

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

75th Legislative Day

June 29, 1983

Speaker Matijevich: "The House will come to Order, and Speaker Madigan welcomes everybody to today's Session. The chaplain for today will be Reverend Paul E. Flesner, pastor of Grace Lutheran Church in Springfield. Reverend Flesner is a guest of Representative Michael Curran. Will the guests in the gallery please rise and join us for the invocation?"

Reverend Flesner: "Let us bow our heads in prayer. Almighty God, we give you thanks for a gift of a new day with the time to confront the opportunities and the challenges you lay before us. As the time allotted for our work is growing short, we pray for your guidance. We ask it in humility, knowing that we want to do with what you have given us, the gift of this world, the best we possibly can. Oh, God, we also offer before you the prayers of our own souls, people who are part of our lives who we remember in our hearts before you, who may need your comfort, who may need your strength. Hear these, our petitions, oh, God, and whatever else you see that we need, we pray in your name. Amen."

Speaker Matijevich: "Remain standing as we are led in the Pledge of Allegiance by Representative Gordon Ropp."

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

Speaker Matijevich: "Roll Call for Attendance. Clerk will take the record, and there's full attendance today. The Body will give the... give us your complete attention. We are going to move to the Order of Nonconcurrency on page 8. Before I do that, I would like all of those who have Motions to Nonconcur on the Order of Concurrence, if you wish to nonconcur with House Bill... your House Bill on

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page 2, 3, 4, 5, 6 and 7 and there's two on page 8, on all of those Bills if you are desirous of nonconcurring, please come to the well and let the Clerk know about that. That will expedite the business of the House. We will now go to the Order of Nonconcurrency on... oh, that's right. Before we go to the Order of Nonconcurrency, Agreed Resolutions. Clerk will read the Resolutions."

Clerk O'Brien: "House Joint Resolution 67, Daniels. House Resolution 434, Mulcahey - Nash - Taylor, et al. 436, Pangle. 437, Giorgi. 439, Madigan. 440, Krska. 441, Greiman. 442, Greiman. 443, Van Dwyne - Christensen."

Speaker Matijevec: "Rep... The Gentleman from Winnebago, Representative Giorgi on the Agreed Resolutions."

Giorgi: "Mr. Speaker, Minority Leader Daniels Resolution 67 concurs with the goals and structure of a private foundation in Illinois for the preservation of our natural cultural heritage. 434, by Mulcahey, tells us that Bullock is running for Congress. 436, by Pangle, talks about a 4-H camp open cross country trip. Giorgi - Panayotovich Resolution talks about the sad state of the steel industry. 439 by Madigan, honors the Trinity Lutheran Church hundred twenty-fifth anniversary. Krska's 440 honors a golden wedding anniversary. 441 by Greiman, dedicates the Arnie Levin Center at Middletown School. 442 by Greiman, notes an eightieth birthday. And Van Dwyne's 443 recognizes the contribution Illinois Water-related Growth of the State of Illinois. Move for the adoption of the Agreed Resolutions."

Speaker Matijevec: "Gentleman from Winnebago, Representative Giorgi, has moved for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 435, McGann, et al. House

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Resolution 438, Giglio."

Speaker Matijevich: "Speaker's Table... or Committee on Assignments, rather. On page 8 of your Calendar, the Order of Nonconcurrency. We are going to go right down the Order of Nonconcurrency. In the sixth... the first Bill on that list is Senate Bill 83. Is Representative Shaw in the chamber? Does he want to proceed?"

Shaw: "Yes, Mr. Speaker. I would like to nonconcur, and send this Bill back to Conference Committee."

Speaker Matijevich: "The Gentleman moves to refuse to recede to Senate... House Amendment #1 to Senate Bill 83, and asks for a Conference Committee. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will."

Vinson: "Representative, what does the Bill do, and what did the Senate do to the Bill that causes you to want to seek the Conference Committee?"

Shaw: "This is a Bill that only affects Chicago, dealing with microfilm, and there's, I understand, a technical change that has to be made on the Bill, and this... have to do with keep... with the Board of Education of Chicago keeping records on microfilm."

Vinson: "Is it your intention, in the Conference Committee, to just make that technical change and nothing else?"

Shaw: "Beg your pardon?"

Vinson: "Is your only intention in the Conference Committee to deal with that technical change?"

Shaw: "That's my only... that's my only intention."

Vinson: "Thank you."

Speaker Matijevich: "We'll be at ease... be at ease for one moment. Representative Shaw has moved to refuse to recede

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from House Amendment #1 to Senate Bill 83. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is... No. All in favor say 'aye', all opposed say 'no', and the Motion prevails, and the House does refuse to recede from House Amendment #1 to Senate Bill 83. Oh, no, it was a voice vote. Senate Bill 89, Gentleman from Vermilion, Representative Stuffle. Representative Stuffle."

Stuffle: "Yes, with regard to Senate Bill 89, there is at this point a deadlock on this, so I would move that we refuse to recede from our Amendment and send the Bill to a Conference Committee."

Speaker Matijevich: "Representative Stuffle has moved to refuse to recede from House Amendments #1 and 2 to Senate Bill 89, and requests the appointment of a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does refuse to recede from House Amendments 1 and 2 to Senate Bill 89, and a Conference Committee shall be appointed. House... Senate Bill 98, Gentleman from Lake, Representative Pierce, here? Out of the record. Senate Bill 186, Woods-Bowman. Is Woods Bowman here? Leave to return to these two Bills. The Members are off the floor. Representative Hensel, are you seeking attention? No, alright. Senate Bill 208, Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. I move to recede House Amendment #2 to Senate Bill 208, and ask for a favorable vote."

Speaker Matijevich: "The Gentleman moves to recede from House Amendment #2 to Senate Bill 208. Is there discussion? Representative Brummer."

Brummer: "Yes, could the... could the Gentleman indicate what this Amendment does?"

Hensel: "The Amendment #2 that was put on in the House removes

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where it says with the county within which the township is located or with one or more incorporated municipalities lying wholly or partly within the boundaries of such township. What it does, it puts it back into the state that it came from the Senate. The only thing that is left on that we put on is the front door referendum."

Brummer: "The Senate, I understand, concurred in the Amendment #3, is that correct?"

Hensel: "That's correct."

Brummer: "And why do you want to refuse to recede from Amendment #2... I'm sorry, you are moving to recede?"

Hensel: "Yes."

Brummer: "So this will be final passage then?"

Hensel: "Yes."

Brummer: "Okay, what... could you explain again Amendment #2 and since this is final passage, briefly the Bill then that will go to the Governor's desk if we recede?"

Hensel: "That's correct. The Amendment removes the portion where it puts back the Sheriff's Police that they can contract with and eliminates the counties and municipalities. They felt that that's the way they wanted it. It will help in Dupage County presently, and in the event that we need to put better wording into it, we can put in another Bill later, and I'd just as soon get it passed so that we can use it presently."

Brummer: "And briefly, what will the Bill do then, as it goes to the Governor's desk?"

Hensel: "It will be in the form that it came in with the... stating that the... let's see. The county sheriff within the township located will be furnished the police protection. Why they wanted to eliminate the counties and municipalities, I'm not sure?"

Brummer: "Okay, you go along with it though?"

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Hensel: "Yes, at this time."

Brummer: "Okay, thank you very much."

Speaker Matijevich: "Representative Hensel moves to recede from House Amendment #2 to Senate Bill 208. The question is, 'Shall the House recede from House Amendment #2 to Senate Bill 208?' Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 107 'ayes', no 'nays'... Preston 'aye'. 108 'aye', no 'nays', 1 voting 'present', and the House does recede from House Amendment #2 to Senate Bill 208. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 219, the Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I move to not recede from Amendment #1, 2, 3 and 4 to Senate Bill 219."

Speaker Matijevich: "Representative Oblinger moves to refuse to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 219, and requests the appointment of a Conference Committee. Is... if there is no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House does refuse to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 219, and a Conference Committee will be appointed. Senate Bill 228. Is Fanayotovich on the floor? House Bill 244, Barger. Gentleman from Dupage, Representative Barger."

Barger: "I move to non-recede on Senate Bill 244."

Speaker Matijevich: "You're asking for a Conference..."

Barger: "And ask for a Conference Committee."

Speaker Matijevich: "One moment. Representative Barger moves to refuse to recede from House Amendment #2 to Senate Bill 244, requests the appointment of a Conference Committee. Being no discussion, all in favor say 'aye', opposed 'nay'."

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The Motion prevails. The House does refuse to recede from House Amendment #2 to Senate Bill 244, and a Conference Committee will be appointed. House Bill 272, the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I move that the House not recede from House Amendment #1 to Senate Bill 272. This was an Amendment suggested by the Senate Sponsor, but was a mistake. We adopted it, and I've been assured that the only purpose of the Committee is to correct that error."

Speaker Matijeich: "Representative McCracken moves to refuse to recede from House Amendment #1 to Senate Bill 272, and that a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails. The House does refuse to recede from House Amendment #1 to Senate Bill 272, and a Conference Committee will be appointed. Senate Bill 437, the Lady from Cook, Representative Topinka."

Topinka: "Yes, Mr. Chairman and Ladies and Gentlemen of the House, I would move that we refuse to recede from Senate Bill 437 for Amendment #2. This is the parental responsibility for teenage drinking Bill. I think our Amendment puts the Bill into better order than the Senate Amendment. They disagree, and I would ask that a Conference Committee be appointed."

Speaker Matijeich: "Representative Topinka moves that the House refuse to recede from Senate... House Amendment #2 to Senate Bill 437, and that a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does refuse to recede from House Amendment #2 to Senate Bill 437, and a Conference Committee will be appointed. Senate Bill 440, the Gentleman from Dupage, Representative McCracken."

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McCracken: "Thank you, Mr. Speaker. I move that the House not recede from House Amendment #1 to Senate Bill 440. The State's Attorney from Cook County has become involved in negotiations. We are trying to satisfy his legitimate concerns on this Bill. We need the Conference Committee for that limited purpose."

Speaker Matijevich: "The Gentleman from Dupage has moved that the House refuse to recede from House Amendment #1 to Senate Bill 440, and that a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House refuses to recede from House Amendment #1 to Senate Bill 440, and a Conference Committee will be appointed. Senate Bill 459. Is Representative Nash here? Out of the record. Senate Bill 849, Representative Keane, Jim Keane. Out of the record. Leave to return back to 228, Panayotovich. Leave. On Senate Bill 228, the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendments #1 and 2... refuse to recede, I'm sorry, to Senate Bill 228, Amendments 1 and 2, and I ask for a Conference Committee."

Speaker Matijevich: "Gentleman from Cook, Representative Panayotovich has moved to refuse to recede from Senate... House Amendments 1 and 2 to Senate Bill 228, and asks for a Conference Committee. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker. Will the Gentleman yield for a question?"

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

Vinson: "Representative, what is the problem with House Amendments 1 and 2?"

Panayotovich: "I didn't care for them. Changed the Bill too much

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for me."

Vinson: "You don't like those? You don't like those?"

Panayotovich: "The Senate didn't like them."

Vinson: "What's your position on those?"

Panayotovich: "I love them."

Vinson: "And you want to bring back... you want to get House Amendment #2 out of the Conference Committee?"

Panayotovich: "Pardon, Sir?"

Vinson: "You want to make... be sure that the... that House Amendment #2 is included in the Conference Committee Report?"

Panayotovich: "Yes, Sir."

Vinson: "What else do you want included in that Conference Committee Report?"

Panayotovich: "Whatever else is necessary, Sir."

Vinson: "Thank you."

Panayotovich: "You are very welcome this early in the morning."

Speaker Matijevich: "The Gentleman has moved to refuse to recede from House Amendments 1 and 2 to Senate Bill 228, and requests the appointment of a Conference Committee. All in favor say 'aye', opposed say 'no', and the Motion prevails, and the House does refuse to recede from House Amendments 1 and 2 to Senate Bill 228. And a Conference Committee will be appointed. Senate Bill 923, the Lady from Sangamon, Representative Oblinger. Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I guess I'm not going to recede."

Speaker Matijevich: "You are refusing?"

Oblinger: "I think."

Speaker Matijevich: "Alright. Representative Oblinger has moved to refuse to recede from House Amendment #1 to Senate Bill 923, and requests appointment of a Conference Committee."

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There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede from House Amendment #1 to Senate Bill 923, and a Conference Committee will be appointed."

Oblinger: "Mr. Speaker, be sure to have the band-aids ready for me, will you please?"

Speaker Matijevich: "We'll do our best. Senate Bill 972, the Gentleman from Winnebago, Representative Giorgi. Representative Giorgi on 972."

Giorgi: "Mr... I move that we refuse to recede from House Amendment #1 so they can go into Conference Committee."

Speaker Matijevich: "Representative Giorgi moves to refuse to recede from House Amendment #1 to Senate Bill 972, requests appointment of a Conference Committee. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, will the Gentleman yield?"

Speaker Matijevich: "Yes, Representative... Proceed."

Vinson: "Representative, why... why shouldn't we recede on #1?"

Giorgi: "Why... why... I'm asking you to recede."

Speaker Matijevich: "You are asking to refuse to recede."

Giorgi: "I'm asking you to help me refuse to recede."

Vinson: "Yes, but I'm saying why... why shouldn't we recede?"

Giorgi: "We had differences with the Senate, and they won't take... they won't accept the Amendment."

Vinson: "Well, that's right. Why don't... why don't we just recede?"

Giorgi: "It defines senior citizens, and not to their satisfaction."

Vinson: "It what?"

Giorgi: "It defines senior citizens and the threshold qualifications needed for the scholarship program."

Vinson: "Alright."

Speaker Matijevich: "Gentleman has refused to recede from House

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Amendment #1 to Senate Bill 972, requests appointment of a Conference Committee. All in favor say 'aye', opposed 'no'. The Motion prevails and the House refuses to recede from House Amendment #1 to Senate Bill 972. House Bill... Senate Bill 1064, McAuliffe. Is Representative McAuliffe in the chamber? Out of the record. Senate Bill 1211, Cullerton. Gentleman from Cook, Representative Cullerton. Out of the record. Leave to return it. Senate Bill 1222, Cullerton, out of the record. Senate Bill 1313, Farley. Is Representative Farley ready with that? Out of the record. Representative Woods Bowman is here on Senate Bill 186. 186, the Gentleman from Cook, Representative Woods Bowman."

Bowman: "Yes, thank you, Mr. Speaker. On House Amendment #1 to Senate Bill 186, I would ask the House to refuse to recede and have a Conference Committee appointed."

Speaker Matijevich: "Representative Bowman has moved to refuse to recede from House Amendment 1 to Senate Bill 186, and asks for a Conference Committee. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, will the Gentleman yield?"

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

Vinson: "Representative, why don't you want to recede on House Amendment #1?"

Bowman: "Well, I think it's a pretty good Amendment. You do have the Amendment in front of you?"

Vinson: "I beg your pardon?"

Bowman: "Do you happen to have the Amendment in front of you?"

Vinson: "Yes."

Bowman: "Don't you think it's a pretty good Amendment too?"

Vinson: "Well, I'm asking you."

Bowman: "Well, I think it's a pretty good Amendment."

Vinson: "What do you think is preferable about it to the Bill

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itself?"

Bowman: "Well, the... I would just as soon sit down with all the interested parties and discuss this."

Vinson: "Mr. Speaker, to the Motion. I would rise in opposition to the Gentleman's Motion. The effect of House Amendment #1 is to limit short term borrowing on GRF... as a percentage of GRF appropriations. The limitation is smaller than the Senate's limitation. Now, the Senate's limitation, which was larger, would have virtually prohibited GRF borrowing in Fiscal Year 1984. We are in a position, coming into the last days of the Session, where we do not know how we are going to pay the state's obligations."

Speaker Matijevich: "One moment... one moment. The Gentleman from Cook, Representative Bowman."

Bowman: "Well, the Amendment that the Gentleman is opposing or the Amendment that the Gentleman would like to have taken off was one that was offered by Representative Karpel, the Minority Spokesman of the Executive Committee. I think we ought to take this out of the record a little bit and get our signals straight before proceeding. Why don't we do that?"

Speaker Matijevich: "Did you want the Bill out of the record?"

Bowman: "I think for a few minutes. Could we get back to it a little later, after we have a chance to talk about this?"

Speaker Matijevich: "Yes, out of the record. Leave to return to this Bill. Are there any other Members on that Order who wish to return? Alright. Representative Cullerton on Senate Bill 1211. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and ladies and gentlemen of the House. I would refuse to recede on Amendments #1 and 3 that were adopted in the House."

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Speaker Matijevich: "The Gentleman moves to refuse to recede from House Amendments 1 and 3 to Senate Bill 1211, and requests the appointment of a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay' and the Motion prevails, and the House refuses to recede from House Amendments 1 and 3 to Senate Bill 1211, and a Conference Committee will be appointed. Senate Bill 1222, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. I would move to refuse to recede from Amendment #1 on Senate Bill 1222. Ask that a Conference Committee be appointed."

Speaker Matijevich: "Representative Cullerton has moved to refuse to recede from Senate... House Amendment #1 to Senate Bill 1222, and requests appointment of a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. And the Motion prevails and the House does refuse to recede from House Amendment #1 to Senate Bill 1222, and a Conference Committee will be appointed. Are there any other Members who have... are on the Order of Nonconcurrency on page 8 or 9 that we have taken out of the record and wish to return to it? I don't see anybody raising their arm. Alright. The Gentleman from Cook, Representative Bowman, are you ready to proceed?"

Bowman: "Yes, I think... 186..."

Speaker Matijevich: "Alright, the Gentleman from Cook on Senate Bill 186. The Gentleman from Cook, Representative Bowman."

Bowman: "Yes, I think everything is back on track and we now have a meeting of the minds. I would like to now ask that the House refuse to recede from House Amendment #1, and that a Conference Committee be appointed."

Speaker Matijevich: "Representative Bowman moves to refuse to recede from House Amendment #1 to Senate Bill 186, asks for a Conference Committee. There being no discussion, all in

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favor say 'aye', opposed 'nay'. The Motion prevails. The House does refuse to recede from House Amendment #1 to Senate Bill 186, and a Conference Committee will be appointed. We'll be at ease for a moment. Are you seeking attention, Representative Cullerton? Oh, you are supposed to be called first, you are right. Talk to M. M. about that."

Cullerton: "Yeah, we're the Majority, remember?"

Speaker Matijevich: "On the Order of Nonconcurrences on page 3 of your Calendar, appears House Bill 643, the Gentleman from Cook, Representative Ronan, is he here? Out of the record momentarily. We will return to that. House Bill 691, Hannig. Is Representative Hannig ready? We'll be at ease for a moment. We'll get right back to you. Don't go too far away. We're almost ready to proceed. Alright, we're ready again on the Motion of... on the Concurrence Calendar's on Motions to Nonconcur, House Bill 691, Representative Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. I would move that the House not concur in the Senate Amendment on House Bill 691, and that a Conference Committee... I just move not to concur."

Speaker Matijevich: "Representative Hannig moves to nonconcur Senate Amendment #1 to House Bill 691. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does nonconcur with Senate Amendment #1 to... Senate Bill #1 to House Bill 69... 43... 691 rather. On page 3, Representative Cullerton, there's one more, House Bill 606. House Bill 606, Jaffe. The Gentleman from Cook, Representative Jaffe on House Bill 606."

Jaffe: "Yes, Mr. Speaker, I move to nonconcur in the Senate Amendments to House Bill 606. We have agreed to take this and put it into a Conference Committee, because there are

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some technical changes that we have to address."

Speaker Matijevich: "The Gentleman moves to nonconcur with Senate Amendments 1, 2, 4, 5, 6 and 7 to House Bill 606. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I rise in support of the Gentleman's Motion."

Speaker Matijevich: "Being no further... The Gentleman from Cook, Representative Cullerton."

Cullerton: "It's okay with me, too."

Speaker Matijevich: "Very good. You're the Majority. All in favor of the Motion 'aye', all opposed 'nay', and the House does nonconcur with Senate Amendments 1, 2, 4, 5, 6 and 7 to House Bill 606. The Gentleman from Cook, Representative Terzich, on House Bill 621."

Terzich: "Yes, Mr. Speaker, I move to nonconcur with Senate Amendments 1, 2, 3 and 4 on House Bill 621."

Speaker Matijevich: "The Gentleman from Cook moves to nonconcur with Senate Amendments 1, 2, 3, 4 and 5 to House Bill 621. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does nonconcur with Senate Amendments #1, 2, 3, 4 and 5 to House Bill 621. House Bill 700, the Gentleman from Dekalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker. It's my intention to concur in Amendment #1, and then nonconcur in Amendments #2 and 3. Senate Amendment #1, you know, it makes some technical changes and it also makes some changes in the Bill that were suggested in the Senate Committee, and were handled on the Senate floor to accommodate the University of Illinois. And I would move, first of all, to concur in Senate Amendment #1."

Speaker Matijevich: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 700. The Gentleman from Cook, Representative Cullerton."

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Cullerton: "You wish to concur with Senate Amendment #1 and nonconcur with 2 and 3?"

Ebbesen: "Right."

Cullerton: "And how does Senate Amendment #1 change your Bill?"

Ebbesen: "Senate Amendment #1 changes the Bill... just one moment and I'll get all the information. In the Senate Committee, there were some things such as some references made to the State Superintendent of Public Instruction. The office no longer exists, and that's obsolete language, and also it made some changes relative to some tuition revenue, some... it removes the secret ballot election of the Chairman of the Board. It removes something... Section pertaining to the Illinois Library System Act pursuant to concerns expressed by the University of Illinois and librarians and so forth."

Cullerton: "Well, doesn't it permit Northern Illinois University to operate an industrial park, and doesn't it remove NIU from the Board of Regents, and doesn't the Chairman of the Board of Trustees of NIU be a member of the Board of Higher Ed, and the Superintendent of Public Instruction is removed and the Civil Service Merit Board is increased by one to take in an NIU member onto the Board?"

Ebbesen: "If... if that language... there were two separate Amendments, and that could very well be in the... in that language, yes."

Cullerton: "Is the Senate going to recede from Amendments #2 and 3?"

Ebbesen: "Well, I have no idea. I have a feeling we'll end up in a Conference Committee, quite frankly."

Cullerton: "Okay, so if you are opposed to the Bill initially then, you should vote against this Motion?"

Ebbesen: "If you were in favor of the Bill, which got 80 some votes here, you should really concur in Senate Amendment

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#1, and we should really recede from Senate Amendments #2 and 3... not recede, but nonconcur."

Cullerton: "Right, okay, fine."

Speaker Matijevec: "The Gentleman has moved to recede from Senate Amendment #1 to House Bill 700. Those in favor will signify... I mean concur, I'm sorry, concur with Senate Amendment #1 to House Bill 700. Those in favor will vote 'aye', those opposed will vote 'no'. Have all voted who wish? The Clerk will take the record. On this question, there are 99 'ayes', 2 'nays', Slape 'aye', 100 'ayes', 2 'nays', 1 voting 'present', and the House does concur with Senate Amendment 1 to House Bill 700. And now the Gentleman moves to nonconcur with Senate Amendments 2 and 3. All in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does nonconcur with Senate Amendments 2 and 3 to House Bill 700. Page 4 of your Calendar appears House Bill 813, the Gentleman from Lake, Representative William Peterson."

Peterson: "Thank you, Mr. Speaker. I move to nonconcur with Amendments 1 and 2 to House Bill 813, and request a Conference Committee. And I so move."

Speaker Matijevec: "Representative Peterson, I didn't hear you. Will you..."

Peterson: "I move to nonconcur with Amendments 1 and 2 to House Bill 813, and request..."

Speaker Matijevec: "Alright, the Gentleman from Lake has moved to nonconcur in Senate Amendments 1 and 2 to House Bill 813. There being no discussion, all in favor say 'aye', opposed 'no'. The Motion prevails, and the House does nonconcur in Senate Amendments 1 and 2 to House Bill 813. House Bill 963, the Sponsor yields to Representative Reilly. Representative Reilly on House Bill 963."

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

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House. 963 is intended to be available next fall as a vehicle for whatever implementation report the Joint Committee on Drug Alcohol Reorganization may make, and therefore, we need it in Conference Committee. I would move to non... that the House nonconcur."

Speaker Matijevich: "Gentleman moves to nonconcur with Senate Amendment #1 to House Bill 963. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House does nonconcur in Senate Amendment #1 to House Bill 963. House Bill 1045, the Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1. It's technically incorrect."

Speaker Matijevich: "The Lady moves to nonconcur in Senate Amendments 1 and 2 to House Bill 1045... Oh, 1 only or... 1 and 2 or 1? The Lady moves to nonconcur in Senate Amendment #1 to House Bill 1045. Those in favor say 'aye', opposed... Gentleman... Representative Vinson. Oh, Representative Ropp."

Vinson: "Mr. Speaker, Mr... yes."

Ropp: "Yeah, Mr. Speaker, would the Sponsor kind of tell us what the situation is in this Bill now?"

Speaker Matijevich: "Proceed, Representative Breslin."

Breslin: "Yes, Representative Ropp. As I understand it, the Senate Amendment #1 takes out detassellers and bean walkers, and... however, it is improperly drafted and the Senate would prefer to have another draft that they have already done, and it will exempt the same people. But I intend to move to nonconcur in Senate Amendment #1 so that it can be redrafted properly, and concur in Senate Amendment #2."

Ropp: "Okay, in other words, all the meaning that is currently in 1045 will be redrafted in proper language, but it will still be the same thing."

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Breslin: "Correct, correct."

Ropp: "Okay, thank you."

Speaker Matijevich: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. For clarification, Representative Breslin. Then are you saying you support the Amendment in 1045 pertaining to the detassellers? You will take it back for technical corrections and accept it in the Conference Committee?"

Breslin: "I am saying that I will accept it in a Conference Committee. I don't like it, but I will bow to the will of the Senate."

Mautino: "And could you point out to me what... what technical changes have to be made, because if it's merely technical, I'm sure the Governor could do it with his Amendatory Veto."

Breslin: "If it's merely technical, what?"

Mautino: "It can be corrected with the Governor's pen very easily, if it's strictly technical."

Breslin: "I will read you what the Amendment is and what the Senate wants it changed to. I will tell you, I am sure, however, that the Senate would be upset if they didn't get it in the form that they want it in in the first place. The Amendment that they have says, 'the term agricultural worker does not include individuals whose principal occupation is not agricultural employment, who are employed to detassel or rogue seed corn, unless such individuals are required to be away from their permanent place of residence overnight'. What they want it to say is, 'the term agricultural worker does not include individuals whose principal occupation is not agricultural employment, unless such individuals are required to be away from their permanent place of residence overnight'. Amendment #1... are you listening, Representative? Amendment #1 singles

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out detasseling in particular, and as a consequence does not include the bean walking situation, and the Farm Bureau wants the bean walking situation covered."

Mautino: "And the... and the seed dealers want the detassellers, and you are agreeable to that Amendment?"

Breslin: "I'm going to accept that Amendment."

Mautino: "Okay, fine, thank you."

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

Vinson: "Would... would you state what the Motion before the Body is?"

Speaker Matijevich: "The Motion is to nonconcur with Senate Amendment #1."

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

Breslin: "Yes."

Speaker Matijevich: "She indicates she will."

Vinson: "What is your intention with regard to Amendment #2?"

Breslin: "I'm going to move to concur with Amendment #2."

Vinson: "Representative, if you move to concur with Amendment #2, and if the Senate should recede on Amendment #1, would that not be final action and no Conference Committee would result?"

Breslin: "I believe that is correct."

Vinson: "So that wouldn't then preserve the detassellers at all, would it?"

Breslin: "That is correct, however, that is what the Senate Sponsor and Senator Busbee, who is representing the seed industry, has asked me to do."

Vinson: "Would you be willing to amend your Motion to nonconcur in both 1 and 2?"

Breslin: "That would be fine. I don't like either of them. I'm just trying to be agreeable."

Vinson: "Okay. If you do that, then we have no problem

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supporting it."

Breslin: "Very good."

Speaker Matijevich: "The Lady now moves to nonconcur with Amendments #1 to... She is now moving to nonconcur in both Amendments... Senate Amendments 1 and 2 to House Bill 1045. There being no further discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does nonconcur in Senate Amendments #1 and 2 to House Bill 1045. House Bill 1337, the Gentleman from Ccck, Representative Keane."

Keane: "Thank you, Mr. Speaker. I move to nonconcur to Senate Amendment #1 to House Bill 1337, and the reason that I do this is it does not... the Amendment does not conform to the original intent of our original House Bill. The formula... the changes that they made in the Senate are not... in Senate Amendment 1 are not workable. They are made on a monthly not daily basis, and they vary with the age of each child. I ask the House to nonconcur in Senate Amendment #1."

Speaker Matijevich: "Representative Keane moves to nonconcur with Senate Amendment #1 to House Bill 1337. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House nonconcur with Senate Amendment #1 to House Bill 1337. House Bill 1382, Homer. Representative Homer on House Bill 1382. Is Representative Homer in the chamber? Representative Homer. No, out of the record for a moment. Who? We yield to Representative Brummer on Representative Homer's Motion. The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, I move to nonconcur on Senate Amendment #1. This provides that the... It really guts the Bill. It provides that the physician-patient privilege applies only to a surgeon licensed under the Medical Practice Act who... and

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I move to nonconcur."

Speaker Matijevich: "The Gentleman moves to nonconcur with House Bill 1382. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House does nonconcur in Senate Amendment #1 to House Bill 1382. Representative Van Dyne? You're seeking attention? For what purpose do you rise?"

Van Dyne: "Yes, I notice that you went by House Bill 1065 again. What are your plans? I have been assured by Representative Mautino that you are going to address your interest on another Bill, so I see no reason in the world for not calling that."

Speaker Matijevich: "We are only calling nonconcurrences right now, and I understand you want to concur anyway. No, we... if you were here when we started, Leroy, we said those persons who wished to nonconcur, so we'll get to you eventually, and I hope that... alright. And that's a promise, but it may take a while. Gentleman from Rock Island, Representative Brunsvold. Representative Brunsvold on House Bill 1751."

Brunsvold: "Thank you, Mr. Speaker. I'd move to nonconcur with Senate Amendment #1 to 1751."

Speaker Matijevich: "The Gentleman moves to nonconcur with Senate Amendment #1 to House Bill 1751. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House nonconcur with Senate Amendment #1 to House Bill 1751. Representative Mautino, are you still seeking attention or..."

Mautino: "Mr. Speaker, I wasn't here when you made your initial announcement. Must I sign a... 1355? nonconcurrency?"

Speaker Matijevich: "We asked... we... no, we asked for those who have Motions to nonconcur on the Order of Concurrence, we are going to take those first."

