjournment of the House until 9:00 a.m., and the House
does now stand adjourned until 9:00 a.m. tomorrow morning.
Good day."

01/04/84
10:35

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

PAGE 1

JUNE 20, 1983

SB-0002	THIRD READING	PAGE	166
SB-0003	THIRD READING	PAGE	169
SB-0026	RECALLED	PAGE	123
SB-0026	MOTION	PAGE	130
SB-0086	RECALLED	PAGE	96
SB-0089	SECOND READING	PAGE	3
SB-0125	RECALLED	PAGE	136
SB-0149	RECALLED	PAGE	122
SB-0152	SECOND READING	PAGE	67
SB-0174	RECALLED	PAGE	139
SB-0188	RECALLED	PAGE	140
SB-0201	RECALLED	PAGE	97
SB-0208	RECALLED	PAGE	99
SB-0244	RECALLED	PAGE	100
SB-0249	RECALLED	PAGE	103
SB-0286	THIRD READING	PAGE	160
SB-0315	RECALLED	PAGE	102
SB-0332	SECOND READING	PAGE	68
SB-0356	RECALLED	PAGE	141
SB-0434	THIRD READING	PAGE	162
SB-0440	SECOND READING	PAGE	68
SB-0467	RECALLED	PAGE	181
SB-0490	THIRD READING	PAGE	163
SB-0504	RECALLED	PAGE	141
SB-0517	RECALLED	PAGE	105
SB-0522	SECOND READING	PAGE	69
SB-0532	SECOND READING	PAGE	4
SB-0547	SECOND READING	PAGE	26
SB-0559	RECALLED	PAGE	142
SB-0588	RECALLED	PAGE	143
SB-0598	SECOND READING	PAGE	69
SB-0621	SECOND READING	PAGE	70
SB-0632	SECOND READING	PAGE	72
SB-0677	RECALLED	PAGE	65
SB-0690	SECOND READING	PAGE	72
SB-0690	OUT OF RECORD	PAGE	80
SB-0749	RECALLED	PAGE	153
SB-0774	SECOND READING	PAGE	27
SB-0774	HELD ON SECOND	PAGE	37
SB-0786	SECOND READING	PAGE	37
SB-0786	HELD ON SECOND	PAGE	37
SB-0788	SECOND READING	PAGE	81
SB-0833	SECOND READING	PAGE	83
SB-0838	RECALLED	PAGE	145
SB-0919	RECALLED	PAGE	105
SB-0938	SECOND READING	PAGE	39
SB-0943	SECOND READING	PAGE	39
SB-0951	SECOND READING	PAGE	40
SB-1002	SECOND READING	PAGE	52
SB-1011	SECOND READING	PAGE	42
SB-1011	HELD ON SECOND	PAGE	43
SB-1017	SECOND READING	PAGE	43
SB-1027	RECALLED	PAGE	146
SB-1031	SECOND READING	PAGE	84
SB-1031	HELD ON SECOND	PAGE	86
SB-1035	SECOND READING	PAGE	46
SB-1052	RECALLED	PAGE	184
SB-1057	SECOND READING	PAGE	47
SB-1057	HELD ON SECOND	PAGE	52
SB-1062	SECOND READING	PAGE	86
SB-1075	SECOND READING	PAGE	86
SB-1075	OUT OF RECORD	PAGE	89
SB-1088	SECOND READING	PAGE	53
SB-1104	RECALLED	PAGE	182
SB-1106	SECOND READING	PAGE	53

01/04/84. 6
10:35

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

PAGE 2

JUNE 20, 1983

SB-1107	SECOND READING	PAGE	54
SB-1116	SECOND READING	PAGE	54
SB-1121	SECOND READING	PAGE	89
SB-1123	SECOND READING	PAGE	91
SB-1147	RECALLED	PAGE	184
SB-1173	SECOND READING	PAGE	55
SB-1174	SECOND READING	PAGE	57
SB-1185	RECALLED	PAGE	113
SB-1199	SECOND READING	PAGE	89
SB-1199	SECOND READING	PAGE	91
SB-1199	OUT OF RECORD	PAGE	90
SB-1211	SECOND READING	PAGE	57
SB-1211	HELD ON SECOND	PAGE	57
SB-1232	RECALLED	PAGE	154
SB-1234	SECOND READING	PAGE	62
SB-1237	SECOND READING	PAGE	58
SB-1239	RECALLED	PAGE	189
SB-1256	SECOND READING	PAGE	59
SB-1257	SECOND READING	PAGE	59
SB-1257	HELD ON SECOND	PAGE	59
SB-1269	SECOND READING	PAGE	90
SB-1312	RECALLED	PAGE	164
SB-1318	SECOND READING	PAGE	92
SB-1319	RECALLED	PAGE	117
SB-1332	SECOND READING	PAGE	60
SB-1332	HELD ON SECOND	PAGE	61
SB-1333	RECALLED	PAGE	159
SB-1336	RECALLED	PAGE	157
SB-1348	SECOND READING	PAGE	94
HJR-0062	ADOPTED	PAGE	17

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - REVEREND OPHILIS MCCOY	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
SPEAKER MADIGAN IN CHAIR	PAGE	17
CONSUL GENERAL OF ITALY - DR. CLAUDIO FERRARI	PAGE	18
REPRESENTATIVE GREINAN IN CHAIR	PAGE	46
REPRESENTATIVE MATIJEVICH IN CHAIR	PAGE	125
ADJOURNMENT	PAGE	192