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Mautino: "That's what I'd like, yes, Sir. 1355 as well."

Speaker Matijevich: "13 what?"

Mautino: "55, nonconcurrency."

Speaker Matijevich: "55? Is that a nonconcurrency?"

Mautino: "Yes."

Speaker Matijevich: "Alright, we'll put that on the list. House Bill 643, Mr. Ronan. 643, Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment... what are these, Senate Amendments 3 and 4, 2 and 3? I don't know. Tell me what I'm nonconcurring with."

Speaker Matijevich: "Gentleman moves to nonconcur in Senate Amendment #2 to House Bill 643. Being re... Representative Vinson."

Vinson: "I thought there were two Amendments that..."

Speaker Matijevich: "I only see one on the Calendar."

Vinson: "Okay, I'm sorry. The Gentleman is correct, and I support his Motion."

Speaker Matijevich: "I guess there is one only. Ronan moves to nonconcur on Senate Amendment #2 to House Bill 643. Those in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does nonconcur in Senate Amendment #2 to House Bill 643. House Bill 1355, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendments 1 and 2 to House Bill 1355. Senate Amendment #1 put on the nuclear waste holding casks for hazardous waste, which make it impossible for any movement of anything in the state. And Amendment #2 put back the original definition of waste oil that was in 981. I have agreed by virtue of our compromise on 981 itself to oppose this Amendment. Therefore, I nonconcur in both Senate Amendments on 1355."

Speaker Matijevich: "Representative Mautino moves to nonconcur on

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Senate Amendments 1 and 2 to House Bill 1355. On that, the
Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. I rise to support Representative Mautino's Motion.
Thank you."

Speaker Matijevich: "Gentleman has moved to nonconcur in Senate
Amendments #1 and 2 to House Bill 1355. All in favor say
'aye', opposed 'nay', and the Motion prevails. The House
does nonconcur in Senate Amendments 1 and 2 to House Bill
1355. Page 6 of the Calendar appears House Bill 1812,
Representative Myron Olson. Representative Myron Olson on
House Bill 1812."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I move to nonconcur with Senate Amendment #1 to
House Bill 1812. The... it's a simple State Board of
Elections Bill to which the Senate attached an Amendment
which would be deleterious to local governments, and as a
consequence, I would move to nonconcur."

Speaker Matijevich: "Representative Olson has moved to nonconcur
with Senate Amendment #1 to House Bill 1812. There being
no discussion, all in favor say 'aye', opposed 'nay', and
the House does nonconcur in House Bill... Senate Amendment
#1 to House Bill 1812. Representative from Cook,
Representative Capparelli on House Bill 1838.
Representative Capparelli."

Capparelli: "Mr. Speaker, I move to nonconcur on House
Amendment... I mean Senate Amendment #1 to House Bill 1838,
which the Clerks of Cook County oppose."

Speaker Matijevich: "Representative Capparelli moves to nonconcur
on Senate Amendment #1 to House Bill 1838. Being no
discussion, all in favor say 'aye', opposed 'nay', and the
House does nonconcur with Senate Amendment #1 to House Bill
1838. House Bill 1864, the Gentleman from Will,

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Representative Davis. Representative Davis on House Bill 1864."

Davis: "I move to nonconcur in Senate Amendment #1, Mr. Speaker."

Speaker Matijevich: "Gentleman moves to nonconcur on Senate Amendment #1 to House Bill 1864. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House does nonconcur... nonconcur in Senate Amendment #1 to House Bill 1864... the Calendar page 7 appears 1941, Representative Wait. Ronald Wait."

Wait: "Thank you, Mr. Speaker. I move to concur in Amendment #1 and to nonconcur in Amendment #3 to House Bill 1941."

Speaker Matijevich: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1941. There being no discussion, all in favor will signify by voting 'aye', opposed by voting 'no'. All those in favor signify by voting 'aye', opposed by voting 'no'. The Clerk will... Matijevich 'aye'. Clerk will take the record. This question there are 113 'ayes', no 'nays', and the House does concur with Senate Amendment #1 to House Bill 1941. And now the Gentleman moves to nonconcur with Senate Amendment #3 to House Bill 1941. Gentleman from Cook, Representative Cullerton."

Cullerton: "This was Senator D'Arco... I'm sorry. Would the Sponsor yield?"

Speaker Matijevich: "Yes, he indicates he will."

Cullerton: "This was Senator D'Arco's Amendment to this Bill?"

Wait: "Yes, that's one part of it."

Cullerton: "Well, we are talking about Senate Amendment #3 now?"

Wait: "Right."

Cullerton: "Yes, and what did Senate Amendment #3 do that you don't like?"

Wait: "I understand there is a court case involving Illinois Housing Development Authority which would solve the

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potential problem that we have here, and if that is the case, this then would become a moot question. And so we want to take IDA out of the Amendment."

Cullerton: "And are you going to leave in the part that reduces out-patient psychiatric coverage from an unlimited number of visits to twenty-five per year?"

Wait: "I think that's another one of the issues that will be discussed in the Conference Committee."

Cullerton: "Fine, thank you."

Wait: "Thank you."

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

Satterthwaite: "Mr. Speaker and Members of the House, I move to... I rise to support this Motion to nonconcur in Senate Amendment #3. We have back before us again an issue that has been defeated on this House floor before the issue of reducing the out-patient psychiatric coverage for state employees. And for that reason, if no other, I believe we do need to have this in a Conference Committee to try to eliminate that."

Speaker Matijevich: "Gentleman from Sangamon, Representative Curran."

Curran: "I rise in support of this Motion to Nonconcur for the same reason the Lady from Champaign mentioned."

Speaker Matijevich: "No further discussion. All in favor of the Motion to nonconcur with Senate Amendment #3 say 'aye', opposed 'nay'. The Motion prevails and the House does nonconcur in Senate Amendment #3 to House Bill 1941. The next Bill is House Bill 2000, the Gentleman from Cook, Representative Giglio. Representative Giglio on House Bill 2000."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, I move to nonconcur to Senate Amendment #1 on House Bill 2000."

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Speaker Matijevich: "The Gentleman moves to nonconcur with Senate Amendment #1 to House Bill 2000. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does nonconcur with Senate Amendment #1 to House Bill 2000. Page two of the Order of Concurrence appears House Bill 270. The Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Members of the House. I move to concur with Amendment #1 to House Bill 270. House Bill 270 was meant to give homeowners more information on their property tax bills about what assessors were doing, and as it left the House, it required that, in addition to the current information, property tax bills would also include the name of the assessor who assessed the property, the fair cash value of the property, the assessed value of the property and the total tax assessed against the property. What happened in the Senate was that objections were raised to providing all of that information and all that's left of the Bill now is the proviso that on the property tax bill, we include, when we are talking about single family residences state-wide, the fair cash value determined for such property. I would like to make it a matter of the record that by fair cash value we mean what is generally understood to be the fair market value of a home. And although in state law, this is not a term that is used. The term under our state statutes that's used is fair cash value. What we mean by that is the acknowledged price that would be paid for that home on the market, the fair market value. At this time, I would like to move to concur with Amendment #1 to House Bill 270."

Speaker Matijevich: "The Lady moves to concur with Senate Amendment #1 to House Bill 270. The Gentleman from Cook, Representative Cullerton."

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Cullerton: "Yes, would the Lady yield?"

Speaker Matijevich: "She indicates she will."

Cullerton: "For a question, that is. Representative, does this apply to Cook County?"

Nelson: "Yes, it does, but only... excuse me, Representative Cullerton, to..."

Cullerton: "Only single family residences?"

Nelson: "The Amendment that is on the Bill is a Cook County Amendment, and if you look at it, it says in all counties which classify real property. That, of course, is Cook County. For purposes and so on, it only applies to parcels of residential property in the lowest assessment classification. So we are talking single family residences. And the Amendment was the Amendment that Cook County wanted."

Cullerton: "Right and does this... Is this practice going on downstate now?"

Nelson: "No."

Cullerton: "Does this Bill apply to the whole state?"

Nelson: "Yes."

Cullerton: "Fine, thank you."

Speaker Matijevich: "The Lady has moved to concur with Senate Amendment #1 to House Bill 270. Those in favor... Representative Hawkinson."

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

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

Hawkinson: "Representative, on this Bill as amended in the Senate, do the assessors have a position on the Bill?"

Nelson: "Assessors are for it, Representative Hawkinson. The only change was a change in definition."

Hawkinson: "Thank you."

Speaker Matijevich: "Representative Nelson has moved to concur with Senate Amendment #1 to House Bill 270. Those in favor

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signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 116 'ayes', no 'nays'. The House does concur with Senate Amendment #1 to House Bill 270, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hoffman has requested we go to House Bill 930 on page 4, and I talked to Representative Cullerton. He doesn't object either, and we have leave therefore, to go to House Bill 930. The Gentleman from Dupage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I move that we concur with Senate Amendment #1 to House Bill 930. The original Bill was an attempt to address the problem of school districts that end up with a... an assessed valuation which places their qualifying tax rate for state aid below the level required for application for state aid. And this Bill allows them to adjust... to adjust their levy to make up for this. One of the concerns in the Senate was that relative to the Truth in Taxation Act, and the Senate Amendment provides that the provisions in this Bill shall not affect the application of the Truth in Taxation Act, which means that that will be in effect, and I move for the adoption of Senate Amendment #1."

Speaker Matijevich: "Representative Hoffman has moved to concur with Senate Amendment #1 to House Bill 930. Is there any discussion on that Motion to concur? There being none, those in favor will signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted who wish? The Clerk will take the record. On this... 'aye', 'aye' from Mulcahey. On this question, there are 102 'ayes', 8 'nays', 1 answering 'present', and the House does

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concur with Senate Amendment #1 to House Bill 930. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 390, the Gentleman from Cook, Representative Bullock. Representative Bullock on House Bill 390."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to request that the Assembly concur with Senate Amendment #2 to House Bill 390. House Bill 390, as it left the House, dealt with the subject of banking and automatic teller facilities. Senate Amendment #2 strikes that and adds to this Bill the provisions of what was HB 1508. HB 1508 passed the House and, in fact, received overwhelming support. The two part analysis of the Bill, the first part is a part of the economic recovery program that this House passed under Speaker Madigan's support which deals with the subject of a leeway law provision which is much like the Massachusetts Leeway Law, and the impact of this Amendment would be to permit banks to invest in certain corporations of which, in fact, would create real estate ventures in the housing industry. I think the essence of Amendment #1 have been explained previously in 1508. The second part of Amendment #1 deals with the subject of lending limits for state chartered banks, and, in fact, attempts to codify provisions that were previously passed by Congress in 1982, under what was called the 'Garren - St. Germaine' Depository Act, which in essence raises the lending limits of banks from fifteen percent to twenty percent for fully secured loans. The base for national banks is figured on capital, surplus and reserves, and the state law would, in fact, emulate that. This is an attempt to stimulate the banking industry in the State of Illinois. This portion of the Amendment was offered by the Illinois Banking Commissioner, who felt that an additional

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five percent of capital and surplus would, in fact, bring about parity or near parity for state chartered banks with national banks. Mr. Speaker and Ladies and Gentlemen of the Assembly, I would urge concurrence with Senate Amendments #2 to House Bill 390."

Speaker Matijevich: "Representative Bullock has moved to concur in Senate Amendments #2 and 3 to House Bill 390. The Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Which Amendment is it, Representative, that you are proposing that the House concur in?"

Bullock: "Thank you. I'm urging that the House concur in Senate Amendment #2, Representative Vinson. Senate Amendment #2 struck the previous..."

Speaker Matijevich: "Excuse me, Representative Bullock. Is it only 2 you are concurring in, not 3 because there are two Amendments, and I understood you to say 2 and 3. 2 and 3, alright. 2 and 3, Representative Vinson."

Vinson: "Representative, am I right in thinking that Amendment #2 is the Amendment which would permit banks to invest up to three percent of their capital in investments that would not otherwise be permissible?"

Bullock: "Representative Vinson, Amendment #2, in fact, does, in fact, allow banks to invest up to three percent. It originally was at five, and we cut it down before it left the House, of their capital and surplus into what we consider major economic recovery areas in the state, specifically housing development corporations, yes."

Vinson: "And why are they currently prohibited from making that kind of investment?"

Bullock: "Well, many individuals have different hypothesis, Representative Vinson, as to why institutions don't do

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this. Some attribute it to the fact of the possible speculative nature of the real estate market, which fluctuates, as you know. You have sponsored many fine Bills in this area, and we have worked together on many of them, and I would suggest that there are many theories as to why institutions choose not to do this."

Vinson: "To the Bill, Mr. Speaker, to the Motion."

Speaker Matijevich: "Proceed."

Vinson: "If my memory does not fail me, the House has, on occasion, defeated a similar provision. And I believe that we ought to continue to do so. We do not need to put financial institutions in the State of Illinois in the position where because of the speculative nature of investments, they can't meet their obligations to depositors. We need not be... the reason why the statute limits the investments that such financial institutions as banks, savings and loans and insurance companies can make investments... prohibits certain investments, limits the amount of others, is to protect depositors. Banks, those financial institutions are in a special place. They have a special responsibility, and they are regulated for that purpose. We try to protect the people who put the money in the banks against unscrupulous activities, and we try to protect the people who put the money in the banks against totally speculative investments. If we create a situation in Illinois where banks are in the position that they are making speculative investments, then we create a situation where the entire financial community becomes a house of cards. We have seen lending practices by some institutions currently which makes the entire financial community subject to a raid, subject to failing. And I don't believe that we should take a step further in that direction in this particular Amendment. I think by avoiding doing that,

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we protect the integrity of the entire financial community, and we continue the confidence that is necessary if people are to believe that their money is safe in banks. And for that reason, I would rise in opposition to the Gentleman's Motion in regard to House Bill 390."

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

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

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

Piel: "Representative Bullock, could you explain to me why the Commissioner of Banks is opposed to this Bill?"

Bullock: "Well, Representative Piel, you are obviously debating the Bill, which we debated in this house before, and you made your pass. Be glad to answer your question, however. I am not certain, Representative Piel, that the statement that you purport is correct. The fact of the matter is, Amendment #3 to this Bill was offered by the Banking Commissioner and accepted. Amendment #2 is a bifurcated Amendment. The first part, the Commissioner has problems with. The second part of the Amendment was offered by the Commissioner and accepted. Therefore, two thirds of the Bill is offered by the Commissioner, two thirds of the Bill is accepted by the Commissioner. So I think perhaps your remarks need to be qualified."

Piel: "Okay, then, Amendment... Amendment #2. Okay, I'll rephrase my question then, Larry. I'll rephrase my question. Why is he against Senate Amendment #2?"

Bullock: "I just answered that, but for sake of the Body, I'll respond perhaps in more succinct terms. The Commissioner is in support of the second part of Amendment #2. He offered it, and I accepted it, dealing with the lending limits on state banks, giving them parity with national banks. The Banking Commissioner is in support of Amendment

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#3. He offered it and I accepted it. So, if you are asking me, is this a one hundred percent acceptable plan to the Banking Commissioner, the answer is negative. If you ask me if the Banking Commissioner is in support of provisions of this Bill, the answer is affirmative. Nobody in this Body has everything that they want. Nobody in this Body gets everything that they want. That's why we are a deliberative Body, and we have to compromise. And I suggest this is a compromise."

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

Speaker Matijevich: "Proceed."

Piel: "I think that the... the Motion should be to nonconcur in #2 and to... to recede from #2, or nonconcur with #2, and then go along with #3. But seeing as the Sponsor of the Bill wants to go along with both 2 and 3, I would have to stand in opposition to the... to the Motion the way it is stated. What we are doing with Amendment #2, basically, is stating that they can invest up to three percent of their capital and surplus in investments not otherwise permitted by law. This is... puts certain banks, risk banks, banks that are on a very precarious position in their venture capital situation in a worse position than they would be otherwise. And I would ask the Members in this House to vote 'no' or 'present' on the Gentleman's Motion, and then have the Gentleman rephrase his Motion to recede from Amendment #2."

Speaker Matijevich: "Representative Zwick."

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

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

Zwick: "Thank you. Representative Bullock, is the... the original Bill, House Bill 390, is that still in here?"

Bullock: "No, Ma'am, it's not."

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Zwick: "Okay, so... so what your Motion is is to concur with both 2 and 3, right?"

Bullock: "Yes, Ma'am."

Zwick: "Amendment #2 is the same as House Bill 1508 that we've debated before on this floor, right?"

Bullock: "Yes, Ma'am."

Zwick: "Okay. Then to the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Zwick: "I believe I've stood on this floor before in opposition to House Bill 1508, which is now Senate Amendment 2 to this Bill. And I would rise again to oppose this Amendment and oppose adopting it at this point. As... as private citizens, I think we... we make decisions in our own mind as to what we invest in, and how much risk we want to take, and what types of financial instruments we invest our money in, and what the risk is. When we choose the alternative of going to a bank, which is insured, we expect more security and try to keep our banking and financial institutions in this state very stable because that is something that we need very much for our whole economic climate and for the betterment of our banks. To allow, at this point, for the investment by banks, or for an enlarged investment by banks in certain types of instrument, any type of instrument that is not risk-free... and this is definitely not risk-free, this increases the possibility of banks losing money on their investments. And I would... I would oppose anything that might do something like that at this time to the banks in Illinois. And that is precisely what this does. There is a risk involved, and we don't expect that when we go to a bank. We expect our money to be fully insured and there when we want to take it out. The Commissioner of Banks is opposed to this. I would also oppose it. There are some good provisions in this Bill,

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but they also exist in other pieces of legislation that are either in the House or the Senate and can be enacted in other ways. So I would oppose the Gentleman's Motion."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Representative Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Fullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Let me just respond to a couple of concerns, and perhaps provide some balance to the debate. House Bill 390 is supported by the Illinois Bankers' Association. It is legislation sponsored in behalf of the Bankers' Association. House Bill 390, as passed this House, Representative Zwick, permitted banks to establish automatic teller machines at community service facilities. I was in error. That provision is in the Bill. House Bill 390, moreover, is not unlike Senate Bill 951, which passed this House 112 to nothing, is now in the Senate on Concurrence, and was sponsored by Representative Birkinbine, and an Amendment which allowed insurance companies, yes, insurance companies to invest in the same areas, and raise from five percent to ten percent of assets, of things otherwise prohibited. This Body, on three separate occasions has expressed itself clearly on this issue as it relates to banks and insurance companies. We understand in this Body that the banking industry is well aware of risk. That's why they are in the business of loaning money. Moreover, Senate Bill 390, as amended, including provisions of 1508, are, in fact, a part of this Speaker of the House Economic Recovery Package, for the

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provisions in this legislation would allow banks to display, yes, their commitment to the communities that they serve and become directly involved in housing development and reconstruction which creates jobs and, in fact, leads to economic recovery. The second provision of the Bill is nothing more than the federal law which already applies to national banks, and that is to say that state chartered banks will have parity with national banks when it comes to the lending limits, and this is supported by the Illinois Banking Commissioner. Mr. Speaker, and Ladies and Gentlemen of the House, much of the conversation and opposition to the Bill is basically related to friendship and not to the substance of the Bill. And I would urge an 'aye' vote on concurrence."

Speaker Matijevich: "Representative Bullock has moved that the House concur with Senate Amendments #2 and 3 to House Bill 390. Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is final passage. The Gentleman from Marion, Representative Friedrich, one minute to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, most of the banks that got in trouble in recent years have been those who have been loaded up with real estate loans. They got fixed into a fixed rate, and they ended up with high price certificates, and they... they're really in trouble. Here is another thing which opens it up because if you think you are going to have economic recovery, just let a few more banks have to be taken over, and you won't have any recovery. This is a... this is a bad Amendment."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 69 'ayes', 45 'nays', 4 answering 'present', and the House does not... does concur with Senate Amendments 2 and

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3 to House Bill 390. This Bill, having received the Constitutional Majority, is hereby declared passed. Now, the House will turn to the Order of Motions on page 10 and recognize from the County of Cook Representative McGann on Senate Bill 903."

McGann: "Thank you. Thank you, Mr. Speaker and Members of the Assembly. Having voted on the prevailing side of Senate Bill 903, I move to reconsider the vote by which the House receded from Amendment #1 to Senate Bill 903."

Speaker Matijevich: "The Gentleman from Cook, Representative McGann, has moved to reconsider the vote by which the House receded from Amendment #1 to Senate Bill 903. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I support this Motion. This was my Amendment, and I do want the Amendment to... to be on the Bill."

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

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I was somewhat nonplussed yesterday evening when the Gentleman rose and made the Motion he did. I had a feeling that he was making the wrong Motion at the time, and I believe he has subsequently discovered his error. I don't believe that the House should penalize him for that. I believe that we ought to support him in his Motion to reconsider, and I would urge an 'aye' vote on his Motion."

Speaker Matijevich: "The Gentleman... There being no further discussion, Representative McGann moves to reconsider the vote by which the House receded from Amendment #1 to Senate Bill 903. Those in favor signify by voting 'aye', those opposed by voting 'no'. Take the record. On this question, there are 150 'ayes', no 'nays', and the Motion to reconsider the vote by which the House receded from Amendment #1 to Senate Bill 903 prevails. And now, the

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Gentleman from Cook, Representative McGann."

McGann: "I would move to refuse to recede from the Senate Bill 903, Amendment #1."

Speaker Matijevich: "The Gentleman moves to re... moves to refuse to recede from Senate Amendment... from House Amendment #1 to Senate Bill 903 and requests a Conference Committee."

McGann: "I would ask for a Conference."

Speaker Matijevich: "And there being no debate, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede from Senate Amendment... from House Amendment #1 to Senate Bill 903, and a Conference Committee will be appointed."

McGann: "Thank you, Mr. Speaker."

Speaker Matijevich: "Now, we're going to go to the Order of Nonconcurrency. There were a few taken out of the record at the time. We have Senate Bill 98, the Gentleman from Lake, Representative Pierce. This appears on page eight of your Calendar. The Gentleman from Lake."

Pierce: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 98 removes... prohibits Illinois from withholding on the state income tax from interest in dividends. It's an important Bill. An Amendment was put on in the House that makes sure that it also applies to deferred compensation payments and to pension payments so that nothing new was withheld after July 1st that is not withheld at present. I think the Senate made a mistake by nonconcurring. In fact, the Senate Sponsors really admitted that to me. The Senate made a mistake by not concurring in House Amendment #1, and therefore, I refuse to recede from House Amendment #1, and I ask that a Committee of Conference be appointed."

Speaker Matijevich: "Representative Pierce refuses to recede from House Amendment #1 to Senate Bill 98 and requests a

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Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede from House Amendment #1 to Senate Bill 98, and a Conference Committee will be appointed. House Bill 459, Representative Nash. Are you ready to proceed on that? The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I refuse to recede from House Amendment #1 to Senate Bill 459 and ask that a Conference Committee be set up."

Speaker Matijevich: "The Gentleman from Cook, Representative Nash, has moved to refuse to recede from House Amendment #1 to Senate Bill 459. Requests a Conference Committee. Is there any discussion? If not, all those in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede from House Amendment #1 to Senate Bill 459. Senate Bill 849, the Gentleman from Cook, Representative Keane. The Gentleman from Cook, Representative Keane. Is Keane back there? Out of the record. Representative McAuliffe here yet? Representative Farley, are you ready to proceed on 1313? Representative Farley on Senate Bill 1313."

Farley: "Yes, Mr. Speaker, I would move to nonconcur with Senate Amendment #1 on House Bill... or, Senate Bill 1313 and would ask for a Conference Committee."

Speaker Matijevich: "Representative Farley has moved to refuse to recede from Senate Amendment... House Amendment #1 to Senate Bill 1313 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails and the House does refuse to recede from House Amendment #1 to Senate Bill 1313. Representative Keane is not here yet. Is anybody on your side could handle that for Representative McAuliffe, let us

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know. We will now return to the Order of Concurrence on page two of the Calendar, appears House Bill 15... 415, the Representative from St. Clair, Representative Flinn. Representative Flinn on 415. Out of the record. Oh, you ready? Representative Flinn on House Bill 415."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, I move to concur in Senate Amendment #1 to House Bill 415. The Senate Amendment #1 does two things. It provides that funds that are not used for loans to the members in credit unions can be used for investing in federal funds and to banker acceptance. It does another thing. It clears up some ambiguity in the event of mergers of credit unions in that both boards of directors must agree upon the plans for a merger and be approved by the members of both credit unions, and it has the affirmative vote of a majority except in hereinafter provided. What that simply means is that all affirmative votes may not be the desirable thing to do. It gives... What it basically does, to sum it up, it gives the credit union members complete charge as to what the methods and means of merging credit unions are."

Speaker Matijevich: "Representative Flinn has moved to concur with Senate Amendment #1 to House Bill 415. Is there discussion? If not, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 415?' Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', no 'nays', and the House does concur with Senate Amendment #1 to House Bill 415. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman... We're going to revert back to nonconcurrences. Representative Keane is here. On... House Bill 849. Senate Bill 849, rather. Senate Bill 849,

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on page eight of your Calendar. The Gentleman from Cook, Representative Jim Keane."

Keane: "Thank you, Mr. Speaker. I refuse to recede from Amendments 1, 2, 3 and 4 to Senate Bills 849 and would ask that a Conference Committee be appointed."

Speaker Matijevich: "Representative Keane moves to refuse to recede... Is that right, Representative Keane? I was... Refuse to recede from Amendments 1, 2, 3 and 4 to Senate Bill 849 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does refuse to recede from Amendments 1, 2, 3 and 4 to Senate Bill 849. We will revert back to page two of the Calendar on Concurrences. House Bill 446, the Gentleman from McLean, Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, the Senate Amendment that was placed on this Bill, as you may well know, in our congressional districts, we did have 24, and as a result of the population reduction or shift, that we lost two congressional seats. In the election of University of Illinois Trustees, we had those selected once every... I guess on the ballot they were selected somewhat rotationally, every three years, and every three years would fit into 24 congressional districts. Now, when we have 22, that makes it an uneven situation, so for 21 districts, they will be rotated every three years, and the 22nd district on the ballot would be drawn by lottery. That's all the Amendment does, and I move to concur."

Speaker Matijevich: "The Gentleman has moved to concur with Senate Amendment #1 to House Bill 446. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, as I understand... Would the Gentleman yield?"

Speaker Matijevich: "He indicates he will."

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Cullerton: "Representative Ropp, as I understand the current law, Democratic and Representative... and Republican candidates for the U. of I. Trustees alternate as to their placement on the ballot. That is, one year even number congressional districts have Democrats, and the next year, the Republicans would. Now this Amendment provides that placement for the last congressional district will go... will be by lot. What does that mean?"

Ropp: "I guess they... The standard procedure is either with a card or peas or something to determine by a lottery method which party would head the ticket on the ballot."

Cullerton: "What?"

Ropp: "You don't understand that?"

Cullerton: "No. When you say the last congressional district, you don't mean the 22nd district, do you?"

Ropp: "Yes. Yes."

Cullerton: "The 22nd district."

Ropp: "Yes. Otherwise, it would be very much confused. So the first 21 districts will be a multiple of three, and we'll have those... that would be seven. Do you understand that? And then, the... we have one district left over, and that the district that's left over is the one that would be placed on a lottery or would be drawn... I guess they do it with a card or something."

Cullerton: "You mean the other 20... the other 20 would be rotated?"

Ropp: "The other 21. Yes, Sir."

Cullerton: "Okay. Now, what is the reason for this? Because there's an odd... "

Ropp: "Well, we had 24 districts before, and that rotational system was divisible by three, which would have worked out. Now, with the 22 districts, we got one additional district, and you can't rotate one district as we do with the 21."

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Cullerton: "Well, you've given a very good explanation. I just thought maybe you were trying to put one over on us."

Ropp: "No, I wouldn't do that. Not to you, anyway. Not yet."

Cullerton: "Yeah. And if you did... If you did, you were successful, and I'll support your Motion."

Ropp: "Thank you very much."

Speaker Matijevid: "The Gentleman has moved to concur with Senate Amendment #1 to House Bill 446. There being no further discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 104 'ayes', 3 'nays', and the House does concur with Senate Amendment #1 to House Bill 446. This Bill, having received the Constitutional Majority, is hereby declared passed. I understand we have a... on the Order of Concurrence, we have a Motion to nonconcur on House Bill 1182, so we'll revert to that. On page five of the Calendar appears House Bill 1182, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, once again, this Bill is a Bill that deals with the School Aid Formula, a Bill that we passed out of the House, but the Senate and the House are at odds with regard to the... to the issues involved. We put the other school aid Bill in a Conference Committee, and I think, given the fact that we're in that posture, we should put this one there, too, so we have something to rely on if the other one should fail. So, with regard to this Bill, I would move to nonconcur in the Senate Amendment to House Bill 1182."

Speaker Matijevid: "Representative Stuffle has moved to nonconcur with Senate Amendment #4 to House Bill 1182. The Lady from DuPage, Representative Nelson."

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Nelson: "Mr. Speaker and Members of the House, I rise in support of the Gentleman's Motion."

Speaker Matijeich: "The Gentleman has moved to nonconcur in Senate Amendment #4. All those in favor say 'aye', opposed 'nay'. The Motion... The 'ayes' have it. The Motion prevails, and the... the House nonconcur with Senate Amendment #4 to House Bill 1182. House Bill 2058, I understand there's also a Motion to nonconcur from Representative Hensel. Representative Hensel, do you want to proceed with your Motion to nonconcur? On page seven of the Calendar appears House Bill 2058, Representative Hensel."

Hensel: "Thank you, Mr. Speaker and Members of the House. I move to nonconcur on Senate Amendment #1 to House Bill 2058."

Speaker Matijeich: "Representative Hensel moves to nonconcur with Senate Amendment #1 to House Bill 2058. There being no discussion, all in favor say 'aye', opposed 'nay', and the Motion prevails, and the House does nonconcur with Senate Amendment #1 to House Bill 2058. On page six of the Calendar, another Motion to nonconcur, there appears House Bill 1789, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members of the House, again, the Senate has added an Amendment to this particular Bill that... that I do not concur with, and I would ask that the House, at this time, nonconcur in the Senate Amendment to House Bill 1789."

Speaker Matijeich: "Representative Stuffle moves to nonconcur with Senate Amendment #1 to House Bill 1789. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does nonconcur with Senate Amendment #1 to House Bill 1789. Now we will revert back to the concurrence on page... Order of Concurrence on page

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two appears House Bill 506, the Gentleman from Marion, Representative Dwight Friedrich."

Friedrich: "Mr... Mr. Speaker, would you take that out of the record temporarily, please?"

Speaker Matijevich: "Out of the record temporarily. Leave to return to it. House Bill 537, the Gentleman from Kendall, Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur with Senate Amendment #1 on House Bill 537. What the Amendment does is to just change the effective date and make it effective immediately. That's needed to get everything ready for the forms, so I... I move to concur."

Speaker Matijevich: "Representative Hastert moves to concur with Senate Amendment #1 to House Bill 537. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Representative Hastert, this is a check off on the income tax return?"

Hastert: "That's correct."

Cullerton: "What is the status of all of the check off Bills, if you know? Is there going to be some kind of a Conference Committee to decide which ones we're going to pass, and which ones we're not going to pass?"

Hastert: "I don't think that's the situation at this time."

Cullerton: "But this one... You want this to go to the Governor? This particular check off would go to the Governor."

Hastert: "Yes."

Cullerton: "Who opposes them?"

Hastert: "Nobody that I know of."

Cullerton: "Except for the Governor."

Hastert: "It's an excellent Bill. I'm not even sure if the Governor opposes it. How could he be against abused

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children?"

Cullerton: "I agree with you, and maybe we can change his mind.

And maybe we can add the wildlife check off in some other Conference Committee. Thank you."

Speaker Matijevich: "Representative Hastert has moved to concur with Senate Amendment #1 to House Bill 537. Those in favor will signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 105 'ayes', 3 'nays', 1 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 537, and this Bill, having received a Constitutional Majority, is hereby declared passed. On page three of your Calendar appears House Bill 564, Hannig. Representative Hannig on House Bill 564."

Hannig: "Thank you, Mr. Speaker and Members of the House. As this Bill passed the House and was sent to the Senate, basically it provided that teachers in both downstate and Chicago could accumulate their sick days from more than one employer, and that those days could then be credited to their retirement. As amended in the Senate and sent back here for our concurrence, the... the provisions of the Bill are changed as follows: The Bill now provides that, as is presently the case, the teachers could only take credit for sick days they accumulate from their last employer. However, what the Bill does do, is, it increases the number of sick days that they can accumulate and take as credit for their pension from 85 days to 170 days. Now, basically, this concept would reward those teachers who are conscientious enough to not abuse their sick day privileges. It would reward those teachers who have the good health and the desire to teach day in and day out and who, indeed, show up and practice their trade. It would

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also save money for the school districts in two ways. First of all, when a teacher is absent and is taking a sick day, not only does the... the school district have to pay that teacher, but they also have to pay a substitute teacher to come and fill in and teach for that teacher who is sick. It also provides that by accumulating these sick days, these individuals, who in most cases would be the most senior, the most highest paid, and the tenure teachers, could retire, and they would be replaced by younger teachers who would be paid less and at least, initially, would be untenured. So, for those reasons, I would assume that the school districts would support this Bill. It would not cost the school districts one cent. The entire cost, which is only \$60,000, would be borne by the State of Illinois. I believe that the Amendments 1 and 2, as provided for in the Senate, are good Amendments, and I would move for their concurrence."

Speaker Matijevich: "Representative Hannig has moved for the... that the House concur with Senate Amendments 1 and 2 to House Bill 564. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Cullerton: "Representative Hannig, you indicated that this will save money, and it will only cost us \$60,000."

Hannig: "It will cost the state \$60,000, but it will save money for the local school districts."

Cullerton: "Well, let me ask you something. The theory of sick days is... I think I don't understand it. What you're saying here is... is that if a teacher does not get sick... Let me back up. How many sick days are they allowed each year?"

Hannig: "Well, under the present law, the elementary and

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secondary teachers... Oh, how many sick days are they..."

Cullerton: "Per year."

Hannig: "Well, it would... 10 sick days."

Cullerton: "Downstate?"

Hannig: "Jesse White informs me that Chicago is 10."

Cullerton: "Oh, I know about Chicago."

Hannig: "I'm not certain what the rules would be in downstate Illinois, because I believe they're negotiated by each individual district."

Cullerton: "So... So, what this means... Let's say that they have 10 a year. This means that if... if they went... they work for 18 years and never took a sick day, then they would get paid for free for not working for a year."

Hannig: "No, that's not correct. They would not get paid. They would not receive a check for one year's pay. They would simply receive credit for that in their pension fund. So, in effect, they could retire at the end of 19 years and receive credit in their pension for 20 years, but they would not receive a paycheck for one year's accumulated salary."

Cullerton: "So they would take more money from the pension funds."

Hannig: "Yes, they would. That's where the \$60,000 cost would be calculated."

Cullerton: "Representative, why couldn't we just say to the teachers that there shall be an unlimited number of sick days, but you can't accumulate any of them? As a result, if they're sick, they don't go to work, but if they... if they aren't sick, they have to go to work, and that we can then enforce the rule to say that if you are not sick and you still took a day off, that there'd be some kind of disciplinary procedures. And it seems to me that that wouldn't cost anything for the... from the state. It

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wouldn't take any money from the pension fund, and we'd have teachers, of course, are honest people, going to school and teaching their children, and only in emergencies when they're sick, they... would they not have to show up. Why not a system like that?"

Hannig: "Well, I'm not certain that that idea would work. Teachers are human beings just as all of us are, and I'm certain that there would be those teachers who would take advantage of a system where they could take unlimited amount of sick days. This Bill is set up to try to give an incentive to those teachers who would like to teach every day, who have the good health to be on the job every day and simply want to accumulate these days. Personally, I don't see why we put any limit on the number of days they can accumulate. Now, we're only asking that the people who teach in the elementary and secondary schools be given the same privileges that we now give to our university teachers. The university teachers already are allowed to accumulate 170 days, and I don't see any reason why those who teach in the grade schools and the high schools cannot do the same."

Cullerton: "Thank you very much."

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

Nelson: "Thank you very much. Question of the Sponsor."

Speaker Matijevich: "Proceed."

Nelson: "Representative Hannig, would you explain to me what you think sick days are for. Are they days when teachers are actually sick, or are they days that accumulate for the pension fund? What are they for?"

Hannig: "The purpose of the sick days is to give the individual for the most part a day when he or she would be sick, a day when an illness would be in the family, and they would have

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reason to... not to attend and teach. Unfortunately, we find that if we say you have five days a year, and you can't accumulate those days, you can almost anticipate that each teacher will simply take five years... or, five days. It will simply become an added vacation. This Bill basically tries to address the situation and give the teachers an incentive to stay on the job and not take days off simply because they'll lose them, but to give them something to accumulate them for, some reason to come to work and not want to lose that day."

Nelson: "Is it your purpose with this Bill to encourage those teachers at the upper level of the salary scale to retire early?"

Hannig: "Well, this is what... "

Nelson: "So that school districts can hire teachers at the lower end?"

Hannig: "This would be one of the... one of the... one of the benefits, I think, that you would have, is that someone, for example, as Representative Cullerton has stated, who has taught for 18, 19 years and has accumulated a year's worth of pension days could then retire one year early. This teacher, who's probably receiving the highest salary that the school district allows, will now retire and be replaced by a teacher who enters at the lowest level, is an untenured teacher and someone who would have no accumulated sick days. And so, for that reason, the school districts would save money."

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

Speaker Matijevich: "Proceed."

Nelson: "I believe that what is being suggested here in House Bill 564 is really a perversion of what we have defined sick days for. That is, as Representative Hannig first explained, sick days are those days that are given to a

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teacher to use when that teacher is sick. It seems to me that since we already allow an accumulation up to a half a year, that this is absolutely unnecessary and does not make good sense, either for teachers or for school districts. I would recommend a 'no' vote."

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

Stuffle: "Mr. Speaker and Members of the House, I think the last arguments are the ones that are perverted. The fact of the matter is that the teacher, if not given this credit, at the time of retirement is simply going to either, knowing that's not going to become the case, is going to continue not to work whenever they feel like not working to use up their sick days, because there's no advantage to it. They're going to take a three day weekend. They're going to have to hire a substitute and pay a substitute. They're going to disrupt the normal course of business in the classroom. Fact of the matter is otherwise, without this in place, they're going to stay on the payroll until they've exhausted payments for the sick days. They're still going to have to hire the substitutes. Nothing's going to happen. This is an incentive to take the time that's accumulated to utilize it for pension credit, keeping in mind that's a time that they're being paid for. This is service that they've provided. The point of it is, you're disrupting the process if you don't do this. You're paying for substitutes if you don't do this. People are going to take the sick leave if you don't do this and continue to do what they do now, and that's the problem that we have in the entire system. The whole issue of sick leave ought to be looked at again. We've got several Bills before us that do just that. This is one of them. It does it in a positive sense, and it would provide for a system

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where we know that teacher, unless he's really sick or she's really sick, is going to teach and is not just going to take a three day weekend because the days are there. They're going to have a purpose on each end, with the passage of this Bill with these Amendments, and I rise in support of the arguments made on this Bill and the Amendments for Representative Hanniq."

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

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

Speaker Matijevich: "Representative Flinn has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Hanniq to close."

Hanniq: "Yes, thank you, Mr. Speaker and Members of the House. What we're really trying to do by this Bill is provide that there is the continuity of the same teacher day in and day out in the school room. It's very unfortunate for these students who, after all, we have to be concerned about as well, when they have substitute teachers rolling in there every Friday, or perhaps two or three days trying to pick up where their normal teacher left out... off. Now, what this Bill simply tries to do is reward those teachers who want to work day in and day out and are blessed by good health and are able to do that. It also provides a financial incentive... or financial benefit to the local school districts by allowing these teachers to retire one year early. Now, this Bill only costs the state \$60,000, not 60 billion or 60 million or not even one million, but \$60,000. We pay people \$60,000 in this state to do less than some of us feel that they are worth, but in any case, \$60,000 is not a large amount of money to provide an incentive for a teacher to stay on the job and do the work that he wants to do, and I would ask for a 'yes' vote."

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Speaker Matijeich: "Representative Hannig has moved to concur with Senate Amendments 1 and 2 to House Bill 564. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. The Gentleman from Marion, Representative Dwight Friedrich, one minute to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, there is some merit in keeping the regular classroom teacher in the classroom and not using substitutes. I've found a lot of time that substitutes are merely caretakers because they're not acquainted with the students or the curriculum at that point. The thing that's wrong with this, this cost ought to be borne by the local district because they're saving the money on the substitute teachers and providing the education. They ought to have to pay the cost of the pension."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 86 'ayes', 22 'nays', 3 answering 'present', and the House does concur with Senate Amendments #1 and 2 to House Bill 564. This Bill, having received a Constitutional Majority, is hereby declared passed. We will now go to the Order of Nonconcurrency, and Representative McAuliffe is here now on Senate Bill 1064, on the Order of Nonconcurrency on page eight. The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I move that the House does not recede from the Amendment and that we nonconcur."

Speaker Matijeich: "Representative McAuliffe moves... moves to refuse to recede from House Amendment #1 to Senate Bill 1064 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The

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Motion prevails, and the House refuses to recede from House Amendment #1 to Senate Bill 1064, and a Conference Committee will be appointed. We'll go back to page three of the Calendar. House Bill 609, the Gentleman from Will, Representative Davis. Representative Davis on House Bill 609."

Davis: "Well, thank you, Mr. Speaker and Members of the House. The effect of the Senate Amendment 1 was to add an immediate effective date into House Bill 609. The effect of Senate Amendment #2 was to make the effects of the Bill itself for only one year, the 1983-84 school year. Senator Sangmeister put both Amendments on this Bill and is in support of the Bill, and it did pass overwhelmingly in the Senate, as it did here. I think the Amendments are good. Number one, the effective date was necessary. We forgot to do it here in the House, which was my fault. But, Amendment #2, I think what George is saying and what I'm inclined to agree with, is that we probably ought to look at this problem year by year, and so with that in mind, I will answer any questions, but I would move to concur in both Senate Amendments 1 and 2."

Speaker Matijevich: "Representative Davis moves to concur with Senate Amendments 1 and 2 to House Bill 609. Is there any discussion? If not, the question is, 'Shall the House concur with Senate Amendments 1 and 2 to House Bill 609?' Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 113 'ayes', 2 'nays', and the House concurs with Senate Amendment #1 and 2 to House Bill 609. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 620, the Gentleman from Cook, Representative Jaffe. Is

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Representative Jaffe in the chamber? Representative Jaffe, out of the record momentarily. Leave to return. House Bill 663. Representative Reilly in the chamber? The Gentleman from Morgan, Representative Reilly, on House Bill 663. Representative Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 663 sponsored by myself, Representative Madigan, Representative Daniels, Representative Cullerton, Representative Tate, deals with the state securities laws. After the Bill left the House, there arose some controversy in the Senate. The Senate adopted an Amendment that does several things, mostly technical. It strikes from the Bill Section 11(L) which would have empowered the Secretary of State to create by rule new categories of exempt securities transactions. It strikes from the Bill a Section that would have let the Secretary exempt specific transactions from registration. It delays the effective date on the repeal of the merit aspect of the existing law to July 1, 1984. It makes mandatory the filing of reports of issuance and it limits commissions on transactions exempt under Section 4(G) to twenty percent. I would be glad to answer questions. I would move to concur in Senate Amendment #1 to House Bill 663."

Speaker Matijevich: "Representative Reilly moves to concur with Senate Amendment #1 to House Bill 663. Gentleman from Macon, Representative Dunn."

Dunn: "Question for the Sponsor."

Speaker Matijevich: "Proceed."

Dunn: "Isn't this the Bill that caused a lot of controversy and was the subject of a lot of news stories in the printed media within the last thirty days or so?"

Reilly: "I indicated in my opening remark that there arose some controversy after the Bill left the House. One newspaper

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in particular seems to regard the Bill as being very controversial."

Dunn: "And because of the controversy relating to this Bill and the technical nature of the Act which being...is being amended and the technical nature of the Amendments, isn't this something that there is no crying need to do this very moment today? Can't we just put this Bill in a position to work on it through the summer and maybe come back in the fall with something that we...that everybody feels comfortable with? Is there a...why do we have to rush to judgment today on this Bill?"

Reilly: "Well, in my opinion, we need to move on the Bill now. First of all, it has been under study for a considerable length of time. We have already just within this month, lost to Illinois or run a great risk of losing to Illinois one of the high tech companies that we were trying to attract here to rebuild our economy because of the antiquated provisions contained in the present law. That...I don't know how long we want to drain our economy because of an outdated perception of what the law should be. I think we should move at this time. However, Senator Berman, in the Senate, who has some questions about the only aspect of the Bill that I know of that is in any way controversial. That is the merit...the striking of the so called...greatly misnamed, but nonetheless so called 'merit provision'. Senator Berman, the reason that he put this Amendment on and suggested delaying the effective date of that, I believe, is because he does, indeed, want to have some hearings and discuss that issue further. Personally, I am comfortable with that provision. I respect the reporter who has raised these questions. I have talked with him at length. I have studied the issue. He's a good friend of mine. I simply think he has reached the wrong

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judgment about the issue. I think that we're right and I think that we should proceed at this time."

Dunn: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. This Bill has been more than somewhat controversial and was branded by some of the news media as probably the worst Bill of the Session. There have been...there has been an Amendment adopted in the Senate, by a voice vote, incidentally, which is an important clue. No one wanted to go on a Roll Call, apparently, either way on the Amendment, and I think that's significant. We are within a day or plus of the alleged end of the Session, and I think there's no need to hurry up to pass this into law when those who are interested, both sides on this Bill, should have the time when there is time to think and reflect upon this difficult, complicated subject matter to make sure that what we do is the best thing for business and for investors and for those who own securities, and to protect everybody's rights. I'm not...we may be doing that now, but it's very difficult to tell and I would urge that we withhold enough votes to pass this Bill at this time."

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

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

Speaker Matijevich: "Proceed."

Mulcahey: "Representative Reilly, what is the difference between registration by description and registration by qualification?"

Reilly: "Basically, the question is, 'Are we going to follow what has been federal law since 1933?', which essentially says that what you do is make available to the potential investor all the information, description, if you want to call it that, although it's much more elaborate than

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perhaps that term would call to mind, make available to the investor all of the information that he would need to make an informed decision on the value of the investment, or whether you are going to pretend that what is really a very small staff of people can make those decisions for everybody in the state as to what they could or couldn't buy. If you do it by description, then essentially the Securities Office, Securities Commissioner makes sure that the description is accurate and polices for fraud. If you do it by qualification, the Securities Commissioner decides whether anybody can buy the stock, no matter what information may be provided and no matter how much more expert, in many cases, the person wanting to buy the stock may be than the staff of the Securities Commissioner's Office."

Mulcahey: "So, therefore, you are abolishing registration by description?"

Reilly: "No, no, we're basically instituting by description. We're abolishing the idea of merit or qualification."

Mulcahey: "Okay, well, Amendment #... Amendment #1, House Amendment #1 says you are abolishing registration by description."

Reilly: "I...would you point out where it says that? I don't..."

Mulcahey: "I'm looking at the synopsis. I don't..."

Reilly: "The synopsis of the Amendment? Well, I'm... At least there is nothing in the Amendment language that I know of that says that. The general provision of the Bill is to go in the direction of registration by description and away from registration by so-called merit or qualification."

Mulcahey: "Okay, well, it doesn't say that. Alright. One more question. Senate Amendment #1 adds a provision limiting commissions to twenty percent of the sales price for sales under certain exempt transactions. What are those

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transactions? What are those certain transactions?"

Speaker Matijevich: "The Gentleman yields to Representative Vinson on that, I believe. Are you yielding to Representative Vinson? I thought maybe Representative Vinson could both... answer that and continue with his feelings on the Bill."

Reilly: "Alright, the...Alright, sorry. The exemptions under 4...it's Section 4(G) which are raising... basically the small offering exemptions. And the theory, I think, of Senator Berman in the Amendment was that it would be in those small offerings that the possibility of the investor not, you know, knowing enough or not being perhaps expert enough to judge whether the commission was fair or not would be most likely. And so it's...it's in the small offerings that the commission is specifically limited."

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

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I rise in support of this Bill because this Bill is the single Bill which will do the most in this Session to encourage jobs and economic growth in the State of Illinois. We are currently in a situation in this state...we are currently in a situation in this state where we purport to let a sleepy little agency with sleepy little bureaucrats determine what are good and bad investments for the people of the State of Illinois. That is simply not the right thing to do in this state. The Securities and Exchange Commission in Washington is one of the most effective agencies...federal government. It has proven effective through a long period of time. Its effectiveness is attested to by liberals and conservatives alike. And what we are simply saying here is something that passes the muster of their scrutiny and tests doesn't need to pass the

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muster and scrutiny of the tests applied by sleepy little bureaucrats in the State of Illinois. I rise in support of this because it will generate economic growth. It will permit Illinois, as a major capital market, to invest the capital here at home rather than across the state border in Indiana, Kentucky or Missouri to create the jobs that we need in Illinois. What you are going to do, if you defeat this Bill, is to place us in a situation where the...where people simply invest money across the state lines for jobs and factories over there. And for those reasons, I rise in support of this Bill and urge an 'aye' vote on it."

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

Cullerton: "Thank you, Mr. Speaker. I also rise in support of this Senate Amendment...these Senate Amendments. I would just point out that the Senate...there were some issues raised in the press after we passed this Bill. They were good points that were raised. The Senate Subcommittee was appointed to study this particular Bill. They met for four hours and as the result of those meetings, a compromise was obtained and this particular Bill passed the Senate by a vote of 52 to 3, reflecting the fact that the Bill was carefully worked over, looked over and improved. And for those reasons, I would also support the Motion."

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

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

Speaker Matijevich: "Representative Piel moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', those opposed say 'no'. The main question is put. Representative Reilly to close."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the last two speakers have said it very well and said really all that there is to say. What we are

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trying to do is bring Illinois law in this field into compliance with the needs of today and with the needs of economic development. As Representative Cullerton said, after the so-called controversy arose, the Senate passed the Bill 52 to 3. After the controversy arose, both the Tribune and the Sun Times editorially endorsed this approach. After the controversy arose, we've lost at least one company that we were trying to attract to this state, or at least we run that risk. I don't think we should wait any longer. We have studied this question enough. It is a good sound economic package, and on behalf of the Speaker and the Minority Leader and myself and the other Sponsors, I would ask for a favorable vote on my Motion to Concur in Senate Amendment #1 to House Bill 663."

Speaker Matijevich: "Representative Beilly moves to concur with Senate Amendment #1 to House Bill 663. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. The Gentleman from Lake, Representative Pierce. One minute to explain his vote."

Pierce: "Mr. Speaker, even though the opponents were not allowed to speak on this Bill, what this Bill does is open Illinois and Chicago up to being the bucket shop capital of the United States, the penny stock capital. All these young Legislators who spoke aren't particularly sophisticated in securities matters, didn't live through a depression, didn't live through schemes, sell crooked stock. Securities and Exchange Commission doesn't validate the investment character of a security. What this Bill does...and I believe we need deregulation. What this Bill did was completely sell out to a few lawyers in Chicago in the securities area who want to create a bucket shop operation, an operation of stocks where people are going to be bilked. You can build factories in Illinois without

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this Bill, believe me. It has nothing to do with building factories in Illinois. It's a phony, phony argument. What it does is allow a few swindlers to come in here and sell stocks without any blue sky regulation whatsoever. It's going to come back to haunt us. We'll repeal it in a few years and I hope they look and see what unsophisticated Members of this House fell hook, line and sinker for the arguments in favor of this Bill."

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

Pierce: "It's a bad Bill."

Speaker Matijevich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 91 'ayes', 24 'nays' and the House does concur with Senate Amendment #1 to House Bill 663. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 669, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members of the House, Senate Amendment #1 to House Bill 669 provides that authorized agents of an exclusive bargaining representative may meet with school employees in a school building only during duty-free times of such employees. I think this is an important Amendment. We've recognized in this House that collective bargaining is a reality this year. So did the Senate. They've sent a Bill on to the Governor. This merely provides that there may be meetings between school employees and the agents of the exclusively picked bargaining agent in the school building at... with those people when they have duty-free time. The statute already provides that anyone who goes into a building must identify himself and the purpose for which they're there. I would move to concur in Senate Amendment #1 to House Bill 669."

Speaker Matijevich: "Representative Stuffle has moved to concur

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with Senate Amendment #1 to House Bill 669. The Lady from DuPage, Representative Nelson. And would Representative Ronan come back to the podium for a moment?"

Nelson: "Thank you very much, Mr. Speaker. Question of the Sponsor."

Speaker Matijevich: "Proceed."

Nelson: "Representative Stuffle, back to the original Bill, which states that authorization cards are going to be filed with the regional superintendents. We have passed out of here... House Bill 1530, and it's been passed by the Senate. Is there some reason that this Bill would be necessary, given passage of that legislation, which is the comprehensive collective bargaining for teachers?"

Stuffle: "The first part of the Bill, Representative Nelson, would be covered in the other Bill. The second part is not covered in the other Bill. Both Bills could be given effect clearly together. There's no conflict in the first part of this Bill and in the other Bill, because there's the same authorization there. The Amendment would be different. There's no authorization in the School Code as this Amendment provides, nor is there in 1530."

Nelson: "But, the first part of the Bill would not be necessary with passage of 1530."

Stuffle: "Well, no. I don't think it would be. It... It wouldn't conflict, though. But the Amendment would be different."

Nelson: "The Amendment is also unnecessary, in my opinion. I can't imagine that there... a problem has arisen somewhere in the state. Is there a problem somewhere that a friend of a teacher who is a union official has been barred from a school?"

Stuffle: "Well, I can cite... I can cite a specific example in my own district, where we... "

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Nelson: "Would you?"

Stuffle: "I'm sorry."

Nelson: "Would you?"

Stuffle: "Sure. Where I went into a school building with Senator Bruce at the time, he and I have adjoining districts. We've toured many schools. This is probably four years ago. We came into this school, and we had with us people from the IEA. Those people were attempting to talk with teachers on their lunch hour, and the teachers wanted to talk with them. There was an attempt to prevent that activity from occurring - clearly, an attempt. Even a memorandum sent out indicating that teachers and employees were not to talk to the Senator and I, nor to these agents of the IEA, at the time, even on their own time in duty-free hours."

Nelson: "And what happened that day?"

Stuffle: "We did it anyway."

Nelson: "That's just my point. I believe that... Excuse me. To the Bill, Mr. Speaker."

Speaker Matijevich: "Proceed."

Nelson: "I believe that both parts of this Bill are absolutely unnecessary, the first part because it has been covered under 1530, which has passed the House and the Senate, and the second part because it simply is not a problem. I believe that reasonable, mature adults should be able to work out something like this by saying, 'May so-and-so come into the building?', and getting permission. I simply do not see any reason in the world why we have to put something this trivial in state statutes, and I would urge 'no' votes."

Speaker Matijevich: "Representative Stuffle to close."

Stuffle: "I think she gave the best argument possible for this Bill asking the question that I answered. If we hadn't

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have had a problem... If we had have had this Bill, we wouldn't have had a problem. There was no reason to cause the problem. There's no reason to cause the problem now. If we are mature adults, those people that caused that problem wouldn't have done so, but that's why we need this particular Amendment on this Bill. It's a standard of reasonableness I think we ought to accept. It doesn't conflict with teaching a class. It doesn't conflict with the schools' curriculum. It only says we have the opportunity where we pick the bargaining agent to let them talk with their members or other members on duty-free time outside the classroom. I would ask for an affirmative vote to concur."

Speaker Matijevich: "Representative Stuffle moves to concur with Senate Amendment #1 to House Bill 669. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 73 'ayes', 33... 74 'ayes', 33 'nays', and the House concurs with Senate Amendment #1 to House Bill... 'no', for Karpel. The House concurs with Senate Amendment #1 to House Bill 669. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 695, the Gentleman from Macon, John Dunn. Out of the record. House Bill 708, the Gentleman from Bureau, Representative Mautino, on House Bill 708."

Mautino: "Thank you very much, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 708. This is the taxpayers' provision submitted on the legislation that addresses the... increases the amount of time that individuals have for... in order to file for a referendum. I move to concur with this Amendment to 708."

Speaker Matijevich: "Representative Mautino has moved to concur

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with Senate Amendment #1 to House Bill 708. The Lady from Marshall, Representative Koehler. Representative Hawkinson."

Hawkinson: "Will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Hawkinson: "Representative, even after the Amendment, is this a back door referendum?"

Mautino: "Yes. This is the same Amendment, I believe, that Representative Pullen is putting on all... all levy proposals in the House, and I believe that it's Mr. Barkhausen in the Senate, or Mr. Hudson."

Hawkinson: "Thank you."

Speaker Matijevich: "There being no further discussion, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 708?' Those in favor signify... Oh. Somebody... No. All those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 74 'ayes', 36 'nays', 1 answering 'present', and the House concurs with Senate Amendment #1 to House Bill 708. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 709, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. The exact, identical, same Amendment, the taxpayers' Amendment, has been placed on 709 with Senate Amendment #1, and I move to concur with that Amendment, as well."

Speaker Matijevich: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 709. There being no discussion... Representative Pullen, I'm sorry. The Lady from Cook, Representative Pullen."

Pullen: "I think it's great that this Amendment is being added to

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these back door referendum Bills, but I think that people should know that concurring is final passage on a Bill that changes a front door referendum to a back door. Thank you."

Speaker Matijeich: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 709. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 53 'ayes', 52 'nays', and 3 voting 'present'. The Gentleman from Bureau, Representative Mautino."

Mautino: "I would like to explain my vote in this regard. For those park districts that were organized after 1973, those provisions were already in the... in the new organizational charts. For those that were organized before that date, there was no provisions to pay for paving and lights. What they do is that they pay those bills for paving and lighting without a line item to do so. In this specific case, I believe that we are talking about 30 cents per year per piece of property within a park district for the payments that they are making now for the lighting of those park districts. Basically, this is the honest way to do it, to have a line item for it, to levy for it."

Speaker Matijeich: "Have all voted who wish? Have all voted who wish? The Clerk will take... Oh, it's locked? I guess we did take the record. You want a Poll of the Absentees? Well, let's dump the Roll Call. We did lock the board when I asked for his explanation. On this question, those in favor signify by voting 'aye', those opposed by voting 'no'. 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

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question, there are 64 'ayes', 50 'nays', 1 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 709. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 721. Is there anybody here to handle it for the Minority Leader? Out of the record temporarily. Leave to return. House Bill 740, the Gentleman from St. Clair, Representative Monroe Flinn. Out of the record temporarily. House Bill 741, the Majority Leader, Jim McPike. Are we ready to proceed with that? Representative McPike, are you ready on House Bill 741? Majority Leader, Jim McPike."

McPike: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur in Senate Amendments #1 and 2. To the Bill, as this is the right to know Bill dealing with toxic substances in the work place. As some of the individuals on the floor raised questions during debate that the problem that those people who spray pesticides on farms had a problem with the Bill, and I said we would deal with it in the Senate. We did. Senate Amendment #1 eliminated their objections to the Bill. I'm sorry. That's Senate Amendment #2, and Senate Amendment #1 would require that the Bill is subject to those provisions of the Administrative Procedures Act. I think they're both decent Amendments, and I would move to concur in them."

Speaker Matijeich: "Representative Jim McPike has moved to concur with Senate Amendments 1 and 2 to House Bill 741.

On that, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, would you repeat your comments regarding the problem that certain agricultural industry people had with the Bill as it passed the House, and what the status

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of that is now?"

McPike: "Yes. They... Yes. They objected to the Bill, and I agreed on the floor to see if I could work with them in the Senate. We met with them and accepted their recommended language for a change, and so now, they are in support of the Bill."

Vinson: "And which Senate Amendment does that?"

McPike: "Senate Amendment #2."

Vinson: "Alright. Now, where... at the time that this Bill passed the House, it was my understanding that there was... it was in the nature of an agreed Bill, virtually, between industry and labor."

McPike: "Correct."

Vinson: "Is that the posture of it today?"

McPike: "Yes."

Vinson: "Alright. Now, it's my understanding, and I in no way impugn any bad faith to you on this, because things are happening quickly at this stage in the Session. But, it's my understanding that there are problems with the trade secret provisions and with the list of substances, some non-toxic substances being involved. Are you aware of that in any fashion?"

McPike: "No. I have been told that the Manufacturers' Association, the Chamber of Commerce and the Chemical Industries Council support the Bill."

Vinson: "Okay. Now, I am looking at a memorandum that may, in fact, be obsolete. And I'm concerned because of how quickly we're moving on this stuff, and I may be stating things that are obsolete at this point, but it's dated June 28th and suggests that this Bill should be nonconcurrent in, because of problems with the trade secret provisions, and that there are substances which are non-toxic but must be reported."

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McPike: "Well, who is the memorandum from?"

Vinson: "The manufacturers."

McPike: "Well, they have not communicated that to me."

Vinson: "Would you... Would you be unresponsive to taking it out of the record so we could confirm that... "

McPike: "No. I have no problems. Let's take this Bill out of the record, Mr. Speaker."

Speaker Matijevich: "Cut of the record."

Vinson: "Thank you very much."

Speaker Matijevich: "Out of the record and leave to return. House Bill 747, the Gentleman from Cook, Representative Capparelli."

Capparelli: "Mr. Speaker, I move to concur to Senate Amendment #1. The Amendment was offered by the Medical Society, that when medical care is rendered to a prisoner, payment will be made by the county, then the prisoner, if financially (sic - financially) able. I would move to concur to House Amend... Senate Amendment #1. Thank you."

Speaker Matijevich: "Representative Capparelli moves to concur with Senate Amendments #1 and 2 to House Bill 747. The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question, please. Does the underlying Bill that this Motion would constitute final action for still have in it that all costs of maintaining a person in jail under an ordinance or resolution of a unit of local government shall be the responsibility of the unit of local government enacting the ordinance and arresting the person?"

Capparelli: "If I... Your question was: Will the local government have to pay for the medical prisoners' hospitalization? Is that what you asked me?"

Pullen: "Well, my analysis says that in Section 5, all costs of maintaining a person in the jail, not just medical -

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Section 17 is medical - but Section 5 is all costs of maintaining a person in jail under a local ordinance would have to be paid by the local unit of government that has that ordinance. Is that still in the Bill?"

Capparelli: "No, that was taken out... it was... The Bill originally had that originally, the payment would have to be made by the... cared for by the provider, and now we are saying that the prisoner will pay if he's financially able. Otherwise, the local prison would have to pay for it... the county. I'm sorry."

Pullen: "That's the medical costs, right? But, the analysis that I have here says that Section 5 provides all costs of maintaining a person, not simply medical. Section 17 is the medical cost. Is Section 5 still in the Bill that has all costs being paid for by the unit of local government?"

Capparelli: "That should be... That's still in the Bill."

Pullen: "Pardon me?"

Capparelli: "That's still in the Bill."

Pullen: "Thank you."

Speaker Matijevich: "Representative Hawkinson."

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

Speaker Matijevich: "He indicates he will."

Hawkinson: "Representative, does the Bill as amended still mandate day-for-day credit on the sentence for misdemeanor prisoners in a county jail?"

Capparelli: "On the misdemeanor, it now makes it parity with the rest of the individuals in jail, yes."

Hawkinson: "So, they do get day-for-day good time?"

Capparelli: "Right."

Hawkinson: "Thank you."

Speaker Matijevich: "Representative Capparelli moves to concur with Senate Amendments #1 and 2 to House Bill 747. Those in favor signify by voting 'aye', those opposed by voting

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'no'. This is final passage. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 91 'ayes', 16 'nays', and the House does concur with Senate Amendments #1 and 2 to House Bill 747. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 751, Representative Howard Brockins. Gentleman from Cook, Representative Brookins."

Brookins: "Mr. Speaker, I move that we concur with Amendment #1 that was attached to 751. What the Amendment does is allow the trustees of Cicero to elect their officers in an odd year rather than an even year."

Speaker Matijevich: "Representative Brookins has moved to concur with Senate Amendment #1 to House Bill 751. The Gentleman from Cook, Representative Piel."

Piel: "Representative Brookins, one quick question. I noticed that you were trying to find... Representative Topinka was called out in the rotunda. Is she in favor of this Amendment, do you know?"

Brookins: "That is correct."

Piel: "Fine. Thank you."

Speaker Matijevich: "You've heard the Motion. All in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 98 'ayes', 7 'nays', and the House does concur with Senate Amendment #1 to House Bill 70...751. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 758, the Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker and Members of the House. House Bill 758 contains Amendments of two Bills which were previously passed by the House. It amends the Chicago Fire

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Department's Firefighter Pension Fund, which provides for a 20/50 and also a change in their survivors' benefits. After negotiating with the City of Chicago and the members of the board that this benefit will be phased in over a three year period, starting with a 52/22 and going in for three years, and also deferring the survivors' benefit to July 1 of 1984, and I would appreciate your support. This has been a lot of work on the part of Mike 'Cchen' and Jim 'Defiley' and many people concerned. I would appreciate your support."

Speaker Matijevich: "Representative Terzich has moved to concur with Senate Amendments #1 and 2 to House Bill 758. There being no discussion, all those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 78 'ayes', 33 'nays', 1 answering 'present'. The House does concur with Senate Amendments 1 and 2 to House Bill 758. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Winnebago, Representative Giorgi, on House Bill 805."

Giorgi: "I move to concur to Senate Amendment #1 to House Bill 805. It's the Prosthetics and Orthotics Licensing Act. No problem with the Senate Amendment."

Speaker Matijevich: "Representative Giorgi has moved to concur with Senate Amendment 1 to House Bill 805. There being no discussion, all those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 86 'ayes', 27 'nays', 1 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 805. This Bill, having received a Constitutional Majority, is hereby

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declared passed. House Bill 849, the Gentleman from Macon, Representative John Dunn."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 849 just makes the Bill apply statewide, and what the Bill does is, it provides that school boards shall make available a mailing list to provide notices about meetings and then the minutes of meetings which have taken place to those who wish to subscribe and subscribers will have to pay the cost of this extra workload, so I recommend an 'aye' vote. I move for concurrence."

Speaker Matijevich: "Representative John Dunn has moved that House concur with Senate Amendment #1 to House Bill 849. There being no discussion, all those signify by... in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 106 'ayes', 9 'nays', and the House does concur with Senate Amendment #1 to House Bill 849. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill... We skipped over House Bill 755, the Gentleman from Cook, Representative Kraska."

Kraska: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 755. It increases the death benefits for firefighters who die after June 30, 1983, to provide the following: For those firefighters who are not yet retired, the death benefit is \$12,000, reduced by \$400 for each year that the firefighter's age is more than 49, with a minimum benefit of \$6,000. For retired firefighters, the death benefit is \$6,000. Furthermore, it amends the State Mandate Act to make the increased costs attributable to these provisions not reimbursable by the state. I move to accept."

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Speaker Matijevich: "Representative Krska has moved to concur with Senate Amendment #1 to House Bill 755. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 79 'ayes', 30 'nays', 2 answering 'present'; and the House does concur with Senate Amendment #1 to House Bill 755. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 854, the Gentleman from Lake, Representative Dan Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 854 is the Joint Sunset Committee's Bill to relicense funeral directors and embalmers. It makes it clear that although ownership need not be in a licensed funeral director - ownership of a home - the day-to-day operation, management and control is to be under a funeral director. The pre-July 1935 charters, however, are still exempt. Senate Amendment #1 really didn't change the funeral directors' part of the Bill. It merely postponed sunset for several occupations so that in the next two years, the Sunset Committee could concentrate on the Commerce Commission, which will be the big activity the next two years. I therefore move to concur in Senate Amendment #1 to House Bill 854 at this time."

Speaker Matijevich: "Representative Pierce moves that the House concur with Senate Amendment #1 to House Bill 854. The Gentleman from Cook, Representative Birkinbine."

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

Speaker Matijevich: "He indicates he will."

Pierce: "Yes."

Birkinbine: "Would you please explain again that aspect of the

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Bill that deals with ownership and the day-to-day running of funeral homes? I didn't understand."

Pierce: "Yes, under law up to now, only a funeral director could own a funeral home. The Sunset Committee felt that that should be relaxed as to ownership, and we reached an agreement with both the Illinois Funeral Directors and the Chicago Funeral Directors on the ownership question, but we did retain the fact that management, day-to-day management, operation and control of the funeral home must be under a funeral director. So, ownership need not be, but management is still to be."

Birkinbine: "Thank you very much."

Speaker Matijevich: "Representative John Dunn."

Dunn, J.: "By way of clarification, a question of the Sponsor. There were some controversial Amendments, but I think they were not adopted on this Bill. Is... Is that correct?"

Pierce: "Yes. Amendments, I believe there were 4 and 5 in the House, were never offered, and they were not put on in the Senate, and I think all the parties, both the Cemetery Association, the Illinois Funeral Directors, and there's an association up in Chicago of Funeral Directors, and the Sunset Committee itself, are all in agreement with the Bill as it now stands, and... and I've checked with all these... all these groups, and they want to go ahead with the Bill with no further Amendments. Other than Senate Amendment #1, which didn't affect the funeral directors."

Dunn, J.: "Thank you."

Pierce: "So I move to concur."

Speaker Matijevich: "Representative Pierce moves to concur with Senate Amendment #1 to House Bill 854. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question,

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there are 109 'ayes', 3 'nays', and the House does concur with Senate Amendment #1 to House Bill 854. This Bill, having received the Constitutional Majority, is hereby declared passed. And Representative Frookins is smiling. I don't know why. The Gentleman from Cook, Representative Bullock, on House Bill 862."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to request the House concur with Senate Amendment #1 to House Bill 862. Senate Amendment #1 provides that the Criminal Sentencing Commission, rather than the Administrative Offices of the Illinois Courts, shall prepare the Prison Impact Note. It was, in fact, the original statutory intent that the Criminal Sentencing Commission monitor prison population and its affects (sic - effects) under the Act. Mr. Speaker and Ladies and Gentlemen of the House, I respectfully urge a green vote to concur with Senate Amendment #1 to House Bill 862."

Speaker Matijevich: "Representative Bullock moves to concur with Senate Amendment #1 to House Bill 862. The Gentleman from DuPage, Representative Hoffman."

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

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

Hoffman: "Tell me about the Criminal Sentencing Commission. Who... What body is this, or who are these folks?"

Bullock: "Well, it's a distinguished Commission. Senator Robert Eagan chairs the Commission, and some of the fine Legislators of this Body serve on that Commission. They do an outstanding job."

Hoffman: "What is the budget of the Commission?"

Bullock: "I don't have that figure before me, Representative. This legislation here does not attempt to appropriate funds to that Commission, but merely attempts to give a logical place for the note to originate."

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Hoffman: "How... How large is the staff of the Commission? Or, do they have one?"

Bullock: "Oh, they have a substantial staff, I would imagine."

Hoffman: "You would imagine."

Bullock: "Well, my information has it that they do have staff, and they're doing a fine job."

Hoffman: "You have an inclination, and you have an imagination. Is that what you said, Sir?"

Bullock: "Well, I said that the Commission was created by this Body, and you, as a Member of the Body, cast a vote, I'm sure. The appropriation for the Commission comes up annually. House Bill 862, however, is not a Commission Bill, does not attempt to appropriate money to the Commission in any shape, form or fashion."

Hoffman: "In the original Bill, you had the Administrative Office of the Illinois Courts preparing the impact note. What was the rationale in the Senate for changing that?"

Bullock: "We received a written communique from Mr. 'Gulley' of the Administrative Offices of the Court, who suggested perhaps that it might be more appropriate to use the Criminal Sentencing Commission for this function, and we, of course, in our efforts to always be compromising and work with state officials, accepted his recommendation."

Hoffman: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, to the... to the Amendment. The Bill in its original form left a great deal to be desired. What an impact note would tell us about a... about a prison isn't any different than the statistics that are readily available to any of us anyway. All we have to do is contact the department. To go to a legislative commission and place them in a situation where they have the responsibility and the obligation to prepare these notes doesn't make a great deal of sense. My guess is that if

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they get involved in this, it will be necessary for them to increase their staff and increase their budget because if they are operating in a... the Commission is operating in a judicious and fiscally sound manner now, they will not have the resources available to accept this additional burden if, in fact, it is. And for that reason, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this concurrence."

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

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, what this Bill effectively does is to reverse the burden in this chamber, the burden of proof, on anti-crime legislation. The issue ought not be prison impact when we consider Bills to punish offenses. The issue ought to be what the appropriate punishment for the offense is. What this Bill does is to make it less likely that we will appropriately punish people who have invaded homes, raped women, murdered people. We ought not do that. This is a soft-on-crime Bill, and we ought not be a soft-on-crime General Assembly. There is plenty of time in the appropriations process. There is plenty of consideration given to the issue of prison space, and if we need more prison space, then what we ought to do is appropriate the money for more prison space rather than try to turn people loose, rather than try to avoid punishing criminals. This is a bad Bill, and it ought to be defeated. And I would urge a 'no' vote."

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

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

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

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the main question is put. The Gentleman from Cook, Representative Fullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 862 has been debated before by this Body. House Bill 862 has been passed by this Body with a substantial vote. House Bill 862, now back before us, has one minor change in regards to who shall prepare the prison impact note. I submit, Ladies and Gentlemen, and we've heard the arguments before that those people who rise in opposition to the Bill engage in the height of hypocrisy. Those individuals, as I've said in previous debates on this Bill, are disregarding the facts of life which are that we are releasing 10,000 prisoners in this state each year through the early release program because we simply have no place to put them. It is sheer folly. It is sheer nonsense for us to continue to pass legislation in this Body not knowing the impact that it has on our state prisons. We ask for fiscal impacts. We ask for Mandates Act. We ask for all of that information on fiscal matters before this Body. I think now is the time for us to determine the impact of criminal offenses and sentencing on this Legislature. I urge an 'aye' vote to concur with Senate Amendment #1 to House Bill 862."

Speaker Matijevich: "Representative Bullock has moved to concur with Senate Amendment #1 to House Bill 862. Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is final passage. The Gentleman from Cook, Representative Jaffe, one minute to explain his vote."

Jaffe: "Yes, Mr. Speaker and Members, I rise in support of this legislation. I sort of get a kick out of it when the Gentleman from DeWitt says that we're soft on crime. In my knowledge in the General Assembly, we have been the most regressive and political Body when it comes to passing

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criminal law legislation that I have ever seen. I think what he's afraid of doing is he's afraid of knowing what the result of his actions are. I think if his people found out what he was voting for and found out the terrible things that he was going for, they would throw him out of office. I think this is an excellent bill, and we ought to pass it."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. Certainly in my judgment we don't need an additional kind of an impact statement. If anything, we need to really deal with the problem of how those people actually got into that situation. Maybe we ought to have kind of an impact statement that deals with the social impact that may occur as a result of letting so many prisoners out of jail early. I urge a 'no' vote."

Speaker Matijevich: "Representative Vinson to explain his vote. Oh, he spoke in debate. All right. I think he may... Representative Brummer, one minute to explain his vote."

Brummer: "Yes, I think this is an excellent piece of legislation. I think people, whether they are so called pro law and order or otherwise ought to all be voting for this so that when we have the law and order Bills, when we have Bills either increasing or decreasing the penalties for various crimes, we have some idea what the impact is on our prison population. We ought to know if we're going to put additional people into the system whether we're going to force murderers and rapists out the backdoor because we don't have... we don't have room to hold them in the existing system. We also ought to know that information so that we can make reasonable plans for building new prisons, so we know how many new prisons we need to build so we can

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predict what type of capital needs there are if that's what the Legislature and the Governor decides to do. All of us ought to..."

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

Brummer: "... have that type of information, and we all ought to vote green."

Speaker Matijevich: "Representative Hawkinson, the Gentleman from Knox."

Hawkinson: "Thank you, Mr. Speaker. I rise in opposition to this Motion for the reasons stated earlier as well as the simple fact that this Amendment now gives the duty to the Criminal Sentencing Commission. Earlier this Session, we had to have a Bill in to extend the reporting time for this Commission because they weren't ever able to get their annual report done on time. Not only that, they have only one staff person. This proposal is totally unworkable, and for that reason, as well as many other good reasons cited, I urge a 'no' vote."

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

John Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise in support of this good piece of legislation. This legislation will give us an idea of the impact of what we're doing with regard to the overcrowding of our jails and prisons and give us an opportunity, as we pass legislation, to reflect upon what we are doing and whether we really want to lock people up and throw away the key or whether we want to look at alternatives, some of which are being considered at the present time, which will give people a chance to get out and have a new day for the less serious crimes. Put them back on the street with a job, slap them on the wrist and tell them that... that they're on the way down the shoot to big trouble if they

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don't cooperate, but if they do we can help them..."

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

John Dunn: "... and that would be to the benefit of everyone."

Speaker Matijevich: "Representative Barger."

Barger: "Thank you, Mr. Speaker. Ladies and Gentlemen, those of you who are from high crime districts who worry about protecting criminals and keeping them out of jail, just remember that in your high crime district besides having these criminals that you want to keep out of jail, you also have the majority of the victims in the State of Illinois. It's the weak people who can't take care of themselves that are victimized. It is better for a person to serve part of a sentence and be let off early than it is to allow someone to be turned loose without being sent to court and properly punished for a crime. Think again on this because this is a major problem."

Speaker Matijevich: "Have all voted? Have all voted? The Gentleman from Cook, Representative Bullock to explain his vote."

Bullock: "Mr. Speaker, I don't want to leave any misinformation on the floor of this House. Ladies and Gentlemen, this Bill deals with a prison impact note. We don't need to argue the merits of anticrime or law and order, but the fact of the matter is I asked one of the previous speakers, how would you feel if you got popped over the head because we let a convict out early? How would you feel if your wife gets raped for a guy who's gone to prison for twenty years and serves three years, but when you vote on the floor of this House on legislation to lock them up and don't give the resources to the courts in which to incarcerate them, that's sheer hypocrisy. And you should not have clean conscience. You should not have clean hands. It's a good Bill. Let's not distort the issue."

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The fact of the matter is, we ought to know what we're voting on. If you believe in truth imprisonment, you vote 'aye' on this Bill. If you're a hypocrite, you vote 'no'."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 65... I'll get to you, 65 'ayes', 51 'nays', and the Gentleman from DeWitt has requested, I'm sure, a verification. Is that it? And the Gentleman asks to poll the two absentees. This is our change of pace. Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Taylor and Yourell."

Speaker Matijevich: "The Clerk will now announce the affirmative vote. When your name is called, remain in your seat and raise your... right arm."

Clerk Leone: "Poll of the Affirmative. Alexander..."

Speaker Matijevich: "One moment. Representative Terzich asks leave to be verified. Leave. Leave is granted. Proceed."

Clerk Leone: "Berrios, Bowman, Braun, Breslin, Brookins, Brummer, Bullock, Capparelli, Christensen, Cullerton, Curran, Currie, DeJaegher, DiPrima, Domico, Doyle, John Dunn, Farley, Flinn, Giglio, Giorgi, Greiman, Hannig, Hicks, Huff, Hutchins, Jaffe, Keane, Kraska, Kulas, Laurinc, LeFlore, Leverenz, Levin, Marzuki, Matijevich, Mautinc, McGann, McPike..."

Speaker Matijevich: "One moment. Representative Taylor wishes to be recorded as 'aye'. Representative Taylor 'aye'. Proceed."

Clerk Leone: "Mulcahey, Nash, O'Connell, Fanayotovich, Fangle, Pierce, Preston, Rea, Rhee, Rice, Richmond, Roman, Satterthwaite, Shaw, Slape, Steczc, Stuffle, Taylor, Terzich, Turner, Van Duyn, Vitek, White, Wolf, Younge and Mr. Speaker."

Speaker Matijevich: "Representative Vinson on questions of the

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affirmative vote. Representative Berrios is in his seat."

Vinson: "Mr. Bowman."

Speaker Matijevich: "Mr. Bowman is in his seat."

Vinson: "Mr. Brummer."

Speaker Matijevich: "Representative Brummer. Is Representative... He's in the back."

Vinson: "Mr. Capparelli."

Speaker Matijevich: "Representative Capparelli. Is Representative Capparelli... I don't see him in his seat. How's he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Vinson: "Mr. Christensen."

Speaker Matijevich: "Representative Christensen is not in his seat. Take him off the Roll Call."

Vinson: "Mr. Domico."

Speaker Matijevich: "In his seat."

Vinson: "Mr. Farley."

Speaker Matijevich: "Representative Farley. I don't see him in his seat. Is Representative Farley in the chamber? Remove him from the Roll Call."

Vinson: "Mr. Huff."

Speaker Matijevich: "Doug Huff. I don't see Doug Huff in his seat. Remove Representative Doug Huff from the Roll Call."

Vinson: "Mr. Levin."

Speaker Matijevich: "Ellis Levin. I don't see Ellis Levin. Is Representative Ellis Levin in the chamber? I don't see him. Remove him from the Roll Call."

Vinson: "Mr. Mulcahey."

Speaker Matijevich: "Representative Mulcahey. He's over... over on your side. Right next to you, in fact."

Vinson: "Mr. Fanayotovich."

Speaker Matijevich: "Fanayotovich is in his seat."

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Vinson: "Mr. Fangle."

Speaker Matijevich: "Representative Fangle is in his seat."

Vinson: "Mr. Slape."

Speaker Matijevich: "He's in his seat... as always."

Vinson: "Mr. Stuffle."

Speaker Matijevich: "One moment. The Representative from Peoria, Representative Saltsman, for what purpose do you seek recognition?"

Saltsman: "Mr. Speaker, I'd like to switch my vote to 'aye'."

Speaker Matijevich: "You want it 'aye'."

Saltsman: "Yes."

Speaker Matijevich: "Saltsman from 'no' to 'aye'. Return Representative Doug Huff to the Roll Call."

Vinson: "Mr. Turner."

Speaker Matijevich: "He's back there waving in anticipation of your..."

Vinson: "Mr. White."

Speaker Matijevich: "Jesse White. I don't see Jesse White there. Remove Jesse White from the Roll Call."

Vinson: "Representative... Representative Younge."

Speaker Matijevich: "Wyvetter Younge is in her seat."

Vinson: "Mr. Flinn."

Speaker Matijevich: "Representative Flinn. Representative Flinn, I don't see him there. Remove him from the Roll Call."

Vinson: "Mr. Marzuki."

Speaker Matijevich: "Representative Marzuki is back there waving."

Vinson: "Mr. Curran."

Speaker Matijevich: "Mr. Curran. Mike Curran. Over here by the podium."

Vinson: "No further questions."

Speaker Matijevich: "No further questions. Will the Clerk give me the count. 61 'ayes', 50 'nos', and the House does

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concur with Senate Amendment #1 to House Bill 862. And this Bill, having received the Constitutional Majority, is hereby declared passed. We are now going to go to some appropriation Bills that must be put in the posture of Conference. The first Bill is House Bill 541. The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Basically on all four of these Bills, because of the situation where we still don't know the exact status of the tax question, we're going to be moving to nonconcur."

Speaker Matijevich: "Do we have leave to consider House Bill 541, 542, 543 and 888 on one Roll Call on Motion to nonconcur? Leave. Leave is granted."

Reilly: "I move to nonconcur on all Amendments to all four Bills."

Speaker Matijevich: "The Gentleman from Morgan, Representative Reilly, has moved to nonconcur on all Senate Amendments to House Bills 541, 542, 543 and 888. You heard the question. All those in favor say 'aye', opposed 'nay', and the Motion prevails. And the House does nonconcur with all Senate Amendments to House Bill 541, 542, 543 and 888. Next Bill is Senate... House Bill 884, the Gentleman from Sangamon, Representative Curran. Representative Mike Curran on House Bill 884."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur, Senate Amendment #1 to House Bill 884. It simply allows county governments as well as municipal governments to apply for participation in the pilot residential weatherization project. Very simple Amendment."

Speaker Matijevich: "Representative Curran has moved to concur with Senate Amendment #1 to House Bill 884. The Gentleman from DeWitt, Representative Vinson."

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Vinson: "Yes, Representative... Would the... Would the Gentleman yield for a question?"

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

Vinson: "Would you explain what the underlying Bill did."

Curran: "What the underlying Bill did is provide for pilot projects to show what the collective advantage is for residential weatherization would be if we concentrated a tremendous amount of residential weatherization in a few areas around the state. These are pilot projects. What I believe would happen is we would show employment in those areas. We would show a reduced use of energy in those areas. We'd show increased amount of money in residential... bank accounts in those areas. We'd show greater activity for lumber yards, hardware stores and the like... those places that provide insulation materials. And it's just a pilot project."

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

Speaker Matijevich: "Proceed."

Vinson: "I would advise the Assembly to pay particular attention to this particular piece of legislation. Mr. Speaker, point of order first before I address the Bill."

Speaker Matijevich: "Proceed with your... Proceed with your point of order."

Vinson: "It would appear to me that there's something wrong with the board up there, and I think that ought to be set straight."

Speaker Matijevich: "Yes, you're right. We're on Senate Amendment #1."

Vinson: "Now, Mr. Speaker, to the Bill and to the Motion. Senate Amendment #1, as I understand it, simply granted the participation in this Bill to counties as well as municipalities. And that did improve one aspect of the

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Bill; however, there is another fatal flaw in this Bill. And for that reason, the Bill ought to be defeated. The Bill establishes certain qualifications for municipalities which seek to qualify to get the assistance under this Bill, the ability of the municipality to provide matching funds, the ability of the municipality to provide administration, the ability of the municipality to repay the loan. Now if you examine those qualifications, you'll find that a large number of municipalities are eligible for this particular kind of assistance. I would suggest to you that municipalities that are far too wealthy to get state assistance qualify under the provisions of this Bill. Every municipality along the North Lake Shore in Cook County is eligible for assistance under this. Kenilworth, Winnetka, they're eligible for assistance under this. Why, at a time when the state is depleted in revenues, why, at a time when we're trying to figure out what we have to cut out of state government, be it mental health, be it aid to education, be it any number of other critical functions of State Government, should we be creating a new program to aid Kenilworth. Obviously, we shouldn't be. This Bill is in a flawed position as it stands now, whatever you think of the underlying concept of it, and we ought not be doing that. This is an attempt, the way this Bill is written right now, to tax the poor and to pay for weatherization projects in Kenilworth, and for that reason, I urge a 'no' vote on the Bill."

Speaker Matijevich: "Representative Curran to close."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This discussion about Kenilworth is the same old song that they attempted to drag out when this Bill first passed the House by, I think, a substantial margin. It totally avoids the point that this Bill has a sliding scale

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with respect to the... the financial status of the residences that can participate. Substantial advantages do not accrue to wealthier people. In addition, I seriously doubt whether any of those communities which the previous speaker referred to could possibly have an impact because he failed to continue on with the criteria that the Department of Commerce and Community Affairs would look at when deciding which communities would be able to participate. For example, he failed to mention that preference would be given to communities which should expect to experience a significant and noticeable impact on their economy and have an active and stated... commitment to energy conservation. With respect to the point about the state's economy, I think when you've got high unemployment, tremendous energy bills and a tremendous balance of payments deficit that this state's incurs with respect to energy usage, a program like this is not only necessary it's absolutely crucial. And I ask for an 'aye' vote."

Speaker Matijevich: "Representative Curran has moved to concur with Senate Amendment #1 to House Bill 884. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 71 'ayes', 43 'nays', and the House does concur with Senate Amendment #1 to House Bill 884. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 932, Bolan. The Gentleman from Cook, Representative Ronan. Is Representative Ronan on the floor? Out momentarily. Leave to return to it. House Bill 995 (sic - 985), the Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. The Amendment to House Bill

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985 amends a Section to provide that if the Senate refuses to consent to the appointment of any Illinois Commerce Commission member such office shall be deemed vacant, and within two weeks of the date the Senate refuses to consent to the reappointment of any member, such member shall vacate such office. I ask for passage of this Amendment... concurrence."

Speaker Matijevich: "Representative Saltzman has moved that the House concur with Senate Amendment #1 to House Bill 985. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 112 'ayes', no 'nays'. The House concurs with Senate Amendment #1 to House Bill 985, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1001, the Gentleman from Cook, Representative Bullock. Is Representative Bullock on the floor? House Bill 1017, the Gentleman from Rock Island, Representative Brunsvold. Representative Brunsvold on House Bill 1017, and we'll get back to 1001 right after that. Representative Brunsvold."

Brunsvold: "I'd move to concur with the Senate Amendment #1 on House Bill 1017."

Speaker Matijevich: "You better tell us why, because Representative Vinson is on his feet already. You want to tell us why you are concurring Representative Brunsvold?"

Brunsvold: "Let me get the file on this, Mr. Speaker."

Speaker Matijevich: "Let's take it out of the record for the moment and return to it, and we'll call House Bill 1001, Representative Bullock. The Gentleman from Cook, Representative Bullock, on House Bill 1001."

Bullock: "Thank you, Mr. Speaker and ladies and Gentlemen of the

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House. I move to concur in Senate Amendment #1 to House Bill 1001. House Bill 1001 deals with the office of Job Protection within the Department of Commerce and Community Affairs. Senate Amendment #1 strikes language in the legislation which would require DCCA performing feasibility studies and therein, for job protections and plant closures. I accept the Department's recommendation. I accept the Department's Amendment, and I would urge that this Body also vote 'aye' and accept the Department's recommendation for change, and concur in Senate Amendment #1 to House Bill 1001."

Speaker Matijevich: "Representative Bullock has moved to concur with Senate Amendment #1 to House Bill 1001. The Gentleman from DeWitt, Representative Vinscn."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the chamber. I rise in opposition to this Bill. And I rise in opposition to this Bill, I want to relate to you a story, a story that is absolutely true, a story that does not distort the facts in any fashion, and a story that I suspect will be repeated throughout this state to each of you, if this Bill should pass. No matter how you vote on the Bill, you can vote 'no' on this Bill, and you should vote 'no' on it, but even the people who vote 'no' on this Bill are going to regret politically, economically, and morally whatever happens on this Bill. Last year, after a similar Bill was introduced and failed, in the summer after the legislative Session, I happened to be invited to a luncheon meeting with the board of directors of a small company which has a plant in Clinton, my home town. And each year they go around to the home towns of each of the plants, where they have a location, and meet with the local people to get their input. What the chairman of the board said to me that day, in relationship to this kind of Bill, I thought was truly

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frightening. My recollection is that we beat that Bill very badly last year. Enormous numbers of votes went up against it. There was very little support for it, maybe 10 or 12 votes. And what happened in his conversation was, he told me that their company would never open another plant. It would never put any more investment into the State of Illinois. And in addition to what they have in Clinton, they have a plant in Chicago right now. He said they wouldn't do it, because of legislation like this being introduced in the General Assembly. I assured him that this kind of legislation couldn't pass in the General Assembly, that it had been overwhelmingly defeated. And he said, the mere threat that something like this could pass is of such impact to us that we would not make investment in this state. He said that states like Indiana and Iowa had exactly the same advantage in terms of location, access to market that Illinois has, but legislation like this wouldn't even be introduced in the Indiana or the Iowa Legislature. And he felt safer, his board felt safer, his stockholders felt safer placing their investment in the future in states like Indiana and Iowa, rather than Illinois, because of the threat of this kind of legislation. There's nothing you can do to reassure a man like that, investors like that, if you let this kind of Bill pass. And I would point out that the Chamber, the Associated Employers of Illinois are all against this Bill, because they understand what this kind of legislation can do to the business climate of a state. If you want to bring permanent..., if you want to create fear in the board offices of everybody who's making a decision about whether to locate in Illinois or not, then you should vote for this Bill. But if you want to protect jobs for workers in Illinois, then you ought to vote against this Bill, because

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it's a disaster, and I would urge a 'no' vote on it."

Speaker Matijevich: "The Gentleman from Winnetago, Representative Giorgi."

Giorgi: "Mr. Speaker, I think that the last speaker probably presented the best argument as to why this type of legislation should be on the statutes of Illinois. There isn't almost any product or any plant that doesn't plan for months, and sometimes years the creation of a product, the marketing of a product, and the disseminating of a product. The Department of Commerce and Community Affairs thought so much of this that they created a task force to go out and find out why we get announcements of plant closings. And for your information, the last speaker, in Rockford land area, when we received enough notice, there has been efforts by the city administration and all the people involved in economic recovery in Rockford to help them try to assess their problems, try to solve their problems, where, in fact, they have brought union and management to the bargaining table and have addressed those problems, solved those problems, so we retain plants in Illinois. This is a very good Bill, a very serious Bill, and for every argument you propose is the reason why this Bill should be enacted into law. We want... We want to keep our plants from moving, and I think if we move fast enough, we'll keep those plants from moving."

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

McGann: "Thank you, Mr. Speaker. Would the Sponsor just yield for a moment?"

Speaker Matijevich: "Indicates he will."

McGann: "Representative Bullock, what cost would be involved in providing this program? I understand from our analysis

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here that the Department of Commerce and Community Affairs would be placed in the business of... of a management consultant services."

Bullock: "Representative McGann, Senate Amendment #1, which I'm asking you to concur in struck that language on page one, lines twenty, twenty-one, and twenty-two, which would have indirectly and unfortunately called for DCCA to possibly perform feasibility management consulting services. That is the exact reason that I accepted the recommendation for change from DCCA, so that they would not have to provide such services. In answering to your specific question, this Bill would have no additional cost to the State of Illinois. DCCA is prepared and is in a position to perform this function without any appreciable increase in cost."

McGann: "Thank you, Representative Bullock."

Speaker Matijevich: "Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, I too rise to oppose this Bill. We've looked at this Bill on a number of occasion in previous Sessions. We voted it down. The people of this state, regardless of what affiliation, have declared in spades the fact that this is a bad concept. It just has a new name. It's as bad today as it was two years ago, four years ago. Much of the work being done today by DCCA, or is incorporated into this Bill, it's duplication of effort. I see no need for it. It's a bad concept. I would ask for your 'no' vote."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Representative Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', oppose 'no'. The main question is put. Representative Bullock to close."

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

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House. Briefly, House Bill 1001 with Senate Amendment #1 would, in fact, create the office of Job Protection in the Department of Commerce and Community Affairs. Previous speaker made an interesting point, the Gentleman from Winnebago, relative to why this legislation is needed. The fact of the matter is, if this Body and if State Government had at its disposal information as to the symptoms, the problems, and the possible solutions to business flight from our state, we would, in fact, act more responsibly. The Department of Commerce and Community Affairs has on an ad hoc basis proposed to create the very concept that I ask you to endorse here today, but they did it through a task force. And certainly the Department of Commerce and Community Affairs should be commended for having the foresight to want to create a vehicle in which they can ascertain information. The fact of the matter is, jobs are leaving this state rapidly, for whatever reason. People are being thrown out of work, and unfortunately they're being placed on the unemployment insurance rolls and our public aid rolls. I say to you, Ladies and Gentlemen of the House, we need to move in this Session to developing vehicles to help the state recover economically. 1001 will enable the state to cope and develop economically, if we get the information as to why businesses are leaving. Let's put it in the statute. Let's vote green and concur... and concur with Senate Amendment #1 to House Bill 1001."

Speaker Matijevich: "Representative Bullock moves to concur with Senate Amendment #1 to House Bill 1001. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. The Gentleman from Adams, Representative Mays, one minute to explain his vote."

Mays: "Thank you very much, Mr. Speaker. My light was on

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throughout the entire debate, while you were searching for other people to move the previous question. To explain my vote, this Bill does nothing, absolutely nothing. It's going to investigate. It's going to study. It's going to identify. It's going to inform. Eventually we're going to have a package like Prairie Dog 2000 to vote on to make them think we're taking care of a problem when we really aren't. I would suggest, if you really wanted to improve this Bill, you amend it, send it back to a Conference Committee for a private sector jobs lost impact note, and then respond accordingly on legislation in the future."

Speaker Matijeich: "Representative Panayotovich, one minute to explain his vote."

Panayotovich: "Thank you, Mr. Speaker. The Bill itself just says that we want to form a department that's going to investigate plant closing and relocations, and they..."

Speaker Matijeich: "... those that are effected."

Panayotovich: "... You mean to tell me that we're not going to be worried about plants leaving the State of Illinois, and we're not going to be worried about people losing their jobs, and going on welfare lines and everything. I think all those votes up there should be green, and I hope that a lot of them will change right now. Thank you."

Speaker Matijeich: "Representative Cowlshaw, one minute to explain her vote."

Cowlshaw: "Mr. Speaker and Members of the House, it is not the function of government to create jobs. That is the function of private enterprise, which could achieve that goal much better without all this government interference."

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

Marzuki: "I... I'm voting for this Bill simply because ECCA has had many articles published on 'Federal Signal', 'Hyster'

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doing this very thing, two examples of industries that have been retained in Illinois through these efforts. I hope that DCCA will expand these efforts and try to work out the problems to keep industry in Illinois."

Speaker Matijevich: "Have all voted? Have all voted who wish? Representative Ropp, one minute to explain his vote. I'm sorry."

Ropp: "Thank you, Mr. Speaker. I appreciate the opportunity to at least visit on this momentarily. The problem that we have here in this state with this Bill is and even with the understanding of those who are voting green is that the simple problem is that we've got to sell more. That's how you create jobs, by moving the products that you produce, not finding out how you can protect peoples jobs by either overproducing or underefficiency in government, of underefficiency on the assembly line. The thing that we've got to do and ought to be more aggressive in is merchandising, developing a product that can be a better mousetrap than someone else. That's been the American way for years and years. This is going contrary to that philosophy that we have..."

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

Ropp: "... which is the freedom to fail and the ability to not want to."

Speaker Matijevich: "Have all voted who wish? The Clerk will take the record. On this question, there are 67 'ayes', 51 'nays', and the House does concur with Senate Amendment #1 to House Bill 1... 1001. And this Bill, having received the Constitutional Majority, is hereby declared passed. I would hope everybody here understands that if the Chair would have heard from everybody that had their lights on this Bill would have taken over two hours, and we have Conference Committee Reports... And this is our day before

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we have to finish, so I hope everybody understands the position of the Chair. We skipped over House Bill 932, Ronan. The Gentleman from Cook, Representative Ronan, on House Bill 932."

Ronan: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1 and 2 to House Bill 932. This Bill created the Community Education Act, and these are two technical Amendments that Senator... Senator Newhouse added in the Senate. And I move to concur."

Speaker Matijeich: "Representative Ronan moves to concur with Senate Amendments 1 and 2 to House Bill 932. There being no discussion, all those in favor signify by voting 'aye', opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 100... Matijeich 'aye' and Giorgi, 106 'ayes', 3 'nays', 1 voting 'present'. The House does concur with Senate Amendments 1 and 2 to House Bill 932. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1017, Brunsvold, and would Representative Van Dyne come to the podium for a minute. Representative LeRoy Van Dyne, could you come to the podium for a minute? Van Dyne, I'd like to see you just for a moment. The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "House Bill 1017 had a... takes existing language in the downstate Teachers Retirement Article and moves date back on disability back to '79, and Senator Buzbee's Amendment moved the date back to June 30th, 1977 which I would approve of and would ask concurrence on Senate Amendment 1 to House Bill 1017."

Speaker Matijeich: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 1001 (sic - 1017). The Gentleman from Winnebago, Representative Hallock."

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Hallock: "This is House Bill 1017. Will the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will."

Hallock: "Could you explain again what the Senate did with Senate Amendment #1, and what it does and who it affects?"

Brunsvold: "Okay. The original Bill called for a... to go back and pick up some disabled people back to '79 for the retirement as far as the temporary disabled. When they're temporary disabled, after they serve a period of time then they can go on permanent disability according to the statutes as they are now, the Pension Laws. This Bill, as originally written, went back to '79. Buzbee's Amendment put it back two more years back to June 30th of '77 which would result in picking up a few more people on this situation."

Hallock: "Well, my understanding is that this Amendment was put on in the Senate to aid a person in Representative... Senator Buzbee's district. Does this Bill still affect your district? Does this Bill as amended still affect your district or does it just affect Senator Buzbee's district?"

Brunsvold: "It would affect all districts as far as I... I know at this time. It would affect everyone."

Hallock: "Thank you."

Brunsvold: "It might be someone in Senator Buzbee's district, I don't know but... Pension Laws Committee has signed off on this Bill as well as the Amendment. I would move to concur with Senate Amendment 1 on House Bill 1017."

Speaker Matijevich: "Is this out of the record. No, oh. The Gentleman has moved to concur with Senate Amendment #1 to House Bill 1017. What's Monroe waving at me for? This is final passage. Those in favor signify by voting 'aye', those opposed by voting 'no'. This final passage. Have all voted? Have all voted who wish? The Clerk will take

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the record. On this question, there are 79 'ayes', 33 'nays', 1 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 1017, and this Bill, having received the Constitutional Majority, is hereby declared passed. Request of the Sponsor, leave to take House Bill 1024 out of the record. Leave to return to it. House Bill 1054, Representative Christensen. Is Representative Christensen here? Is anybody handling that for him? Leave, out of the record, and we'll return to that. House Bill 1081, Representative O'Connell. Out of the record. House Bill 1092, out of the record. House Bill 1144, McGann. The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I would move to concur in the Amendments #1 and... Senate Amendments #1 and #2 on House Bill 1144. These Amendments truly enhance the Bill. Make... Make it a much better piece of legislation, and I move for concurrence."

Speaker Matijevich: "Representative McGann moves to concur with Senate Amendments 1 and 2 to House Bill 1144. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. Final passage. Clerk will take the record. On this question, there's 70... 83 'ayes', 24 'no'... 'nos', and the House does concur with Senate Amendment #1 and 2 to House Bill 1144. This Bill, having received... I'm sorry. I passed over Representative Zwick. Do you want to explain your vote? Is that... 'No' and Wojcik 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1179, the Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is the Bill that increases the requirements for receiving a high school diploma in Illinois. The Senate has, in its

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wisdom, decided to reduce the number of years from two years to one year in the area of science. The reason for doing so is because a number of people in the vocational education field believed there was not enough flexibility for people to pursue vocational education courses, and as a consequence, this was deleted in order to provide more opportunity for vocational education. I move to concur with the Senate Amendment."

Speaker Matijevich: "Representative Breslin moves to concur with Senate Amendment #1 to House Bill 1179. The Gentleman from DeWitt, Representative Breslin... I mean... I'm looking at your name. Representative Vinson. That was close."

Vinson: "I'd like to be as pretty as she is, but I wouldn't like to have to deal with the problem that she has right now."

Speaker Matijevich: "Wouldn't we all. She's only due July 2nd. I was on the elevator yesterday with her, and boy, was I afraid something would happen. Proceed."

Vinson: "Will the Lady yield for a gentle question?"

Breslin: "Surely."

Vinson: "It sticks in my mind that a night or two ago we dealt with a Bill that Representative Satterthwaite, I think, brought before the House on the same subject. Is that not correct?"

Breslin: "That's correct."

Vinson: "And were the requirements that she had in her Bill the same as the requirements you have in your Bill?"

Breslin: "They were similar. There was an extra requirement for computer education, and there was the way they dealt with the vocational education issue. Representative Satterthwaite said they took out the issue on computer ed. The way they dealt with the vocational education issue was to add it to the one year requirement where they said you could take either one year of a foreign language, music,

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art or vocational education. That was... That was that approach to meet the objections of vocational education."

Vinson: "And how does this one deal with the vocational education problem?"

Breslin: "This one reduces the requirement in science from two years to one year, leaving available credits open."

Vinson: "Which approach do you think is preferable?"

Breslin: "I don't care for either approach, Sir."

Vinson: "Do you... So, you're in opposition to this Bill, then?"

Breslin: "I... I am in opposition to the... personally to the Senate Amendment; however, I intend to... to compromise on the issue and... and move to concur on this Amendment."

Vinson: "We could nonconcur and fight it out one more day and then try it."

Breslin: "That's not my Motion, Sir."

Vinson: "Well, to the Bill."

Speaker Matijevich: "Proceed."

Vinson: "Mr. Speaker, the Lady has worked hard on her Bill. I personally oppose it, but she's worked hard on her Bill, and maybe if we held this off until July 2nd, we could give her a birthday present with it."

Speaker Matijevich: "Representative Slape."

Slape: "Thank you, Mr. Speaker. Would the Lady yield to a question?"

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

Slape: "There's been a lot of debate, Representative, over this Bill on the impact it's going to have on vocational training that... around the state. Is it your understanding as Sponsor of this Bill that the math requirements and the other requirements in this Bill can be met through vocational training programs?"

Breslin: "Yes, Sir... Yes, Sir. As a matter of fact, I believe the science requirement could be met also. You see, one of

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the major problems is that the school code requires only that 32 units be provided in high schools. That means four courses over a four year period of time. Quite frankly, in my view, it's unreasonable to have even a minimum of five courses. There should be a minimum of six courses, leaving two course... more than two to three courses a year to go into vocational education. However, there are some school districts in this state that have such minimal requirements, and they don't want to change them, that vocational education has fewer and fewer hours left available for it."

Slape: "Okay. And then, Representative, if the Bill was to be implemented in an operation, would you feel it would be necessary for a local school board to prove that they were meeting these requirements and to have their vocational education curriculum approved by the State Board of Education?"

Breslin: "I don't understand your question, Sir."

Slape: "Well, let's... let's say right now the Bill just mentions the word 'math' and it mentions the word 'science'. If a school district was trying to prove to the state board that they were meeting the qualifications or the criteria set down by House Bill 1179, would they have to submit their vocational education program to the state board and outline or highlight, in that program, where math is being taught, or where science is being taught in a vocational program to meet this qualification?"

Breslin: "That is not a requirement of the legislation."

Slape: "In practicality."

Breslin: "However, it should be... In practicality, that... that would not be a requirement; however, it should be noted that in the these English, science, and math and social studies courses, vocational education courses can qualify

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to meet those requirements, so there is even greater flexibility."

Slape: "Okay. Thank you, Representative Breslin. To the Bill, Mr. Speaker. I happen to represent a part of the State of Illinois where they don't have the most minimum requirements for graduation. In fact, there are some school districts in my district that have some of the highest requirements in the State of Illinois for graduation, as far as required courses. But they also have an expanded and a very extensive vocational and co-op programs offered to students who are not college bound, and they have expressed to me a very strong belief on their program that this is going to, if not impede... at least impede and could cause a complete downfall in our vocational program, so even though the Representative says she thinks that the Bill... the requirements in the Bill can be met by vocational training programs, at this time I would have to stand in opposition. Thank you."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, very briefly. When you put the requirements of this Bill together with the requirement for four years of physical education, the requirement for a half a year of health, a quarter of a year of driver education, and you find out, when you compare those 13 1/2... we'll just round it off to 13 1/2 credits, required against a 16 credit level for graduation, you see that the individual student, in fact, will have 2 1/2 credits which he will be able to take as electives outside the requirements in this particular program. Now, if you will look at the history of the State of Illinois in terms of the experience of our graduates of our high schools, when compared to the

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graduates of high schools from other states, you will find that we have always been above the national average. I would suggest to you that we are rushing headlong into a program without a great deal of thought about where we have been and where we want to go. We couldn't even, this year, relax the requirement on physical education or health or driver training or consumer ed or any of the other mandates that we have, to give students an opportunity to work these... a variety of courses into their program. Vocational education people have a legitimate concern, and we will end up with this program having all kinds of exemptions, including special ed and vcc ed, that it will be, for all practical purposes, meaningless. I know that the Lady has worked diligently on this. She believes in it. I can appreciate that, but I am telling you, Ladies and Gentlemen, you are going to wreak havoc in a lot of young people's lives by locking them in regardless of where they live, regardless of what their talents are, regardless of what their aspirations are, regardless of what the resources in that community are, regardless of the ability of the school to meet these needs, it will be, in my judgment, a big mistake. And I rise in opposition to this legislation."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, there's been quite a bit of talk about this particular concurrence. I have to oppose it. I think that it's going to be harmful for our downstate schools, possibly for all the schools in this state. I think it's not in the best interest of the students. The requirements - surely, we want requirements for our students - but we don't want to make the requirements so that we hurt our technical schools, those

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who are in training for jobs outside of college, and I would ask for a 'no' vote on this concurrence."

Speaker Matijeich: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. Shortly after this Bill passed the first time, I was contacted by some of the vocational education people in my community, and we have vocational education schools and classes in most all the schools in Rockford. Of the eight high schools, almost all have these kind of classes. And I asked them to look at this Bill in every way, shape possible to see if there could be any interpretation which would still allow for vocational education to go on if, in fact, we pass this Bill. They've looked at it for the last two weeks and told me there's just no way, under this Bill, that vocational education courses could still be allowed, that a person could, in fact, receive four years of vocational education under this program. I therefore reluctantly have to urge a 'no' vote to this Bill."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijeich: "Representative Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'no', and the main question is put. The Lady from LaSalle, Representative Breslin, to close."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think the discussion on this Bill has been healthy. I will tell you that since this Bill passed the first time, I have never had as much public support for any piece of legislation that I have personally been involved in. From the end of the state to the top of the state, I have been

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answering letters, mail-a-grams, been on radio programs for the public support for this kind of legislation. Believe me, in the public's eye, this Legislature looks stupid when it can mandate career education, health education, physical education, consumer education, conservation of natural resources, drivers' safety and vocational education with other emphasis and requirements for American patriotism and adequate instruction in honesty, justice and moral courage, and not address the issues of English, math, science, history and foreign language."

Speaker Matijevich: "The Lady... "

Breslin: "The one speaker mentioned that Illinois students rank above the national average. According to the National Committee on Excellence in Education, do you know what the national average is? Twenty three million Americans are illiterate today. 13 percent of all 17 year olds cannot read or write. In the 19 international studies that Illinois... that American students were tested on, U.S. students did not rank first in any, any test, nor did they rank second in any test, but they ranked less in seven of the 19. The national average is outrageously low. The public wants this legislation. The Bill has been amended in the last two weeks to appease the interest of vocational education. Remember that vocational education is job training. Our young minds will spend many, many hours a day doing other than working in their vocation. They need to be literate. I urge an 'aye' vote."

Speaker Matijevich: "Representative Breslin has moved that the House concur with Senate Amendment #1 to House Bill 1179. Those in favor signify by voting 'aye', those opposed by voting 'nay'. This is final passage. The Lady from Sangamon, Representative Oblinger. One minute to explain her vote."

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Oblinger: "Thank you, Mr. Speaker. I would think that all of you would realize that the basic knowledge needed for vocational training is in English and math. We had a young lady who came to work in our law office. She's a top graduate in the commercial course, vocational. What happened? She couldn't find the court house, although we drew her a map. She never did learn how to spell 'allege' because it sounded like it had a 'd' and on top of it, she couldn't tell the difference between a probate court and a probationer. Now, if she'd had some good, basic training, maybe she could have made use of her vocational training. You need both."

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

Nelson: "Well, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Since this Bill has enough votes to pass, I will not go on, but I am very supportive of it. It is very, very seldom that I disagree with my educational mentor, Dr. Hoffman, but on this one issue, I do. We were talking out here about a core curriculum, a curriculum where the math and science requirements can be very, very flexible, and I think that the courses can be taught at vocational schools, so I'm glad to see it passing."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. I think, in support of this, if there is some support, the Sponsors and those of us in the Legislature ought to give strong consideration to base some standards on which these students who take these courses must, at least, obtain. Because, as the Sponsor of this Bill said, we have so many people that can't read and write, and still they have gone to school, I'm wondering whether our educational system is

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doing what we all want it to do and hope that it will do."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 81 'ayes', 32 'nays', 2 answering 'present', and the House concurs with Senate Amendment #1 to House Bill 1179. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Stuffle, on House Bill 1255."

Stuffle: "Mr. Speaker, Members of the House, I would move to concur in Senate Amendment #1 to House Bill 1255. We were going to put an Amendment on for an immediate effective date in the House but ran out of time, so we had the Senate do that with regard to this Bill. That is the only change in it. This Bill was generated by the School Problems Commission merely to clarify an issue about the filing of maps and school district reorganizations. With the immediate effective date, I move to concur."

Speaker Matijevich: "Representative Stuffle has moved to concur with Senate Amendment #1 to House Bill 1255. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 105 'ayes', 2 'nays', and the House does concur with Senate Amendment #1 to House Bill 1255. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1310, the Gentleman from Cook, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1310, when it passed the House, was a Bill that indemnified members of park districts, park district boards and employees against civil and constitutional rights, damage suits and for suits for death and bodily injury from

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property... for allegedly wrongful acts committed within the scope of employment and authorized each park district to provide insurance for a loss or liability arising from those suits. In the Senate, the Senate amended House Bill 1310 by including a provision which also allows the Chicago Park District to opt in under this program. And I would move for concurrence of Senate Amendment #1 to House Bill 1310."

Speaker Matijevich: "Representative Steczo has moved to concur with Senate Amendment #1 to House Bill 1310. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I wonder if the Gentleman might take this out of the record for a few minutes."

Steczko: "Mr. Speaker, we took it out of the record yesterday, and I would be glad to take it out momentarily provided that we can get back to it today."

Speaker Matijevich: "Leave to return back to it shortly. Is that all right, Representative Vinson? All right. Leave to take it out of the record. Next Bill is House Bill 1336, the Gentleman from Lake, Representative Dan Pierce."

Pierce: "Mr. Speaker, House Bill 1336, when it passed here, was a relatively innocuous Bill that aided in the collection of sales tax, retailers occupation tax, by imposing a lien on those who haven't paid. When it got over to the Senate, they had some bright ideas over there. Senate Amendment #1 exempts school books from the sales tax whether they're bought by public or private school for their own use or for resale. And Senate Amendment #2, by President Rock, expands the definition of school to include certain vocation and technical schools or institutes that... that provide... courses of not less than six weeks, so that the school books for those would also be exempt from the Illinois sales tax. These weren't my ideas. They don't

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look like bad ideas, however, and I'll, therefore, move to concur in Senate Amendments 1 and 2 to House Bill 1336."

Speaker Matijevich: "The Gentleman... The Gentleman from Lake, Representative Pierce, has moved that the House concur with Senate Amendments 1 and 2 to House Bill 1336. There being no discussion, all those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', 3 'nays', and the House does concur with Senate Amendment #1 and 2 to House Bill 1336. This Bill, having received a Constitutional Majority, is hereby declared passed. We skipped over House Bill 1054, Ray Christensen. Representative Ray Christensen on House Bill 1054."

Christensen: "Thank you, Mr. Speaker. I would move to concur with Senate Amendment #1 and #2 to House Bill 1054. Amendment #1 changes the date from July 1st of '85 to July 1st, '84, and Amendment #2 is just a... technical Amendment."

Speaker Matijevich: "Representative Christensen moves to concur with Senate Amendments 1 and 2 to House Bill 1054. On that, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you very much, Mr. Speaker. Would Representative Christensen yield for a question, please? Thank you very much. Representative Christensen, would you explain please again what Senate Amendment #1 does, please?"

Christensen: "Wait a minute. We'll just take it out of the record. Nobody told me. Mr. Speaker, would you take the Bill out of the record please?"

Speaker Matijevich: "Out of the record. Representative O'Connell on House Bill 1081. Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Members of the House. On House Bill 1081, the Senate Amendment #1 took the public

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defender out of the provisions of the Bill which provided for the allowing the state's attorneys that they can transfer eight years into the judges retirement system. Presently, it's four years. In the House, we put the public defenders in there. The Senate, and I believe rightly so, indicated that because of the way the public defenders are paid, that the public defenders are paid all the way by the state, whereas, the state's attorneys are paid two-thirds by the state, one-third by the county. Since the state's attorneys pension funds is in the Illinois Municipal Retirement Fund, we found a constitutional problem with equating them with the public defenders. And for that reason, I would ask to concur with the Senate."

Speaker Matijevich: "Representative O'Connell has moved to concur with Senate Amendment #1 to House Bill 1081. There being no discussion, all those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 80... 90 'ayes', 24 'nays', 1 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 1081. This Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Sangamon, Representative Oblinger, on House Bill 1369. Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, this Bill gave the Community College Board the right, the power to draft their own guidelines for the sabbatical leave. I would move to concur with Senate Amendment #1 which does two things. One, equalizes the community college people with K through 12... and the university people by allowing them 10 sick days a year. The other part that was put in was needless because it's already the law, and that is that

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they could accumulate unused sick leave to 180 days."

Speaker Matijevich: "Representative Oblinger has moved to concur with Senate Amendment #1 to House Bill 1369. On that, the Gentleman from Cook, Representative Cullerton. No, oh. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 96 'ayes', 9 'nays', 3 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 1369. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1409, Representative Ebbesen."

Ebbesen: "Yes, I would move to concur in Senate Amendment #1 to House Bill 1409. And what the Amendment does, it removes the Secretary of State from the City of Chicago's three member Liquor License Appeal Commission, and it places the Chicago City Clerk on that Commission. That Commission presently consists of the Chairman of the Illinois Liquor Control Commission and one person who must be a resident of the City of Chicago selected by the City Council of Chicago, in addition to the Secretary of State, which they are now removing according to this Amendment. Each one of these individuals serve a four year term. And the only member of the Commission eligible for compensation is the one resident individual, and he gets an annual salary. I would move for concurrence."

Speaker Matijevich: "Representative Ebbesen has moved to concur with Senate Amendment #1 to House Bill 1409. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 102 'ayes', 4

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'nays', 3 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 1409. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1413, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to concur in Senate Amendment #1 to House Bill 1413. It just cleared up the language a little bit. It was a technical Amendment."

Speaker Matijeovich: "What was that Representative McAuliffe?"

McAuliffe: "I move to concur on Senate Amendment #1."

Speaker Matijeovich: "Representative McAuliffe moves to concur with Senate Amendment #1 to House Bill 1413. There being no... Representative Brummer."

Brummer: "Yes, the individual had indicated it was a technical Amendment. I wonder if he might indicate what the technical Amendment did."

McAuliffe: "The Bill as amended now reads, 'None of the benefits provided for in this Article shall be paid to any person who is convicted of any felony relating to, or arising out of or in connection with the intentional,' that's the Senate language, 'and wrongful death of a police officer either active or retired, through such... through whom such person would be eligible to receive or is receiving an annuity under this Article'."

Brummer: "And how does that change from the Bill as it was sent over to the Senate."

McAuliffe: "They put the word 'intentional' in and they added the last sentence, 'through which... to whom such person would become eligible to receive or is to receive an annuity under this Article'."

Brummer: "Okay. Thank you."

Speaker Matijeovich: "The Gentleman from Cook, Representative

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Greiman."

Greiman: "I wonder if the Gentleman would yield for a question."

Speaker Matijevich: "He indicates he will."

Greiman: "So if a... if a police officer and his wife were involved in a domestic battle, and the police officer was unfortunately someone who was a violent person and was beating his wife, and she responded, perhaps, or maybe it wasn't one of those situations where she might not be guilty of murder by reason of self-defense, but she killed him. She, as the widow then, although she might not have the self-defense... defense available to her, would be barred from receiving this. Is that right? She couldn't get the pension that he had earned."

McAuliffe: "No, they have to be convicted of a felony in relation to the death. If she's not convicted of a felony, she could still get the pension."

Greiman: "Is involuntary manslaughter... Is that a felony?"

McAuliffe: "You're the lawyer. You ought to know."

Greiman: "So involuntary manslaughter that she might be convicted of when she was being beaten and hassled, that would bar her from getting her widow's pension. Is that right?"

McAuliffe: "If she shot him and killed him, she'd be barred from getting the pension, or if she stabbed him."

Greiman: "So that I'm saying, if he... if he beat hell out of her at two o'clock in the afternoon, and at five thirty in a moment of upset, concerned that he's coming back to do it again and she laid him low, even though it might be involuntary manslaughter or something like that, in that case, she would be denied her widow's... her widow's award. I think we should look at this more carefully. I think... I don't know that there's a lot of policemen being shot down by their wives, but we ought to look at it more carefully."

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Speaker Matijevich: "Representative Myron Olson."

Olson: "Would the Spcnsor yield?"

McAuliffe: "Yes."

Olson: "Roger, our analysis says that this Amendment could be unconstitutional, being in conflict with the 'Kerner' case and by implication in line fifteen of the Bill it applies only to beneficiaries. We've discussed this just a little bit. Could you comment on that? Would we want to accept an Amendment that might clearly be an unconstitutional Amendment?"

McAuliffe: "I'm sure that we do a lot of things here that are unconstitutional, and if we wait for the courts to decide and everybody brings up the argument of whether it's constitutional, we probably wouldn't get very much passed. So I'll take my chances with the Bill the way it is and if the courts say it's unconstitutionopal, they can... they can make that determination later."

Olson: "Thank you very much."

Speaker Matijevich: "Representative McAuliffe has moved to concur with Senate Amendment #1 to House Bill 1413. Those in favor signify by voting 'aye', those oppcsed by voting 'no'. Final action. The Clerk will... Final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 98 'ayes', 8 'nays', 7 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 1413. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1414, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to concur in Senate Amendment #3 to House Bill 1414. This is the Bill that lowers Chicago police officers pension age. We passed it out of the House at 50 years and

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23 years of service. The Senate Amendment makes it 50 years and 20 years of service. And the... I understand that they've negotiated with the Mayor of the City of Chicago, and he's in agreement with this. And I'd ask for concurrence."

Speaker Matijevec: "The Gentleman has moved that the House concur with Senate Amendment #3 to House Bill 1414. There being no discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 78 'ayes', 30 'nays', 4 answering 'present', and the House does concur with Senate Amendment #3 to House Bill 1414. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1470. House Bill 1470, non-game wildlife. Representative Vinson, are you ready for the non-game wildlife."

Vinson: "I'd ask the Sponsor to hold the Bill for a few minutes."

Speaker Matijevec: "All right. Out of the record, request of the Sponsor. House Bill 1610, the Gentleman from Will, Representative Davis."

Davis: "Thank you very much, Mr. Speaker. House Bill 1610 was amended with two Amendments in the Senate. It created some controversy while it was in the House and passed on the last day with 70... 75 votes. Amendment #1 to Senate Bill... or to House Bill 1610 requires... narrowed the limits of the Bill dramatically which we were trying to figure out a way to do in the House and didn't get that done. Required that any airport acquired must be in existence at the time the Bill is enacted, and that the airport must be approved for expansion by the FAA and the Department of Transportation Division of Aeronautics here in Illinois. The effect of Senate Amendment #2 is even

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more dramatic, I think, for the constituencies involved in Will County. Requires a direct referendum in order for this provision to trigger an acquisition to take place. I think they're both very good Amendments. I'll answer any questions, but I would move to concur in Senate Amendments #1 and 2 to House Bill 1610. By the way, the Amendments passed and the Bill passed 59 to nothing."

Speaker Matijevich: "Representative Davis has moved to concur, is that correct, with both Amendments, concur with Senate Amendments 1 and 2 to House Bill 1610. The Gentleman from Cook, Representative Jaffe."

Jaffe: "Yes, would the Gentleman yield for a question?"

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

Jaffe: "I'm looking... I'm just looking at the synopsis. It says that the original Bill gives the township the power of eminent domain. Does it still have it in the Amendments? In other words..."

Davis: "Yes."

Jaffe: "So, basically, what you're saying is what a township might even be able to take over an airport that does not want to be taken over. Is that correct?"

Davis: "Essentially that is correct because the powers of eminent domain for acquisition are there. Yes. The answer to your question is yes. This question was raised on Third Reading. We have tried to isolate the Bill at this point to those townships in Will County who are currently opposing one another on this issue for the development of a regional airport in the southwest side of the collar counties."

Jaffe: "Well, what township really wants to take over?"

Davis: "Frankfort Township in Will County."

Jaffe: "Well, of course, I... I've traditionally opposed township extending its tentacles because I think that townships

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really do far more than they really should, and to give a township the power of eminent domain, to take over an airport that may not want to be taken over, I have some reservations about that."

Davis: "Well, if I can allay your fears on it. I don't think any township but this one in the State of Illinois will exercise this because the restrictions in the Bill. This township wants to do this if the referendum would be approved. This airport wants to be acquired."

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

Leverenz: "The Gentleman yield?"

Speaker Matijevich: "Proceed."

Leverenz: "Would... Would you say that 'Pal-Walkey' Airport could be acquired under this Bill?"

Davis: "I don't think so because... I don't know the answer to that question. The referendum, of course, provision is to prevent an unwilling acquisition of that type. My legislative intent is to isolate it to one airport in Illinois. I don't know the answer to your question, Ted."

Leverenz: "A number of times they've tried to expand the runways. We almost bought the underneath for the private owner. It is approved to expand. The money isn't there, and it takes the overload off of C'Hare and occasionally this crops up, but as long as it's just your airport, I guess that's okay."

Davis: "That's the intention."

Leverenz: "We've got enough airplanes for it. Let's do it."

Speaker Matijevich: "Representative Davis has moved that the House concur with Senate Amendments #1 and 2 to House Bill 1610. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the

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record. On this question, there are 103 'ayes', 5 'nays', 3 answering 'present'. The House does concur with Senate Amendments 1 and 2 to House Bill 1610. This Bill, having received the... One moment. Representative Vinson, for what purpose do you seek recognition."

Vinson: "Mr. Speaker, a few minutes ago, Representative Steczo rose for the purpose of calling House Bill 1310, and I asked him at that time to take the Bill out of the record. And I want... I want you to know that I would now support that Bill and would believe that we ought to have leave for him to go back to that Bill."

Speaker Matijevich: "All right. All right. Let's complete House Bill 1610. We have concurred with Senate Amendments 1 and 2 to House Bill 1610, and that Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 11... 1310, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I had previously explained... previously explained what was contained in 1310 with regard to indemnification of park district employees. The Senate did add Amendment #1 which included the Chicago Park District under the scope of the Bill, and I would move to concur with Senate Amendment #1 to House Bill 1310."

Speaker Matijevich: "Representative Steczo moves to concur with Senate Amendment #1 to House Bill 1310. The Lady from Cook, Representative Alexander."

Alexander: "Thank you, Mr. Speaker. I rise in opposition to concurrence with Senate Amendment #1. What this Amendment does, it goes and supercedes a recent court case with regards to the Chicago Park District and some of their actions that they have been taking with regards to not taking care of our parks in the City of Chicago. Many of you who have sat in this General Assembly with me in these

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past five years has heard this argument before, that parks in the City of Chicago, in our areas, where the minorities live are not maintained nor kept. And I would ask the support of my friends here in this General Assembly not to concur in this Amendment."

Speaker Matijevich: "Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, this is a good Bill. It's a necessary Bill, and I would urge everybody in the Assembly to vote for it."

Speaker Matijevich: "Representative... Representative Steczo has moved to concur with Senate Amendment #1 to House Bill 1310. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 93 'ayes', 13 'nays', 1 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 1310. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "Appearing on the Order of Concurrences is House Bill 1653. Representative Brummer. Clerk, read the Bill."

Clerk Leone: "Senate Bill (sic - House Bill) 1653 amends the Unemployment Insurance Act."

Speaker Breslin: "House Bill 15... 1653, Representative Brummer."

Brummer: "Yes, I move to concur with Senate Amendment #1. It is... clarifies the legislative intent with regard to this, indicating that we do not either intend to limit nor expand the Director's approval of alternate methods of demonstrating active of search for work. This is an agreed Bill dealing with the issue of unemployment insurance. It is agreed between labor and management. There was some question last night about whether the State Chamber of Commerce is in agreement with this Amendment. They are in

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agreement. We took it out of the record to make sure that some of the Members could be satisfied that they are in agreement. They are in agreement with this, and I would move for the concurrence with regard to Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 1653. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. Yesterday evening, I believe it was, I asked Representative Brummer to take this Bill from the record, and he did so. And I thank him for that courtesy. I asked him to do that, because at that time... at the time the Bill passed the House, it had been an agreed Bill by business and labor, and an Amendment had been added in the Senate. And I did not know whether it was still an agreed Bill. I am advised by the Chamber of Commerce that it is still an agreed Bill and have suggested that the Gentleman go ahead with the Bill. And I just wanted to make Members aware of that fact."

Speaker Breslin: "The Gentleman from Pecria, Representative Tuerk."

Tuerk: "Madam Speaker and Members of the House, I echo what the previous speaker said; however, there's only one thought that I should bring before the Assembly and that is the language of that Amendment of reporting to a union hall. That's the particular segment of the Amendment that bothered me. I have been assured that there's no departure from present practice. Whether the present practice is good or not, that's another question. But the fact remains, apparently, there is no problem among the business community. So, I would ask for your favorable support."

Speaker Breslin: "The lady from DuPage, Representative Karpel."

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Karpiel: "Thank you, Madam Speaker. Well, I rise in opposition to this Bill as amended by Senate Amendment #1. It might be an agreed Bill between the Chamber of Commerce and labor, but I think that if we're going to have work search requirements and we're going to be asking people to be looking for work in order to justify their unemployment payments, I don't think that just hanging around a union hall should do it. I think they should be out there looking for a job, whatever kind of job they can find and not just to keep going back to their union hall trying to get their old job back or the job for which they have been trained. The whole idea of unemployment... work search is to be looking for work, not just looking for your old job back, and I urge a 'no' vote on this."

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

Piel: "Thank you, Madam Speaker. I'd ask unanimous leave to suspend Rule 67(b) while the present Speaker is in the Chair, please."

Speaker Breslin: "The Gentleman asks leave to suspend 67(b). Does the Gentleman have leave? The Rule is suspended. There being no further discussion, the Gentleman from Effingham, Representative Brummer, to close."

Brummer: "Yes, briefly. It is an agreed Bill. It is an agreed Bill between labor and business. With regard to the comments by Representative Karpiel, I could... would only state to her, and I hope she's listening, that we do not intend to alter... This Bill is not intended to alter existing practices whatsoever. That is an entirely separate issue, and the only purpose of the Amendment is to make clear that we do not intend to alter existing practices. That doesn't mean you agree with the existing practices or disagree. The Bill is for the purpose... for a different purpose. The Amendment is to make sure that we

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are not altering existing practices with regard to that issue to which you addressed. That is an entirely separate issue that has nothing to do with this Bill and may be addressed another time in another Bill, but this Bill is not designed to address that issue. I would urge adoption... or the concurrence with Senate Amendment #1."

Speaker Breslin: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 1653. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Mr. Clerk, please take the record. On this concurrence there are 92 voting 'aye', 25 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences is House Bill 1704, Representative Homer. Clerk, read the Bill. Mr. Clerk, have you read this Bill?"

Clerk Leone: "House Bill 1704, amends the Illinois Vehicle Code."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment 1 to House Bill 1704. Senate Amendment #1 would create the concept of a provisional drivers license for 16 and 17 year olds in such a way to provide that upon the first conviction of a moving violation for a 16 or 17 year old licensee the Secretary of State would have the authority to suspend the driver's license for up to two months, upon a second conviction within a twelve month period for up to six months and for the third violation within a twelve month period for up to one year. The basis for the Amendment is to protect a class of drivers being the 16 and 17 year olds in which statistics have shown to have a greater than average incidence of accident rates also including those involving personal injury as well as death,

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so that the provision is designed to protect that particular age group. I would ask for your concurrence on Senate Amendment #1."

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

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Yes. Representative Homer, I understand that what this will do will authorize the Secretary of State to suspend or revoke the driving privileges of anyone convicted of violating one or more of the following offenses when the person was under the age of 18. Now, I see in my analysis 49 different offenses. Is that correct?"

Homer: "I don't know the number but there are approximately that many."

Cullerton: "Well, let me ask you what some of these serious, heinous offenses are, flashing signals, Section 11-309. What's the offense of flashing signals?"

Homer: "That would be an offense where there was a red flashing signal at an intersection and the offender did not stop but proceeded through without stopping."

Cullerton: "I see. So if they're convicted they lose their driving privileges if they're under 18. How about Section 11-704? When overtaking on the right is permitted. What particular offense, heinous offense, is that that we're going to take away their driving privilege?"

Homer: "That would be a situation where, for example, a motorist passed a car in the... off on the shoulder where there was no official passing lane or no official lane of traffic."

Cullerton: "Well, this is different from overtaking on the right when it's not permitted, but let me ask you this. How about starting a parked vehicle? That seems to be a

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particularly heinous offense, starting a parked vehicle. That's Section 11-803. What offense... If I understand it, if a..."

Homer: "Representative Cullerton, that would be... that would be pulling a car out from a parking position without ascertaining that it could be done so with safety."

Cullerton: "Oh, I see, and if an 18 year old or younger does that then that would be grounds to revoke their license. How about the method of giving hand or arm signals? How about that offense? Would that be like giving... making obscene gesture out the window, someone under 18?"

Homer: "No, this would be those situations, Representative, where the arm was being used for a turn signal as opposed to the electronic turn signal."

Cullerton: "And they... And they inadvertently gave the wrong signal so they'd lose their license if they're under 18."

Homer: "These are discretionary, yes."

Cullerton: "Well, Mr. Speaker... Madam Speaker, to the Bill. There's a few more here such as merging traffic and the limitations on backing. I like that one. There's 49 different particular heinous offenses here where the Secretary of State can suspend the license of someone who's under 18. Some of them really are bad offenses such as reckless driving, transportation of alcoholic liquor, but I think that this particular concept, many people are opposed to. I think that we should, perhaps, put this into a Conference Committee and look a little closer at some of these Sections. If we are going to pass this type of a Bill, I think we should be a little more careful in looking at these particular Sections, and I would also point out that what this does in a practical sense in a court room is to say to a judge, the lawyers would say to a judge, 'Okay, Mr. Judge, if you find this kid guilty, he's going to lose

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his license. So maybe it would be better, Judge, if you found him... gave him supervision, and then he won't lose his license.' And so what's going to happen is you're going to have fewer convictions of people under 18, and that's really as a practical matter what's going to be the result. It's for those reasons that I would oppose the Gentleman's Motion."

Speaker Ereslin: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of concurrence in Senate Amendment #1 to House Bill 1704. We have in the state several serious problems dealing with safety on our highways. We have tried over the last couple of years, with some success though there is still a long ways to go, to deal with the problem of drunken drivers and to deal with that in a successful and sensible fashion. And we have made some progress. But we also have a problem, the statistics will clearly indicate, with the very young driver. What 17 states have done, now you might think to hear some of the people on the other side of the aisle, though clearly not all because the Sponsor who is presenting this very good piece of legislation is there also, to hear some of the people on the other side of the aisle tell it, you'd think that this was some new idea or some wild scheme that was dreamed up. In fact, 17 other states are using the concept of the provisional drivers license and are using it successfully. The idea is this. There has been a lot of support over the last couple of years, frankly, I think if you put it to a referendum it would probably pass, to simply raise the minimum driving age to 18. The Secretary of State and all the other people involved in this Bill think that's a bad approach. It's a

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Draconian approach that somehow says all young drivers are bad. They're not. What we are urging here is very much of a compromise. What we are saying is that we will continue to give drivers license to those 16 to 18 even though statistically as a group they have a worse driving record than other people. But we will put them on notice. We will say, you gotta grow up. You gotta deal with the privilege of driving. You've got to do that in a responsible manner or you will lose your license. That it is a privilege and that it is provisionally granted until the age of 18. Between the two extremes of doing nothing and allowing the high accident rate in those age groups to go on and the other extreme of taking their license away altogether, which many have urged, this is a reasonable approach. This Amendment and the Bill is supported by the Illinois Department of Transportation, the Department of Law Enforcement, the State Board of Education, the Illinois Association of Driver Education Instructors, the IEA - the Illinois Education Association, the Secretary of State and by the Motor Vehicle Laws Commission. It is a reasonable approach to a serious problem that we have in this state. As the Sponsor has indicated, there is nothing in here that makes the Secretary of State take the license away, but it does give him that discretion. Seventeen states have done that. It has worked there. It is a serious problem, and this is a reasonable, well-thought-out approach. I would urge 'aye' votes to adopt and to concur in Senate Amendment #1 to House Bill 1704."

Speaker Breslin: "Ladies and Gentlemen, we have heard one person talk in opposition, and one person talk in support of this legislation. There are many, many people seeking recognition. I will try to recognize them in the order that they have sought recognition, but please, please try

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to keep your remarks to a minimum if possible. The next person to be recognized is the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Madam Speaker, Members of the House, briefly, if this is such a good concept it ought to go to a Conference Committee to iron out the differences of opinion about these various violations. They are, obviously, in this innumeration of 49 different violaticns some ridiculous things to take away anyone's license for even a day let alone two months, or six months or a year for one or more violations. If the Secretary of State's serious, then he ought to be willing to negotiate this cut. We ought to have enough guts on this floor not just to willy nilly vote for this because it sounds like another one of his proposals to keep the wrong people off the highways. A kid with a job who's 18 years of age shouldn't lose a license for two months, shouldn't lose a license for six or even a year for two or three violaticns like these. We can make this into a reasonable Bill that's supportable. You know exactly who's going to be called if someone loses a license due to this Bill, due to some ridiculous discretionary action, if taken, and I guarantee you they will be in some cases, even if by accident, by the Secretary of State's Office. There's so many of them. They're going to call us. We're going to tell them, well, yeah, we passed this Bill, and now the Secretary won't give the kid a license. He loses his job. It's a ridiculous Bill. It's obvious why the insurance companies would be for it. Drive up the premiums. It's obvious why the IFA would be for it. They like to teach kids in the classroom. It's obviously why all these groups are for it, and none of them have a reason to be for it except their own self interest. It's a bad Bill. It could be cleaned up and made into a halfway

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decent one in a Conference Committee. It shouldn't get a vote today. It ought to get a red light today, and a red light until it's cleaned up."

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

Koehler: "Thank you, Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House. Would the Spcscr please yield for a question?"

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

Koehler: "Thank you. Representative Homer, it is my understanding that the amended version that passed out of the Senate, they have reduced the drivers license suspension period to some degree. Is that correct?"

Homer: "Yes, that's correct. It has been reduced to a two month period for a first violation. That would be the maximum suspension."

Koehler: "Well, thank you very much. I think this is certainly a step in the right direction. I certainly do advocate the concept of a provisional drivers license for our young people for the reasons that you and Representative Reilly have indicated; however, I'm still concerned about the loss of license for a first offense particularly for some of the offenses that have been previously mentioned. I would like to echo the comments of those who have called for a Conference Committee to iron out some of the difficulties in this piece of legislation, because while many of us do support the concept, I believe that some think that for our particular areas it might be restrictive. I would... I would... I would add my name to those who would appreciate a Conference Committee on this."

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

John Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of

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the House. I would recommend that everybody turn off their pilot light on... on this one and grind to a halt on this concurrence. And as one of the previous speakers indicated, let's put this Bill in Conference Committee and see where we ought to go. This Bill is... The Amendment we're discussing, not the Bill, Senate Amendment #1 is a cruel Bill, a harsh Bill. What it says is that any 16 or 17 year old youngster in the State of Illinois will lose their driver's license if they get one ticket. There was an allegation by one of the previous speakers that this Bill has been watered down. It hasn't been watered down at all. At the present time in the State of Illinois, 16 and 17 year olds are treated like you and I. If we get three moving violations in a year, we lose our license. It's suspended. The length of the suspension depends upon the seriousness of the violations. Sixteen and 17 year olds are treated just like you and I. There was, in fact, a Bill which would have said, any ticket and the 16 or 17 year old's license would be removed. This Bill isn't watered down. It's come back in a changed form to change the initial suspension from three months to two months and to change a number of tickets from all tickets to approximately 49 or 50 tickets. In other words, if your youngster back home is 15 or 16 year old now, or 15 years old, going to apply for a driver's license, they don't have to be transporting alcohol. They don't have to be drunken driving. Those provisions are taken care of elsewhere. All they have to do is commit a violation of the Vehicle Code involving traffic control signals, lane control signals. All they have to do is go through a yellow light when it's flashing. All they have to do is... is go more than 11 miles an hour over the speed limit, or if it happens to be the 20 mile an hour speed limit where school

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children are present, all they have to do is go 21 miles an hour in a 20 mile an hour speed zone. All they have to do is overtake a vehicle on the left when they shouldn't. All they have to do is overtake a vehicle on the right when they shouldn't. All they have to do is come out of their driveway in an improper manner, violate a no passing zone, follow a little too closely, make a U-turn, start a parked vehicle wrong, use an improper signal. What are we trying to do? What I want to tell everybody here, when you go back home you ask... particularly you downstaters, you take a young man who's made the football team for the fall and has gone home to ask his mother and father, 'what can I do this fall? Do I have to ride the school bus and miss football practice or can I have the car to drive to school?' And what if he gets one ticket and is off the football team? You ask him if you want that back home. What about the basketball team? You ask him about all that. We're not... We're not dealing with the drunken drivers here. We're dealing with little kids. We're telling them, you behave. We'll take care of you. I'm here, Ladies and Gentlemen, to say to you that this Bill is good only if you're perfect, and to the best of my knowledge, 1967 years ago lived the last 16 year old who was perfect, and he was nailed to the cross. If you want to take care of him, fine. We all want to take care of him, but all the rest of us need a break. Defeat this concurrence, and get this Bill in Conference Committee. Vote "no".

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

Piel: "I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question.

All those in favor say 'aye', all those opposed say 'nay'.

In the opinion of the Chair, the 'ayes' have it, and the

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main question is put. Ladies and Gentlemen, you will all have an opportunity to explain your vote. Representative Homer to close."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. The Bill is not designed to punish or be punitive towards 16 and 17 years old, just the opposite. It's designed to protect them. Statistics show that that age group makes up 6% of the driving population, and yet is involved in 17% of all accidents including those causing personal injury and death. To protect that group we have... we have already set reasonable constraints. Those... Those constraints include, before a 16 or 17 year old can get a driver's license, we require them to receive written parental or guardian consent. We require 16 and 17 year olds to successfully complete an approved driver's education program. We deny the 16 year olds the right to be on our streets with their vehicle after curfew is in effect. This is simply an extension of those laws which would protect that age group. I would point out to you that in contrast to Representative Koehler's concern, although very legitimate, that individuals already can receive court supervision which would not be considered a conviction under this statute. So that, in effect, many times and most times this would be a second or third offense. The Bill is being endorsed and is recommended for your consideration and support by the Illinois Department of Transportation, the Department of Law Enforcement, the Board... State Board of Education, the Illinois Association of Drivers Education Instructors, the IEA, the Secretary of State, the Motor Vehicle Laws Commission. I would ask you to join with those groups in supporting this Amendment."

Speaker Breslin: "The question is, 'Shall the House concur in Amendment #1 to Senate (sic House) Bill 1704?' All those

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in favor vote 'aye', all those opposed vote 'no'. The Gentleman from Knox, Representative Hawkinson, to explain his vote. One minute."

Hawkinson: "Thank you, Madam Speaker. I think this will surprise a few people. No one has supported the Secretary of State's package more than I have in this General Assembly. This proposal has some merit, but as written it goes way too far. We ought to put it in Conference Committee. I would urge a yellow vote."

Speaker Breslin: "The Gentleman from Winnebago, Representative Giorgi. One minute."

Giorgi: "Madam Speaker and Members of the House, what happens here is if in the event that this became law, the suspension that person would receive will be on his driver's record for the next twenty years. It's an excuse for the insurance companies to drop them from coverage but cover them at double the premium. You don't really know what you're doing to the young driver getting this on his record. There's no difference in the suspension number for this than there is for a guy that... that fled to avoid arrest or committed a homicide. This isn't fair to the 17, 18 year old kid that's going to drive, and you really penalize your constituents beyond all imagination. This is a very bad Bill."

Speaker Breslin: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Madam Speaker. The biggest killer of our teenagers in this country today is the motor vehicle. What this proposal originally did in Transportation Committee was as what Representative Dunn indicated. It would have been severe. It would have been a 12 month loss of their license. That's been modified down to on a first offense 2 months, on the second offense 6 months and on the third

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offense then one year just like normal. A lot of work has gone into this piece of legislation. It is a piece of legislation that will save lives. The Gentleman from Danville indicated it would cause the insurance premiums to go up. I feel quite the opposite would work. If the provisional driver's license does work then insurance companies will lower the insurance premiums for our young people. I think it is a good program, and we should concur."

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

Wolf: "Thank you, Madam Speaker and Members of the House. I rise in support of House Bill 1704. I think that this Bill is a reasonable compromise between those who will do absolutely nothing and those who would eliminate the driver's license for 16 and 17 year olds altogether. The statistics of insurance companies have proved conclusively that the predominance of claims, accidents have been caused by the very young driver and the very old. Now this Bill has been altered considerably from Senate Bill 127 as the Sponsor previously indicated and strikes what I believe to be an acceptable balance. I believe that it is our responsibility, not only as parents but as adults, that we instill in the new driver those observations of road and highway safety that will take into consideration the preservation of not only of themselves as drivers but the preservation of others. I believe that this is a good Bill, not only one that has seen its time come, but its time has long been overdue. I would request your support."

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

Davis: "Thank you, Madam Speaker. I see 21 'present' votes up there, and I know all 21 of you want to vote for this Bill. Let me just say to you that if this Bill gets into

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Conference Committee, you'll never see it again. It absolutely will be turned and twisted and probably never voted upon before three-fifths sets in tomorrow night. You can applaud if you like, but I can simply tell you that Representative Winchester was absolutely right. The carnage on our highways caused by teenage drunken drivers, teenage alcohol accidents, this Bill may make at least that teenager stop and think before he drinks that first Bill... beer... Bill... before he drinks that first beer and has one beer under his belt and makes a mistake in judgment of a wrong turn or something like that. I tend to agree that the list of offenses is too long, and you will never hear this from me again in this Session but I can say to you this that there is a separation of powers and the Governor has to sign this Bill. I particularly believe our... our branch of government is the best. He'll have to sign it. We do have an amendatory veto. He is a lawyer. He'll cut down this list of offenses. You know it, and I know it. This may be the last chance you have to vote on this Bill. You 22 people who are now on 'present' better get on this Bill because the folks back home are going to like you for it. And the 16 and the 17 year olds don't vote."

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

Leverenz: "Thank you, Madam Speaker. In terms of our good friend Orson Wells, 'We shall pass no Bill before its time'."

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

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen. When I first received my driver's license, my parents laid down the rules. If my parents ever found out that I had been stopped by the police, not convicted of a violation, not ticketed, but stopped by the police, my driver's license

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would be taken away by my parents and hung on the wall for one year. That's a pretty heavy restriction to lay on a young kid who just got his ticket to freedom, his wheels. I did not appreciate that then, but I do now. I'm very happy that my parents cared enough about my safety, cared enough that I not be in an accident which would take my life or the life of another, cared enough to make me recognize the serious responsibility of being privileged to drive on the roads in the State of Illinois. And now I care about the young who drive on the roads of Illinois, and if you care, you will vote green to concur."

Speaker Breslin: "The Gentleman from Cook, Representative Yourell. One minute."

Yourell: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, those of us, and I suppose there were many of us that spent last weekend in Springfield, last Friday, Saturday and Sunday, and if there was ever a good reason to vote green on this Bill, that weekend and what happened in Springfield, that weekend is reason enough. It took me three and a half hours to get to my motel room from the golf course, and I can tell you, I saw all kinds of things happening on the streets of Springfield with 16, 17 and 18 year old drivers. Then look at the aftermath of the streets of Springfield. They're still so cluttered up with crap and junk, it'll take them six months to clean it up. This is a good Bill, and you ought to be voting green."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp. One minute."

Ropp: "Thank you, Madam Speaker and Members of the House. I think it's ironic that this Body passes laws on one hand and then on the other hand, they're trying to find ways that we can prevent those people who may be inflicted by those laws from having to... to obey them. This is a good

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piece of legislation. It's a compromise. It's an attempt to encourage that young person who has an automobile for the first time to learn, to obey and to follow the law. I urge a green vote."

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

Wojcik: "Yes, Mr. (sic - Madam) Speaker and Members of the House.

I rise in support of this Bill, and I rise to support it plain and simply because of being a mother of teenagers and knowing exactly what I had to go through when they obtained their driver's license. We, as parents, had no problems with accidents or what have you. When the youngsters started driving, a lot of problems came in. Maybe if they have a little fear of them, the fear of what parents cannot give them, maybe something good will come about this. We're always talking about the drunken drivers, the drunken teenage drivers. We're very quick to vote 'yes' for that. Now we've got a good Bill on the floor. I think we should vote 'yes' for this Bill."

Speaker Breslin: "The Gentleman from Winnebago, Representative Mulcahey. One minute."

Mulcahey: "Well, Mr. (sic - Madam) Speaker, first of all, this has nothing to do with drunken drivers. We have legislation already on the books. It takes care of that. But what bothers me just a little bit is... is some of the pompous, hypocrites we... that we become on occasion. 'Let he who has not sinned cast the first stone.' And which one of us Legislators with those special, beautiful, very important plates have not gone down that highway 70, 75 miles an hour thinking we're immune. We're just as guilty as everybody else, and we break the law as much as everybody else does but nothing happens to us because we're special. We're important people. Sixteen, 17 year old drivers are important too, and this is a horrible Bill."

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Speaker Breslin: "Mr. Clerk, please take the record. On this Motion, there are 58 voting 'aye', 39 voting 'no' and 18 voting 'present'. Representative... Representative Horer."

Homer: "Madam Speaker, I would move for nonconcurrence of Senate Amendment #1."

Speaker Breslin: "Okay. This Motion fails, and now the Gentleman moves to nonconcur on Senate Amendment #1 to House Bill 1704. All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. Appearing on the Order of Concurrences is House Bill 1778, Representative Klemm."

Klemm: "Thank you, Mr. (sic - Madam) Speaker. House Bill 1778 has two Senate Amendments. One defines the waterways and defines that word, and the second Amendment gives a legal description of the territory. It does bring House Bill 1778 in the manner which we were working for, and I do move for its... to concur with Senate Amendments #1 and 2 on House Bill 1778."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and #2 to House Bill 1778. There being no discussion, the question is, 'Shall this House concur in Senate Amendment #1 and #2?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill, there are 115 voting 'aye', none voting 'no', 1 voting 'present', and the Bill passes. Appearing on the Order of Concurrences is House Bill 1805, Representative Daniels - Representative Greiman. Excuse me one moment. The Gentleman from Cook, Representative Piel, for what reason do you rise?"

Piel: "I would ask Mr. Greiman to take this out of the record momentarily until Mr. Daniels comes on the floor."

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Speaker Breslin: "They're discussing that at the moment. With leave while they discuss it, let us go to House Bill 1835, Representative Terzich."

Terzich: "Madam Speaker, I would move to nonconcur with Senate Amendment #1 to 1835 since it's technically incorrect."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House..."

Terzich: "Nonconcur."

Speaker Breslin: "Excuse me. The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 1835. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur... nonconcur in Senate Amendment #1 to House Bill 1835?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur in Senate Amendment #1. Appearing on the Calendar on Concurrences is House Bill 1844, Representative Wolf. Representative Wolf. You can proceed, Sir."

Wolf: "Is the Clerk going to read the..."

Speaker Breslin: "Doesn't need to be read."

Wolf: "Thank you, Madam Speaker and Members of the House. I now move to concur in Senate Amendment #1 to House Bill 1844. House Bill 1844 is simply an Amendment to the Vehicle Code which defines moped as a motor driven cycle with a maximum speed of 30 miles per hour. It also calls for a motor cycle training course to be taken by such drivers. The Amendment that was put on by the Senate is strictly a technical Amendment to keep the current title of motorized pedal cycle instead of moped, and I would move for adoption of the Amendment."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1844, and on that question, is there any discussion? The Gentleman from Effingham,

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Representative Brummer."

Brummer: "Yes, I don't remember seeing this Bill previously when it passed through here, so you'll have to apologize for some of my questions. As the House Sponsor of the original moped Bill, I have more than a casual interest with regard to this issue and particularly since mopeds were produced in the legislative district that I represent. What does the Bill... This is a Motion for concurrence, right?"

Wolf: "Excuse me, Brummer, I didn't hear the question."

Brummer: "This is a Motion for concurrence?"

Wolf: "That is correct."

Brummer: "So this would be final passage."

Wolf: "That is correct."

Brummer: "Okay. Could you explain to me then what the Bill, as amended, does?"

Wolf: "Well, I believe I just did. Basically, the Bill amends the Vehicle Code to define a moped as a motor driven cycle with a maximum speed of 30 miles per hour, and it requires persons under the age of 18 to complete a motor cycle training course approved by the Department of Transportation prior to receiving a motor cycle operators license. The Amendment put on by the Senate simply is a technical Amendment to keep the current title of motorized pedal cycle instead of moped. The Illinois State Police, IDOT, Secretary of State and all of them approve of this Amendment."

Brummer: "How does the definition of moped in this Bill differ from the definition that is currently on the... in the statute?"

Wolf: "I don't believe that there's any difference between this definition and that... contained in the statutes, Representative Brummer."

Brummer: "Okay. Are the moped manufacturers in agreement with

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this Bill as amended?"

Wolf: "I have no knowledge of whether they are or aren't. I know the Motor Vehicle Laws Commission is in support of this Bill."

Brummer: "I wonder if you would mind holding this for just a few minutes?"

Wolf: "Not a bit."

Speaker Breslin: "Out of the record. Ladies and Gentlemen, on the Order of Concurrence we have a Bill that will be nonconcurrent in. That is Representative Nelson's House Bill 2201. Let us go to that immediately. House Bill 2201, Representative Nelson."

Nelson: "Madam Speaker, Members of the House, I move to nonconcur with Senate Amendment #1 to House Bill 2201. The Senate Amendment specifies an effective date of July 1st, 1984, and I just believe that that's unnecessary. I would prefer a January 1st effective date, and that's why I'm moving to nonconcur."

Speaker Breslin: "The Lady moves to nonconcur in Senate Amendment #1 to House Bill 2201, and on that question, is there any discussion? There being no discussion, all those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 2201. Appearing on the Order of Concurrences is House Bill 1847, Representative Vinson. Representative Piel, for what reason do you rise?"

Piel: "I would ask that we take this out of the record momentarily until he comes back."

Speaker Breslin: "The Bill will be taken out of the record. Appearing on the Order of Concurrences is House Bill 1877, Representative Birkinbine."

Birkinbine: "Thank you, Madam Speaker and Ladies and Gentlemen of

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the House. I move to concur with the two Senate Amendments on House Bill 1877. The original Bill struck obsolete language that was no longer necessary. The two Amendments were proposed by the Commissioner of Banks and Trusts. Amendment #1 amends the basic lending limits provisions of the Illinois Banking Act and also the annual fee structure of state chartered banks. The lending limit portion charges are needed to provide parity in lending for state chartered banks with those lending limits available to national banks through the recently enacted... recent enactment of the 'Garns - St. Germaine' legislation at the federal level. The fee structure change will not result in any increase in fees to banks. It simply sets up four quarterly payments so that banks can more anticipate a more even run. The Amendment #2 revises Section 35-2 of the Illinois Banking Act dealing with limitations on investments in and loans to affiliates. The Amendment grants parity to state chartered banks consistent with the changes in Section 23(A) of the Federal Reserve Act. As I indicated, the original Bill and these two Amendments were both requested by the Department of Financial Institutions and the Commissioner of Banks and Trusts, and all are supported by both the IBA and ICEI. And I would move for concurrence on House... on Senate Amendments 1 and 2 to House Bill 1877."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments 1 and 2 to House Bill 1877. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 1877. This is final passage. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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Motion, there are 113 voting 'aye', and none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences is House Bill 1880, Representative Birkinbine."

Birkinbine: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendments 1 and 2 to House Bill 1880. The original Bill made three changes to the Insurance Holding Systems Article of the Code designed to change the Article so it reflects recent Supreme Court decisions, clearly bring mutual type insurance companies under the Department of Insurance purview and clarify existing ambiguous provisions regarding the calculation of net operating income. The two Senate Amendments..."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1 and 2 to House Bill 1880. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 1880. All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences appears House Bill 1890, Representative Nelson."

Nelson: "Thank you very much, Madam Speaker. I move to concur with Senate Amendment #2 to House Bill 1890. The Bill, as it passed the House, permits more than one county board member to serve on the county board of health. The Senate added an Amendment that somewhat tightened that language,

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and instead of saying, 'In counties with a population of over 500,000 at least - one member,' the new Senate Amendment says, 'in counties with a population over 500,000 - two members shall be chosen'. I would ask for your agreement to concur with Senate Amendment #2."

Speaker Breslin: "The Lady moves to concur in Senate Amendment #2 to House Bill 1690. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1890?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will... The Clerk... The Clerk will take the Roll. On this question, there are 109 voting 'aye', none voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences, page seven on your Calendar, appears House Bill 1944, Representative Vinson. Representative Birkinbine, do you seek recognition to present this Bill?"

Birkinbine: "Yes, Madam Speaker, with leave of the House, I would ask to handle the concurrence."

Speaker Breslin: "There being no objections, the Gentleman has leave. Proceed, Representative Birkinbine."

Birkinbine: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. The Amendment that we are... that I move to concur on on House Bill 1944 are the... comprise the investment Article that was on House Bill 951. I'm sorry, Senate Bill 951, that we passed the other night. The investment Article's antecedents go back to 1933. They became the Investment Code in 1937. The most recent time that this Code has been updated was back in 1963. It's a result of a Task Force that has worked for several... worked for a couple years with the Department, with the

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financial community and also with the insurance companies to come up with an updating. It... I don't need to tell you that the financial community has changed dramatically in the last two decades, and I would move to concur with Senate Amendments on House Bill 1944."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendments #1, 2 and 3 to House Bill 1944. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Gentleman yield?"

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

Cullerton: "What is the status of Senate Bill 951... which is, I understand these Amendments to be identical to 951."

Birkinbine: "Yes."

Cullerton: "What is the status of 951?"

Birkinbine: "Senate Bill 951 passed this Body two or three nights ago."

Cullerton: "On the way to the Governor?"

Birkinbine: "Yes."

Cullerton: "Then we really don't need this Amendment."

Birkinbine: "No, this is, I guess you call it fall back, as we frequently do to make sure..."

Cullerton: "Well, we fall back while it's within the Bodies, but not necessarily after one's on the way to the Governor. The reason why I'm very suspicious, Representative Birkinbine... Representative Woodyard, the reason why I'm very suspicious, the underlying Bill, as best I can see, appears to be a pro consumer Bill sponsored by Representative Vinson which raises eyebrows quite frankly, so I'm wondering if I'm missing something here. Why would Representative Vinson want to sponsor a pro consumer Bill? And why are we passing your Bill twice? Do you get more points like if you get to pass a Bill twice?"

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Birkinbine: "No, we're simply concurring with action taken by the Senate. There was no assurance by the Department of Financial Institutions and the Department of Insurance that the Amendments in this House would be adopted any more than the Amendments in the Senate would be adopted."

Cullerton: "All right. So if we concur with this, this goes to the Governor, and the pro consumer Bill, the Vinson pro consumer Bill, will go to the Governor. This is final action."

Birkinbine: "Yes, this is final action."

Cullerton: "Okay, then I guess we better vote for it."

Birkinbine: "I'll ask Representative Vinson to come over and explain his sentiments."

Cullerton: "Maybe he made a mistake."

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

Bullock: "Mr. (sic - Madam) Speaker, I wonder if the Sponsor will yield for a question."

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

Bullock: "Representative Birkinbine, in Senate Bill 951, in essence did you raise the percentage of the allowable assets in this Bill for insurance companies?"

Birkinbine: "You mean percentage of assets that could be invested in one kind of investment or another?"

Bullock: "Yes, Sir, did you raise that?"

Birkinbine: "Yes, in a number of cases."

Bullock: "And from what did you raise it to what?"

Birkinbine: "In some cases, as I recall, from 15 to 20% with the approval of the Department."

Bullock: "Did you not raise it from 5% to 10% in some cases which is 100% increase?"

Birkinbine: "Yes, I wouldn't be surprised. I see here..."

Bullock: "And has that previously been prohibited by state law?"

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Birkinbine: "The limits were set. I don't know... I guess you could call it a prohibition."

Bullock: "Yeah, I think it was prohibition because it was a ceiling. Representative Birkinbine, and this Bill did pass the House overwhelmingly 112 votes to none. Is that correct?"

Birkinbine: "Yes, that's correct."

Bullock: "Mr. Speaker... Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Bullock: "I'm going to support this Bill, and I urge most of the Members of the House to support the Bill, but every now and then we get a chance on the floor of the House to really examine legislation, and how people voted and for what reason people vote on legislation. We passed legislation today which I think will enhance economic recovery in the state where we do, in fact, and did, in fact, attempt to raise some limits for banks in this state. This legislation if adopted, and approved and sent to the Governor would do similarly the same thing for insurance companies. So if it's good for the goose, it's good for the gander. And I sometimes wonder why people make a lot to do about nothing, and this legislation, in fact, does no more or no less than we've done for banks. And I urge an 'aye' vote."

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

Piel: "I move the previous question, Mr. (sic - Madam) Speaker."

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

Birkinbine: "Thank you, Madam Speaker. I would just ask for an 'aye' vote on concurrence with this."

Speaker Breslin: "The Gentleman moves to concur in Senate

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Amendments #1, 2 and 3 in House Bill 1944. All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. The Gentleman from Cook, Representative Bowman, to explain his vote."

Bowman: "Thank you. Just to set the record straight, the Senate Amendments that we're concurring in delete everything after the enacting clause, so Representative Vinson will be spared the embarrassment of passing a pro consumer Bill this Session, because the entire Vinson Bill is deleted. And... And I think that now that the sheeps clothing has been stripped away from this wolf that we ought to all vote 'no' on this piece of legislation."

Speaker Breslin: "Mr. Clerk, take the record. On this Bill, there are 104 voting 'aye', 10 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences appears House Bill 1972, Representative Hastert."

Hastert: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. This Senate Bill 1972 (sic - House Bill 1972) has five Senate Amendments... four Senate Amendments. I move to concur with Senate Amendments 1, 2, 3 and 5. What this Bill is, is the annual conveyance to the Illinois Department of Transportation. These are some additional conveyances. As far as I know and according to the synopsis, all these lands are... have the appropriate appraisals filed, and I move for its passage..."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1, 2, 3 and 5 to House Bill 1972. On that question, the Gentleman from Macomb, Representative Dunn."

John Dunn: "Just to ask indulgence. On our side of the aisle we have about ten packets to find these Amendments. I haven't found the Amendments yet. Can we hold? Maybe someone else

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wants to talk, but I really appreciate we don't take a vote til I can find what these Amendments... where these Amendments are."

Speaker Breslin: "The Gentleman from Cook, Representative Bowman?"

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

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

Bowman: "Normally in these conveyances we convey property to other public bodies. I notice the Senate Amendment #1 authorizes the Secretary of Transportation to convey a certain described land to National Supermarkets, and there is nothing said in here about any consideration. And I wondered if you could describe to us a little bit more about that transaction, what it is, and how much is involved?"

Hastert: "Well, the Senate Amendment #1 that I have, Mr. Bowman, says that the Secretary of the Illinois Department of Transportation will receive a copy of the Act and within 60 days after its effective date... And adds two clauses to the preamble, so I think we have two different Amendments."

Bowman: "Well, wait a minute. I'm reading from the LIS synopsis, and it says here, 'Conditions the authorization given to the Secretary of State.' Okay. What are the conditions?"

Hastert: "I just told you the conditions."

Bowman: "Well, wait a minute. Are... Are we just giving it away or are we getting money for it?"

Hastert: "No. No. Any conveyances have appraisals, and what I... my information here is that they have appraisals filed, and it's under the statutes that it has to be in fair market value."

Bowman: "And so this will be for fair market value transaction to a private party."

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Hastert: "Yes."

Bowman: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? Representative Dunn, do you persist in your request? Very good. There being no further discussion, the Gentleman from Kendall, Representative Hastert, to close."

Hastert: "Well, Ladies and Gentlemen, I just ask for your positive vote on concurrence for Senate Amendments 1, 2, 3 and 5 to House Bill 1972."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments #1, 2, 3 and 5 to House Bill 1972?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill, there are 112 voting 'aye', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences appears House Bill 1978. Out of the record. Appearing on the Order of Concurrences appears House Bill 1992, Representative Olson."

Olson: "Thank you very much, Madam Speaker, Members of the House. I move to concur to Senate Amendment #1 to House Bill 1992. This is part of the election reform package which basically provided for securing ballot boxes and Senate Amendment #1 merely describes the fact that if it's possible to lock the ballot box, that we won't need to use sealing tape, so I move for concurrence of House Bill 1992."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1992, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, is this part of the... the Daniels package to corrupt... to fight election fraud in DuPage County?"

Olson: "No, it isn't, not even to fight corruption in Chicago,

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Representative."

Cullerton: "Well, wasn't this part of... who's the Sponsor of the Bill?"

Olson: "Representative Daniels, but he is not describing a fraud situation. Just to protect against the possibility of it happening downstate."

Cullerton: "This... We tried to clean these up as best we could before we passed them out of here. This is the one that makes it a criminal offense if you use the wrong type of tape? Is this the one?"

Olson: "No, we just want to have a good quality tape, and now the county boards... County Clerks Association have suggested that if we can somehow find locks to lock them up, that we won't have to use a good quality tape."

Cullerton: "And what... Do we still have criminal penalties in here?"

Olson: "A criminal penalty? I'm not aware of that. I think there may be."

Cullerton: "There may be?"

Olson: "That's correct."

Cullerton: "How about a year in jail?"

Olson: "The year in jail would be fine, if someone did that."

Cullerton: "That's what the Bill says."

Olson: "That's wonderful. I'm... I'm glad you reminded me of that, because I'm happy to be a party to that type of Bill."

Cullerton: "Yes, okay. Well, we'll support you, then."

Olson: "Thank you very much, Sir."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1992?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take

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the record. On this Bill, there are 115 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Going back to a Bill that was taken out of... that was taken out of the record a moment ago, appears House Bill 1844. That's on page six of your Calendar. Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. As indicated before, I would now move to concur in Senate Amendment #1 to House Bill 1844. I previously defined the basic elements of House Bill 1844, and to reiterate the provisions of Senate Amendment #1 are simply a technical Amendment to keep the current title of motorized pedal cycle, plus that it permits the Secretary of State to continue to issue instructional permits for motor cyclists. I would move to concur with Senate Amendment #1 to House Bill 1844."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 1844. And on that question, the Gentleman from Macon, Representative Dunn."

John Dunn: "Once again, I'm still looking for the analysis."

Speaker Breslin: "Do you have a question, Representative Dunn.":

John Dunn: "Yes, what does the Amendment do... what's a pedicycle?"

Speaker Breslin: "Representative Wolf, can you answer that question? What is a pedicycle?"

Wolf: "It's a small motorcycle with a small... under 50 cubic centimeters made primarily for young drivers. It's a moped."

John Dunn: "And what does the Amendment do then for mopeds?"

Wolf: "Well, the Amendment simply defines the title of a moped to be a motorcycle - a motorized pedicycle, and it provides for the Secretary of State to continue to issue

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instructional permits for motorcyclists."

John Dunn: "And that... that's currently the law. Is that right?"

Is that currently the law that you... that the Secretary of State issues instructional permits?"

Wolf: "Yes, it is."

John Dunn: "Okay. Thank you very much."

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

Vitek: "Will the Gentleman answer a question, please?"

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

Vitek: "Wolf, if I'm a licensed driver of an automobile, do I still... carry a separate license for the motorcycle or my moped?"

Wolf: "Well, you would have to... you would... if you were quite a bit younger, John, you would have to undergo a training course to drive a motorcycle."

Vitek: "Well, what about me now? Suppose I want to drive a motorcycle now?"

Wolf: "I don't know of anything that would permit you... that would prohibit you from doing it at the present time."

Vitek: "Well, under this Bill, it would."

Wolf: "It says, it requires persons under the age of 18 to complete a motorcycle training course."

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

Wolf: "Well, Madam Speaker, I think that the Bill has been discussed sufficiently. I would simply move to concur in Senate Amendment #1 to House Bill 1844."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 1844. All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 108 voting 'aye', 1 voting 'no' and 2 voting 'present'. This

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Bill, having received the Constitutional Majority, is hereby declared passed. Going back also to a Bill that was taken out of the record previously appears House Bill 620, Representative Jaffe."

Jaffe: "Yes, Madam Speaker, there are two Amendments, and I'm going to move to concur in the two Amendments. If I can just have a moment to get my Amendments over here."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 and 2. Is that correct, Representative?"

Jaffe: "That... That is correct."

Speaker Breslin: "Is there any discussion on that question? There being no discussion, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 620?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 84 voting 'aye', 31 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on your regular Order of Call under Concurrences is now House Bill 2003, Representative McGann."

McGann: "Thank you, Madame Speaker, Members of the Assembly. I move to concur on Senate Amendment #1 to House Bill 2003. This is a good Amendment, and it also clarifies some of the regular pension language which comes from the Pension Code. And so I would move for its concurrence."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #1 and 2 to House Bill 2003. And on that question, the Gentleman from Cook, Representative Piel."

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

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

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Piel: "Representative McGann, I notice in Amendment #1 basically what you're allowing the Police Pension Code to do is to lend money or to lend, yeah, lend securities to a borrower provided sufficient collateral has been provided. Has this been cleared through the Chicago Police Pension Board?"

McGann: "That is correct. They are in agreement... You're talking about the Chicago Police Pension Board."

Piel: "So they've got..."

McGann: "Yes, they have been in agreement with this Amendment and, in fact, I believe that they probably were the catalyst for it."

Piel: "What is the... What is the purpose that they would want to start lending money on these securities? What's the purpose of the Amendment per se?"

McGann: "Well, the... As you know there has been some changes in regards to lending or investment of monies and so forth, and they're just taking advantage of this here and placing it into legislation. The actual... The wording in there that's involved like lines fifteen through nineteen are just language that's going to agree with language from the original Pension Code."

Piel: "But basically, what this Amendment does... They're not... They're lending these securities to a borrower. What I'm trying to figure out is, all right, who is going to be the borrower that they're lending their securities to? See the Pension Fund is technically lending their securities to a borrower. Now what would the borrower be doing with the securities even though they're collateralizing them?"

McGann: "I'll just quote here from the Pension Law Commission, if I may. Do you have a copy of that by chance..."

Piel: "No, I don't."

McGann: "Alright. Under the provisions of the Amendment, 'The borrower would give as collateral to the fund cash equal to

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the market value of the loan securities at the time the loan is made and would increase the amount of collateral on account of subsequent increases in the market value of the loan securities. The period for which these securities would be loaned would not exceed one year. The lending of securities has become increasingly popular with large pension funds as a way of earning additional investment income on risk free basis. Full security is provided through the use of cash collateral equipment to the market value of securities borrowed'."

Piel: "So, basically, what you're saying then is Security A... Let's say that the Pension Fund has Security A, and they're earning interest or dividends on whatever the specific security is. They're turning around and giving this to another borrower who is collateralizing that, and in other words, he's using that in another frame?"

McGann: "I believe that you are correct."

Piel: "All I can say is, you know, it seems like a very bad precedence to set, and I'm very surprised that the Chicago Police Pension Fund is in favor of it. Thank you very much."

Speaker Breslin: "Is there any further discussion? There being no further discussion, Representative McGann to close."

McGann: "I believe the to... to-do is being made about the language in Amendment #1. Actually this language is presently existing in the Pension Code, and almost all pension programs lean to the use of this language, so I don't believe we have a serious problem; therefore, I would move for the concurrence of Senate (sic - House) Bill 2003 Amendments 1 and 2."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2003?' This is final passage. All those in favor vote 'aye', all those

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opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 90 voting 'aye', 25 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2012, out of the record. House Bill 2013, Representative Yourell. Representative Yourell."

Yourell: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I move to concur in Senate Amendment #2 to House Bill 2013. What this Bill does... What the Amendment does is requires the rotation of the State Board of Elections Chairmanship by political party every two years, and also as amended would also require rotation of the chairmanship among all board members of the same political party affiliation. I think this is fair legislation, and I move to concur in Senate Amendment #2 to House Bill 2013."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #2 to House Bill 2013. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Since this is final passage, Representative Yourell, could you... and this Bill was obviously... was and still is controversial when it was voted on before and now, tell us what the substance of the Bill prior to the Senate Amendments were... was?"

Yourell: "Yes, Representative Johnson, what the Bill originally did was to provide for state-wide recounts and how those recounts were applied to be heard on the merits of the Bill."

Johnson: "As I understand it this... this Bill would declare the public policy of the state that our state-wide election contest law be liberally applied, notwithstanding any previous case law. And that that specifically directs itself to the Stevenson - Thompson election contest and the

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Supreme Court decision denying a state-wide recount."

Yourell: "That's correct."

Johnson: "I'm not going to debate the issue. I think everybody ought to be aware that this is fairly significant in terms of altering, modifying or at least changing the legislative intent in the face of the Supreme Court decision that saved the taxpayers millions of dollars. And their language and that decision being, quote, 'The petition lacks a positive and a clear assertion that an election contest will change the result of the election. It does not contain allegations and facts sufficient to support a change in the result. The allegations in the petition are not sufficient to enable the petitioners to maintain a state-wide election contest under the statute.' So I think everybody ought to make their own judgment on whether they think that decision was in keeping with the law, and whether it was or wasn't, whether we ought to change the interpretive structure and the legislative intent with respect to state-wide election contests."

Yourell: "Well, as you know, that law was declared unconstitutional, and we're concerned about, and the state should be really concerned about the expense of that kind of a procedure. And that's the reason for this legislation."

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

Greiman: "I just wonder if the Gentlemen would yield for a question."

Speaker Breslin: "The Gentleman will yield for a question. Representative Yourell, would you yield for a question, Sir?"

Greiman: "He seems to have yielded completely. Yes, are there any other boards that have this kind of prohibition in

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State Government?"

Yourell: "I'm not aware of it."

Greiman: "Are there any Commissions that we have in the Legislature that requires rotation of chairmanship like that?"

Yourell: "I think in a lot of our own Commissions we require that, yes, from one party to another. I know that when I first became Chairman of the J-Car, the Chairman was a Democrat, and that was myself in the House. Then following that it was a Senate Republican and so on."

Greiman: "But that wasn't by member. We don't have to go around... We don't need to do a round robin on membership. So we have a Commission... a State Board of Commission that breaks new pioneering ground in a sense as to how we pick the chairman. Sometimes we have a good chairman, and the chairman is elected by the membership. And the chairman does a good job and, perhaps, should be retained. Most of us, probably, are not anxious to having our own legislative seats be given around to somebody else every two years because it would be fairer. Instead, it seems to me that we ought to think twice before we change the whole structure of our... of a Commission and just find that a chairman all of a sudden becomes the chairman, not because they have leadership qualities because... but because they're on the board. There are many, many Commissions, many, many administrative agencies that would be in deep trouble if some... if every member of that Commission or every member of that Committee had to be a chairman ultimately. I think it destroys talent. It destroys merit. And I respect merit, and I respect talent. And I don't think this does."

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

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Yourell: "Yes, I understand where the opposition come from. I got the same call that you did, Representative Greiman, and this is... opposition is generated by a political entity on the Board. And I think this is good legislation. It's good Amendment. It provides fair and equal treatment to all members of the Board, and it also provides fair and equal treatment to the two political parties. I think it's a good Amendment, and I urge your concurrence in Senate Amendment #2 to House Bill 2013."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2013?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 69 voting 'aye', 43 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared... Representative Preston asks leave to be voting 'no'. As a consequence, we have 69 voting 'aye', 44... Ch, I see. Representative Preston asks leave to change his vote from 'aye' to 'no'. As a consequence, there are 68 voting 'aye', 44 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences appears House Bill 2014, Representative Yourell."

Yourell: "Thank you, Madam Speaker. May I have leave to hold this for a while?"

Speaker Breslin: "Out of the record. Representative Fiel, for what reason do you rise? On the Order of Concurrences appears House Bill 2023, Representative Curran."

Curran: "Thank you, Mr. (sic - Madam) Speaker, Ladies and Gentlemen. 2023 is know as the Living Will Act. Passed out of the House 89 to 18. Got to the Senate. Amendments

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were suggested by the Chicago Right-to-Life Movement and by the Medical Society. We adopted those Amendments. The Senate voted that Bill out 38 to 18, and I ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2023. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "What are the... What are the Senate Amendments?"

Speaker Breslin: "Representative Curran."

Curran: "The Amendment is largely on the... on the question of terminology. For example, changes 'moment of death' to 'death is eminent' and makes that reference consistent throughout in reference to terminal condition."

Johnson: "The..."

Curran: "The pivotal definition here is terminal condition. It says that it means an incurable condition which is such that death is eminent and the application of life sustaining procedures serves only to postpone the moment of death. In addition to that, in the House version we had put in that when the... the living will was going to be executed, that the... that two physicians would have to file that the person fell into the situation of having a terminal condition. We did that as a protection for physicians so that they would be more inclined to go along with the living will if their patient wanted one. The physicians told us... the Medical Society told us that they didn't want to interfere with the doctor/patient relationship at that very key point, and they asked us to leave only one physician in, which is ... which is what we have done and which the Senate passed. And I think it's a good idea, and I concur with it."

Johnson: "Okay. My... My question is, if you'll recall, Representative Curran, when the... when the... your initial

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Amendment was drafted to this Bill, I came to you and asked you to take certain material out which you said had been inadvertently included in the Bill and, specifically, the immunization from liability for physicians for failure to comply with the patient's declaration. And now I see the Senate Amendment has those immunization from liability back in."

Curran: "No. What... In my opinion, what the situation is... By the way, that is..."

Johnson: "Representative Curran, with all due respect..."

Curran: "That isn't what you talked to me about, with all due respect. With all due respect..."

Johnson: "Well, the civil liability immunization is back in so that..."

Curran: "It always was."

Johnson: "... a doctor can fail to comply."

Curran: "It always was, Representative. It always was."

Johnson: "No, it wasn't."

Curran: "Yes, it was."

Johnson: "Well, I'm not going to engage in a dialogue here."

Speaker Breslin: "Excuse me, Gentlemen. Excuse me, Gentlemen. We have made an agreement, if it's acceptable with Representative Curran, to take this Bill out of the record and the next Bill out of the record. Because Republican Leadership is in Conference at the moment, we would prefer not to handle any controversial Bills at the present time. Is that acceptable with Representative Curran and Representative Slape? Thank you, Gentlemen. You're very agreeable. The next Bill on the... Representative Curran, is it acceptable to hold this Bill until a later time? Representative Slape, is it acceptable to hold this Bill till a later time? Thank you. Rep... Appearing on the Order of Concurrences appears House Bill 2071,

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Representative McMaster."

McMaster: "Thank you, Madame Speaker. I will move to concur in Senate Amendment #1 to House Bill 2071. Let me explain the, shortly, 2071 as it went out of the House. The purpose of 2071 is to adjust the state requirements for meat and poultry inspections to the federal requirements. And the purpose of the Amendment in the Senate is to bring this to conformance with what the Joint Committee on Administrative Rules wanted as far as the adoption and reporting of these changes in regard to the federal laws and our subsequent adoption of the federal laws by the state. I would move to concur."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 to House Bill 2071. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2071?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 111 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2072, out of the record. House Bill 2081, Representative Ropp."

Ropp: "Thank you, Madame Speaker and Members of the House. House Bill 2081 has two Senate Amendments. One is an Amendment that we were attempting to put on here in the House; and, due to the busy last hours of that portion of our Session, we did not put it on here which allows noncertified persons to apply pesticides under the supervision of a certified technician. This is an agreed Amendment between the Department and the industry. And the Amendment #2 makes technical changes in the Amendment #1. I don't know why

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they couldn't have made it in one, but anyway they didn't. The... The Bill itself amends the Structural Pest Control Act, which means that those who apply pesticides inside a building or a warehouse, those people will be controlled as to how they will apply and use those pesticides. I move to concur with Senate Amendments 1 and 2."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 and 2 to House Bill 2081. And on that question, the Gentleman from Macou, Representative Dunn."

Dunn: "Does the supervision require that the supervisor be on the site with the unsupervised person or not?"

Hopp: "With the material that I have, I don't know that that to be true. Although, I am pretty ... I am reasonably sure that that is true; that the person who is noncertified must be operating in the presence of that individual who has been certified as a proper technician."

Dunn: "You say..."

Speaker Breslin: "Is there any..."

Dunn: "... that the noncertified person must be in the presence of one who is certified, or you're unsure of that. That's..."

Hopp: "That would be my... I'm not sure, but that's the way I would interpret it."

Dunn: "Alright. Thank you."

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

Hopp: "I move a favorable vote."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 2081?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 107 voting 'aye',

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2 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences is House Bill 2085, Representative Oblinger."

Oblinger: "Madame Speaker and Members of the House, I move to concur in Senate Amendment #1 to House Bill 2085. The only changes made here is in the geriatric awards to nursing and medical schools by adding that the schools eligible for grants will include those schools which confer the doctor of osteopathy and doctor of chiropractic degrees and increases the Commission membership then by one, two of which must be licensed physicians."

Speaker Breslin: "The Lady moves for the concurrence on Senate Amendment #1 to House Bill 2085. And on that question, is there any discussion? There being no discussion, the question before the House is, 'Shall the House concur in Senate Amendment #1 to House Bill 2085?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 112 voting 'aye', none voting 'no' and one voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences appears... appears House Bill 2171, Representative Homer."

Homer: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. I would move, at this time, to concur with Senate Amendments 1 and 2 to House Bill 2171. Senate Amendment #2 is simply a technical Amendment that does some renumbering in the Bill. Senate Amendment #1 addresses itself to a situation which was discussed when House Bill 2171 was before us for final passage. At that time, Representative Koehler, the Minority Spokesman on the appropriate Committee, inquired as... to me, the Spcnsr, as to whether

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we would be amenable to working for a revision of the definition of 'hazardous waste' in the event that it was determined that we would in any way jeopardize our delegation authority of the... under the RCRA Act. That time, I answered in the affirmative. And in fact, that definition has now been amended by Senate Amendment #1 in such a way as to restore the original wording in the present Act so that there can be absolutely no question but that it will be approved by the Illinois EPA and the U. S. EPA in such a way as to ensure that we retain our delegation authority. And I would ask for your concurrence of Senate Amendments numbers 1 and 2."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 and 2 to House Bill 2171. And on that question, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you very much, Madame Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

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

Koehler: "Representative Homer, in the original debate on this legislation, we did... we did establish that you had worked very hard and that this Amendment was agreed to by all parties. Could you please indicate to me whether or not those parties who were a party to the negotiations originally have all indicated their support for concurrence in this Amendment?"

Homer: "Yes, they have, Representative Koehler."

Koehler: "Your leadership, as well as the various industry parties have agreed?"

Homer: "Yes, they have."

Koehler: "Well, thank you very much. I, too, would concur in this Amendment. Thank you."

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

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Piel: "Thank you, Madame Speaker. Just one quick question of the Sponsor. I noticed in Amendment #1 it deals with the transportation of unauthorized use... an unauthorized use of hazardous wastes. Could you explain to me what they are meaning in that Amendment by the transportation of hazardous wastes, Tom?"

Homer: "May I refer... May I defer to Representative Dunn with regard to that question, Madame Speaker?"

Speaker Breslin: "Representative Dunn, to answer the question."

Dunn: "If you're referring to non-nuclear waste with regard to the transportation of hazardous materials which are non-nuclear, we have statutes on the books which regulate, both by rail and by highway, and they track the federal regulations on an identical basis in each case. And so, I think this provision will relate to something else."

Piel: "So, in other words, basically on that Amendment, when they're talking about the illegal transportation of hazardous waste in the Amendment, they're just... it's just clarifying language?"

Dunn: "I think it would relate to... If I understand you... We already have statutes on the books regarding transportation of hazardous material which I'm sure would cover chemicals even though they are waste. This would relate to... to something else."

Piel: "Thank you."

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

Homer: "Thank you, Madame Speaker and Ladies and Gentlemen. I would simply ask for your concurrence to Senate Amendments numbers 1 and 2."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 2171?' All those

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in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Gentleman from Winnebago, Representative Hallock. Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Backing up to Representative Yourell's Bill that was just recently taken out of the record at his request on concurrences is House Bill 2014. Representative Yourell."

Yourell: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. I move to nonconcur in Senate Amendment #1 to House Bill 2014."

Speaker Breslin: "The Gentleman moves to nonconcur in House Bill 20... in Senate Amendment #1 to House Bill 2014. And on that question, is there any discussion? There being... Representative Olson, from Lee."

Olson: "Thank you, Madame Speaker. Will the Sponsor of the Bill yield, please?"

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

Olson: "Representative Yourell, as I recall, this is an exceptionally well drafted Bill. What would the effect of the simple Amendment which prohibits an election judge from serving as a poll watcher do to the essence of the Bill?"

Yourell: "Well, as you know, that's... they cannot do that now. Election judges cannot serve as poll watchers, and we want to get that off the Bill."

Olson: "Thank you very much."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2014?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House nonconcur in Senate Amendment 1 to House Bill 2014. Appearing on the Order of Concurrences,

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in the Regular Order of Call, is House Bill 2176, Representative Terzich."

Terzich: "Yes, Mr. (sic - Madame) Speaker, ladies and gentlemen of the House, I move to concur with Senate Amendment #1 and Senate Amendment #2. Senate Amendment #1 changes the present graduated formula to a flat two percent per year of service formula and increases the maximum spouses' annuity 600 dollars to 800 dollars per month and eliminates the adjustment for age differential in the determination of the survivors' annuity. There's also a state mandate exclusion in Amendment #2. This has been approved by the actuary. They're presently funded at 61%, and I would urge your support of..."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendment #1 and 2 to House Bill 2176. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Pensions are not my area of expertise. I wish Representative Vinson were here, but he's not. So, can you tell us what the effect of Senate Amendment #1 would be with respect to cost and particularly the provisions that increase the maximum annuity from six to 800 dollars a month?"

Terzich: "I'm sorry. The.. Yes, the... according to the actuaries report, that, at the present time, the fund is presently at 61% and that, based upon the changes in the actuarial assumptions that will be made for the 1982 actuarial evaluations, the fund should be able to cover the costs involved with the benefit increase without any increase in funding."

Johnson: "Well, will there be any increase? Whether or not the fund can handle it, will there be any increase in cost to the state..."

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Terzich: "Yes, of course, whenever you're increasing benefits.

The increased cost is 841,000 dollars."

Johnson: "So, this is nearly a one million dollar Senate Amendment. Is that right?"

Terzich: "Well, yes, but at the same time the assets of the fund are 130 million dollars."

Johnson: "Well, again, I suppose everybody, in light of where we're at should decide in whether we ought to concur with the Senate Amendment that adds a million dollars to the cost to the state."

Terzich: "There's no additional cost to the state. This is to the fund, and the actuary has reported that the fund could handle this change. And it has been approved by the Pension Laws Commission."

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

Piel: "Will the Gentleman yield to a question, please?"

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

Piel: "Eob, according to our analysis, it said it would cost the Sanitary District Employees Article of the Pension Fund - the increased actuarial liability would be 16,482,000. And the increased annual cost would be 2,038,000. Is that correct? I was getting a different figure when you were talking to Tim a minute ago, and I wasn't quite sure."

Terzich: "As I mentioned, the increase in a normal cause is 841,000 dollars. This is amortized over a thirty year period which amounts to two million dollars. At the same token that the fund is earning approximately 13% on their investment returns, which... and their assets are at 130 million dollars. And according to the actuary, that the fund is in sufficient shape. It's at 61% at the present time to absorb these here changes."

Piel: "Thank you."

Speaker Breslin: "There being no further discussion, the

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Gentleman from Cook, Representative Terzich, to close."

Terzich: "Well, I would move for your concurrence with Senate Amendment 1 and 2."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 2176?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 62 voting 'aye', 49 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences appears House Bill 2182, Representative Giorgi."

Giorgi: "Madame Speaker, I move to concur to Senate Amendment #1 to House Bill 2182. What it does is it... They put an Amendment on that in the event two or more municipalities enter into contracts among themselves with one or more counties for the disposal of garbage, they can sell their needs for thirty years."

Speaker Breslin: "The Gentleman has moved for concurrence on Senate Amendment #1 to House Bill 2182. And on that question, the Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madame Speaker. Will the Sponsor yield?"

Giorgi: "Yes. Yes."

Hawkinson: "Representative, as amended, is this Bill still limited to municipalities with population between 130,000 and two million?"

Giorgi: "Yes. Yes."

Hawkinson: "Thank you."

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

Piel: "So, basically, this Amendment the way it is and the way the Bill states right now, Zeke, is would just be... it would just be for the City of Rockford alone. Correct?"

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Giorgi: "Cities 130,000 to 500,000."

Piel: "Thank you very much."

Speaker Breslin: "The Gentleman from Winnebago, Representative Giorgi, to close."

Giorgi: "I'd appreciate a favorable vote."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2182?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 108 'aye', 4 voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Concurrences appears House Bill 2244, Representative Van Dyne."

Van Dyne: "Thank you, Madame Speaker. All Amendment #1 does is adds an upfront referendum to the Bill, and I move for concurrence."

Speaker Breslin: "The Gentleman has moved for concurrence on Senate Amendment #1 to House Bill 2244. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2244?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 110 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Going back to pick up Bills that were taken out of the record previously before we move to another Order of Business, and I would advise any Member that wishes to have a Bill that was taken out that wants it called now to come up and advise the... the Clerk at the well. Right now, we will hear House Bill 1054, Representative Christensen."

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Christensen: "Madame Speaker, I'll yield to Representative Yourell who's going to handle the Bill."

Speaker Breslin: "Representative Yourell."

Yourell: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments #... nonconcur in Senate Amendments #1 and 2 to House Bill 1054."

Speaker Breslin: "You wanted to concur. Is that correct, Representative?"

Yourell: "No. I want to nonconcur and send it to a Conference Committee."

Speaker Breslin: "Okay. The Gentleman wants to nonconcur in Senate Amendment #1 and 2 to House Bill 1054. And on that question, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. I would agree with Representative Yourell's Motion to nonconcur. There are conflicting descriptions here of the liquid hazardous waste band, and it is important that we address this in a Conference Committee. Thank you."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment #1 and 2 to House Bill 1054. And on that question, all those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendments #1 and 2 to House Bill 1054. House Bill 2023. Who is the Sponsor? House Bill 2023. Representative Curran. Excuse me. I... That Bill is still out of the record. Representative Van Dyne, for what reason do you rise?"

Van Dyne: "Madame Speaker, I just wanted to make sure that I reminded you one more time of House Bill 1065."

Speaker Breslin: "What did you want to do with 1065?"

Van Dyne: "I wanted to concur with Senate Amendment #1 which

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provides for..."

Speaker Breslin: "Representative Van Duyn, I believe that is a controversial Bill and must be held under our agreement."

Van Duyn: "Madame Speaker, no. You can ask Representative Matijevich and also Representative Mautino. They have..."

Speaker Breslin: "Representative Matijevich has indicated that we are not to go to that Bill yet. We will just as soon as we can, Sir. Are there any other Members that have had their Bills taken out of this Order of Call that are ready to have their Bill called? On the Order of Concurrences, page two, appears House Bill 506, Representative Friedrich."

Friedrich: "Mr. (sic - Madame) Speaker, Members of the House, this Bill was introduced originally at the request of the Audit Commission and the Auditor General because of the problem we've had in getting the Supreme Court to allow us to audit some of their accounts. That matter now is not only in the Illinois Supreme Court but in Federal Court. And at this time, for that reason, I would... am the principal Sponsor. I'd like to have this put in Interim Study."

Speaker Breslin: "The Gentleman asks leave to put House Bill 506, of which he is the principal Sponsor, into Interim Study. Does the Gentleman have leave? There being no objections, the Gentleman has leave. Interim Study. Are there any other Members that wish to have their Bills called for action to... Senate Bill 1470, on the Order of Nonconcurrency. Who is the Sponsor of that Bill, 1470? Representative Daniels."

Daniels: "Madame Speaker, I move to nonconcur in Senate Amendment #1 to House Bill 1470."

Speaker Breslin: "The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 1470. All those in favor... Is there... On that question, is there any discussion? The

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Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just wanted to ask the Clerk. I used to be a Cosponsor of this Bill. Has my name been removed as Cosponsor?"

Clerk O'Brien: "Your name has been removed as a Cosponsor."

Cullerton: "Thank you."

Speaker Breslin: "The Gentleman has moved to nonconcur in Senate Amendment #1 to House Bill 1470. Is that correct, Representative Daniels? All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Senate does nonconcur. The House does nonconcur in Senate Amendment #1 to House Bill 1470. Representative Daniels."

Daniels: "1805."

Speaker Breslin: "House Bill or Senate Bill, Sir?"

Daniels: "House Bill."

Speaker Breslin: "House Bill 1805."

Daniels: "I want to move to nonconcur in Senate Amendment #1."

Speaker Breslin: "That appears on your Calendar under the Order of Concurrences, Ladies and Gentlemen, on page six. The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 1805. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House nonconcur on Senate Amendment #1 to House Bill 1805?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur in Senate Amendment #1 to House Bill 1805. Representative Dunn, do you wish to call House Bill 695 at this time? Very good. Representative Daniels on House Bill 721. It's still on the Order of Concurrence. Out of the record. House Bill 740, Representative Flinn. Do you wish to call your Bill? Out of the record. House Bill 741, Representative McPike -

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Matijevich - Bowman. Do you wish to have that Bill called before we move from this Order of Business. House Bill 741. House Bill 884, Representative Curran. Do you wish that Bill called on the Order of Concurrence? It was passed over. House Bill 884. That was the energy Bill. Or has that already been dealt with?"

Curran: "It's been dealt with."

Speaker Breslin: "Excuse me. It has. Yes, 884 has been concurred in. Representative Stuffle, would you come to the podium, please? Appearing on the Order of Concurrences, page eight on your Calendar, is House Bill 2290, Representative Stuffle."

Stuffle: "Madame Speaker, Members of the House, House Bill 2290 is the major Bill in the economic recovery package that we earlier passed out of this House, sponsored by the Speaker, Representative Madigan and myself. As you know, there was some question with regard to the use of pension funds in this particular package. The Senate has acted to put an Amendment on the Bill which was agreed to through the efforts of the teachers' organizations and the retirement systems that, in part, will now provide that we would pay back pension systems for money borrowed not only with 10% interest over 20 years, but to exclusively and explicitly provide that that repayment would be in addition to any payout money that's made to the systems. Earlier the question arose we were taking money from payout and then not paying it back until the... over the schedule of 20 years with 10%. This Amendment makes it clear that the payment is in addition to payout made each year to the various systems. Otherwise... That's one Amendment. The other Amendment provides that the same language that we put into House Bill 1024 with regard to including the Chicago Teachers' System which was inadvertently left out providing

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prudent man language, cleaning up provisions regarding confidentiality of trade secret information and that sort of thing and making two or three other technical changes regarding the participation of municipalities in the land bank program and, lastly, with regard to the Loan Review Committee that they could not have conflicts of interest. I think this is worked out now. As I've indicated, we did have a tremendous problem with agreeing with regard to the pension funds. Now that's been worked out with regard to the consideration of the pension systems, i.e. the Illinois Education Association and others who had concerns. So, I would move, on behalf of Speaker Madigan, as the other principal sponsor, and myself, to concur in Senate Amendments 1 and 2 to House Bill 2290."

Speaker Breslin: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 2290. And on that question, the Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. (sic - Madame) Speaker, would the Sponsor yield for a question?"

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

Ewing: "Would you... I couldn't quite understand what you were saying the Amendment did about the payback, Representative Stuffle."

Stuffle: "The Amendment, if you will look at #2, Representative Ewing, provides that the repayment shall be, of the money borrowed from the systems, shall be on a separate schedule and shall be in addition to amounts otherwise appropriated, which would be in addition to the payout that's made. And the Amendment was put together with the pension system's fund people and the teachers' organizations. I discussed that with... with the lobbyists for the IEA and discussed it within the last five minutes with the representative of

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the Teacher Retirement System on the floor; and, with the Amendment on there, it removes their problems with the Bill."

Ewing: "Larry, does this call for a certain... time certain for the payback to begin?"

Stuffle: "They did not put that in the Bill. They... they are of the opinion, as we are, that the language of the Bill would indicate that we would begin this immediately with the first distribution from the fund being taken out from the Insurance Fund that we would immediately begin the payback of the first years borrowing and that that would run 20 years. The second years would begin and run 20 years. The third would begin with the takeout."

Ewing: "So, you're saying, for the record and for..."

Stuffle: "That is my... That is the intent that was described here by me before the other... this Bill was amended. That is the intent now. That is the understanding now of the participants in putting this Amendment together. That includes the IEA. That includes myself. That includes the Senate and House Sponsors, additionally otherwise, and that includes the pension system. I just now discussed that with the Teacher Retirement System representative, Mr. 'Wozniak' on the floor and asked him about that, if that was agreeable to him, but that that wasn't expressly stated in their Amendment. He said that was their understanding, and that they didn't feel it was necessary to be in here."

Ewing: "Thank you, Representative Stuffle and to the Bill. Madame Speaker, Ladies and Gentlemen, many times when we're voting on concurrences, Bills pass out of here that maybe we didn't support in the original form. I think this Bill particularly you should know what you're voting on. This is the economic development package of the Speaker and of that side of the aisle, and they are using pension funds to

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help support that. If you wish to be yes on that, of course, that is your choice, but you should know what you're voting on. And I severely doubt that all of the teachers' organizations, all of the pensioners are in agreement that they should be using these funds in this way. But, mainly, I want everyone on our side to know what this Bill is."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Madame Speaker, will the... will the Sponsor yield for a question, please?"

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

Cowlshaw: "Thank you. Could you tell me, please, as amended, how much money this Bill would propose to borrow from our pension funds?"

Stuffle: "Representative, the same amount as initially provided for which would be 40 million dollars. That would be 10 million for the Insurance Fund, 10 million this year, next year and the next year for 30 and an additional 10 million for the Venture Capital Fund totaling 40."

Cowlshaw: "So, the answer is a total of 40 million dollars. Is that correct? Thank you very much."

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

Stuffle: "Just to indicate to you, following up the remarks on the other side, that the Amendment was agreed to by the system, the pension system I indicated. It's been run by them. The Amendment came from them and the IEA. The Amendment provides for additional payback beyond payout. On the schedule, we would repay some 94 million dollars in addition to payout on the 40 million borrowed. They're in agreement now. No problem on that. A 56 to nothing vote

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in the Senate on what I consider the most important Bill for economic recovery in this Session on behalf of the Speaker and myself, Representative Mautino, the Chairman of Small Business. I would ask for an affirmative vote to concur in the Senate Amendments."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 2290?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. The Gentleman from Hardin, Representative Winchester, to explain his vote."

Winchester: "Well, if the..."

Speaker Ereslin: "One minute."

Winchester: "In order to explain my vote, would the Gentleman yield to a quick question? Larry, if... if the Illinois Development Finance Authority went defunct, who would be responsible for paying the debt obligation back to the pension fund?"

Stuffle: "Who would be responsible for paying back the borrowing?"

Winchester: "Yes."

Stuffle: "The state, by appropriation. Language specifically is put in there that gives them first call. And assets is an obligation in the language of the statute, and the loan provisions and the repayment schedule is also stated in the statute here, as is the amendatory language that indicates that this would be in addition to payout."

Winchester: "Thank you."

Speaker Ereslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 67 voting 'aye', 47 voting 'no' and 2 voting 'present'. Representative Mulcahey, for what reason do you rise? Representative Mulcahey asks leave to be voted 'no'. Therefore, there are 67 voting 'aye' and 48 voting 'no' and

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2 voting 'present'. This Bill, having... Representative Ewing."

Ewing: "I... Madame Speaker, I think we better verify this Roll Call."

Speaker Breslin: "The Gentleman from Knox, for what reason do you rise, Representative Hawkinson? Representative Hawkinson asks leave to be voted 'no'. The Gentleman from... from Livingston, Representative Ewing, asks for a verification. Representative Ebbesen, for what reason do you rise? Representative Ebbesen would like to be voted 'no'. Mr. Clerk, what is the Roll Call as we start with the verification? Representative Steczo, for what reason do you rise?"

Steczko: "Leave to be verified, Madame Speaker."

Speaker Breslin: "Does the Gentleman have leave to be verified? He does. Representative O'Connell, leave to be verified? Does the Gentleman have leave? The Gentleman has leave. Would you poll the absentees, Mr. Clerk?"

Clerk O'Brien: "Poll of the Absentees. Both absentees have voted now."

Speaker Breslin: "Very good. Representative Ewing, the count is now 66 'ayes' and 50 'nos'. Poll the affirmative vote, Mr. Clerk."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brummer. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico. Doyle. Farley. Flinn. Giglio. Giorgi. Greiman. Hannig. Hicks. Hcmer. Huff. Hutchins. Jaffe. Keane. Krska. Kulas. Laurino. LeFlore."

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

Marzuki: "Leave to be verified."

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Speaker Breslin: "Does the Gentleman have leave to be verified, Representative Ewing? Marzuki. Yes, Representative, you have leave."

Clerk O'Brien: "Leverenz. Levin. Marzuki. Matijevich. Mautino. McGann. McPike. Nash. O'Connell. Panyotovich. Pierce. Preston. Rea. Rhen. Rice. Richmond. Roman. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Taylor. Turner. Van Duyn. Vitek. White. Wolf. Younge. Yourell. Mr. Speaker."

Speaker Breslin: "Representative Ewing, do you persist in your request for a verification?"

Ewing: "Yes. We have some names. Representative Braun."

Speaker Breslin: "Representative Braun. Is the Lady in the chamber? Representative Braun. The Lady is in the Speaker's Office we are advised. Would you like to have her removed, Sir, from the Roll Call?"

Ewing: "Well, Madame Speaker, you... you're giving me your word that she's in the Speaker's Office? She's been gone all day."

Speaker Breslin: "Yes, Sir. She has been in the Speaker's Office all day."

Ewing: "Is she the new Speaker?"

Speaker Breslin: "No, Sir, she is not, but she's working hard. It's up to you, Representative."

Ewing: "I mean, is she a captive back there? Maybe we can get... even get her released."

Speaker Breslin: "I will investigate that, Sir."

Ewing: "Alright. We'll accept your word."

Speaker Breslin: "Okay."

Ewing: "Erockins."

Speaker Breslin: "Representative Brookins. Is the Gentleman in the chamber? Representative Erockins. Representative Brookins. The Gentleman is not in the chamber. Remove

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him."

Ewing: "Farley. Representative Farley."

Speaker Breslin: "Representative Farley. The Gentleman is in his chair."

Ewing: "Representative Huff."

Speaker Breslin: "Representative Huff. Representative Huff. The Gentleman is in the back of the chamber."

Ewing: "Representative Leverenz."

Speaker Breslin: "Representative Leverenz. Representative Leverenz. Is the Gentleman in the chamber? The Gentleman is not in the chamber. Remove him."

Ewing: "Representative Van Duyne."

Speaker Breslin: "Representative Van Duyne. Representative Van Duyne. Is the Gentleman in the chamber? Remove him."

Ewing: "Capparelli. Representative Capparelli."

Speaker Breslin: "Representative Capparelli. Representative Capparelli. Is the Gentleman in the chamber?"

Ewing: "He's over here, Mr... Madam Speaker."

Speaker Breslin: "The Gentleman is in the chamber. Return Representative Van Duyne to the Roll Call. He has returned. Are there any further questions?"

Ewing: "Did we call Representative Jaffe?"

Speaker Breslin: "No, you did not. Representative Jaffe. Is the Gentleman in the chamber? Representative Jaffe. Remove him. Return Representative Brookins to the Roll Call. He's just returned."

Ewing: "Who did you return?"

Speaker Breslin: "Representative Brookins. He's coming down the center aisle."

Ewing: "Representative White."

Speaker Breslin: "Representative White is in his seat."

Ewing: "He's in his seat?"

Speaker Breslin: "He is in his seat."

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Ewing: "I have no other questions."

Speaker Breslin: "Who did you request, Representative?"

Ewing: "I said I had no other questions."

Speaker Breslin: "The Gentleman has no further questions. What is the count, Mr. Clerk? Representative Mautino, for what reason do you rise? Representative Mautino."

Mautino: "Since I just came back here, how am I recorded? I wasn't knocked off the Roll was I?"

Speaker Breslin: "You are recorded as voting 'aye'."

Mautino: "That's exactly where I wanted to be. Thank you very much."

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

Pierce: "Madame Speaker, how am I recorded?"

Speaker Breslin: "How is the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Pierce: "Vote me 'present'."

Speaker Breslin: "The Gentleman asks to be recorded as voting 'present'. Representative Leverenz has returned to the chamber. Add him to the Roll Call."

Leverenz: "Record me 'aye'."

Speaker Breslin: "Representative Jaffe has returned to the chamber. Add him to the Roll Call. On this question there are 65 voting 'aye', 50 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino, for what reason do you rise?"

Mautino: "To lock in 2290. Having voted on the prevailing side, I move that we... I move to reconsider the vote by which that legislation passed."

Speaker Breslin: "The Gentleman moves to reconsider the vote by which House Bill 2290 passed. And on that question, Representative Stuffle moves that that motion lie upon the

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table. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and that Motion is tabled. On the Order of Speaker's Table, we will go to that Order of Business next. It appears on page nine on your Calendar. Representative Matijevec in the Chair."

Speaker Matijevec: "House Resolution 77. Out of the record. House Resolution, as amended, 90. Out of the record. House Resolution 159. Out of the record. House Resolution 24. Out of the record. House Resolution 244. Out of the record. House... House Resolution 290. Out of the record. House Joint Resolution, as amended, 33, Representative Shaw or... Gentleman from Cook, Representative Shaw."

Shaw: "Yes, Mr. Speaker and Ladies and Gentlemen. The House Resolution 33 is a Resolution creating a Child Care Study Commission to investigate... to investigate the status and the need for child care programs in Illinois which would... which would deal with the factories around the state. And I don't think that has ever been done in terms of creating a Commission. I think it would be good for the work force in Illinois, and it would cut down... I believe it would cut down on some of the tardiness of women that we had if we could come up with a solution or some type of answer to the problem why they are tardy on jobs, because many times, as you know, the single women around this state, they have a problem finding baby... finding babysitters. And maybe if this Commission so found that they could create day-care centers on site of workplace. And I think that this is a good Resolution, and I think this is a problem that needs studying. And I ask for a favorable vote on this Commission."

Speaker Matijevec: "Representative Shaw moves 'do adopt' on House Joint Resolution, as amended, 33. On that, the

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Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Motion. Child care has been a topic of active interest of this General Assembly for several years now. Each Session of the Legislature, including this year, we pass several pieces of legislation on the subject. We have not had a comprehensive review of the subject, however, since the Child Care Act was first enacted in 1963. The Child Care Act has grown piecemeal over the years to the point where there is right now something like nine different exemptions for licensing of day-care facilities without any overall policy being stated in the Act. I really think it's high time this Legislature do take a thorough going review of the child care situation and legislation that's already on the books. And it is a... just a temporary Commission, and I believe now is the time. I move... urge its adoption."

Speaker Matijevich: "Representative Ebbesen, Gentleman from DeKalb."

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

Speaker Matijevich: "Ebbesen has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Shaw to close. Representative Shaw to close."

Shaw: "All I would ask, Mr. Speaker and Ladies and Gentlemen, is that you give a favorable vote on this Resolution, because, as you know that this program has been cut some 39% in terms of state subsidy and 17% in... in the private sector. And I believe that... that we need to get business and industry interested in day care such as this, and I ask for your favorable vote."

Speaker Matijevich: "Representative Shaw has moved that the House

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Joint Resolution, as amended, 33 be adopted. Those in favor signify by voting 'aye', those opposed by voting 'no'. The Lady from Lake, Virginia Frederick, to explain her vote."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I vote 'no' on this Resolution. We already have a Commission on Children, an illustrious Commission who has been in operation for thirty years, and I do not see the need for another Commission on Children."

Speaker Matijeich: "Lady from DuPage, Representative Karpiel, one minute to explain her vote."

Karpiel: "Well, yes, thank you, Mr. Speaker. I just have to reiterate what Representative Frederick just said. We have a Commission called the Status of Women Commission which has studied this subject and studies this. We have a Commission on Children. You know, we have several Commissions already set up that are studying this same subject and here we go again just putting on another Commission that's going to cost more money, that's going to send these Legislators around the state to have state-wide hearings on an issue that's already being studied by other Commissions. It's another ridiculous waste of money, and anybody who votes for this Commission or any other Commission..."

Speaker Matijeich: "Lady bring her remarks to a close."

Karpiel: "... better be voting 'yes' on the income tax."

Speaker Matijeich: "The Gentleman from Marion, Representative Friedrich. Representative Friedrich, one minute to explain his vote."

Friedrich: "Well, I can't overemphasize what the last two speakers have just said. I served on the Commission on Children. I would have been happy to support this if the Sponsors had it directed either one of the two Commissions

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mentioned to study this problem. They already have an office. They already have a staff. They already have it set up. They have plenty of time and plenty of money. I don't think we need this, any new Commission or any new expense."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 64 'ayes', 52 'nays', 2 answering 'present', and the House Resolution 33, as amended, is adopted. The Clerk has a Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Matijevich: "Next Bill... Resolution on the Speaker's Table is House Joint Resolution 9. Out of the record. House Joint Resolution 35. Those were Senate Joint rather. Senate Joint Resolution 9. Out of the record. Senate Joint Resolution 35. Does Representative Hicks want to proceed with that? Out of the record. Senate Joint Resolution 36, Farley. Does he want to proceed with that. The Gentleman from Cook, Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 36 is to allow the Space Needs Commission to conduct meetings, closed-door meetings for public interest for the purchase of land and improvements. The public meetings or Open Meetings Act does not apply to the Space Needs Commission, and I would move for the adoption of Senate Joint Resolution 36."

Speaker Matijevich: "Representative Farley moves for the adoption of Senate Joint Resolution 36. Being no discussion, all in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 61 'ayes', 28 'nays', 1 voting 'present', and House (sic - Senate) Joint Resolution 36 is adopted. Senate Joint

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Resolution 52. The Gentleman from Cook, Representative Capparelli."

Capparelli: "Mr. Speaker, Senate Joint Resolution 52 extends the Joint Condominium Study Commission for one year, reporting date June 30, 1984. I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Capparelli has moved for the adoption of Senate Joint Resolution 52. The Gentleman from Cook, Representative Bowman."

Bowman: "Question of the Chair. I believe this is the last item on this Order of Business. Where do we go next?"

Speaker Matijevich: "You'll find out when we come to it."

Bowman: "Well, I just wanted to make a recommendation for the Short Debate part of this. Okay, thank you."

Speaker Matijevich: "We'll take that under advisement. Gentleman has moved for the adoption of Senate Joint Resolution 52. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 71 'ayes', 38 'nays', 1 voting 'present', and Senate Joint Resolution 52 is hereby adopted. On the concurrence on page six, we're going to pick up those Bills that were taken out of the record. House Bill 1844, Representative Wolf. Was that taken out of the record? House Bill 1847, Representative Vinson. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for concurrence in the Senate Amendment to House Bill 1847. And I will relate to you the changes that the Senate worked in the Bill, and those changes, in effect, become the Bill. So, there is, in effect, no underlying Bill that you're dealing with. As amended, House Bill 1847 would, effective July of '84, allow those primarily engaged in the renting or leasing

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business to exercise a one-time election to pay state tax upon rental receipts of property rented throughout the rental life of the property, rather than to pay sales tax upon property purchased for subsequent rental. Forty-five other states currently permit rental businesses to pay tax upon gross receipts from property rentals. The primary change from the House version of this Bill is that House Bill 1847 does lock in the rental business electing to pay the tax upon the rental receipts. After a ... They have one opportunity for a rescission; and, after they should choose to rescind, they must pay sales tax on the purchase price forever. This Bill, in its present form, essentially does the same thing that we did in a Bill last Session that affected the rental business in automobiles. That Bill only affected automobiles, and this Bill affects all other rental equipment. I believe that passage of this Bill will have three positive effects. First of all, passage of 1847 can be expected to increase sales tax revenues to Illinois in the long run. Secondly, passage of 18... House Bill 1847 would expand the corporate income tax base in Illinois, because it will be unnecessary, after passage of this Bill, for equipment lessors to purchase some stockpile inventory or rental equipment outside of Illinois first. Finally, passage of House Bill 1847 would facilitate the Department's... Department of Revenue's efforts to require full compliance with payment of the state sales tax because of the reporting situat... the reporting mechanisms built into the Bill. And with that, I would move for concurrence in the Senate Amendment to House Bill 1847."

Speaker Matijevich: "Representative Vinson has moved that the House do concur with Senate Amendment #1 to House Bill 1847. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

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Speaker Matijevich: "Indicates he will. Proceed."

Cullerton: "Representative Vinson, I wonder if you could just explain why people who are in the business of renting items would have to be treated differently with respect to the sales tax than, say, any other commercial business."

Vinson: "Well, first of all, as I indicated to you, it is not a precedent-setting situation. The... We elected... The Legislature elected last Session to accord this treatment to the rental of automobiles, one of the major durables rented in the state. And so, in that respect, it is not an unprecedented treatment, Representative; but, beyond that, I think the primary reason why this is desirable from an industry prospective is because it deals with the cash flow problems of the industry. The... As you know, when you rent something, you have a flow of income coming in in the future, and you have a flow of expenses in the form of... of debt service flowing out in the future. And this permits the tax liability to be scheduled on a similar basis."

Cullerton: "I would suppose that most renters would elect to be taxed under this new commercial renting Occupational and Use Tax Act."

Vinson: "I don't know if most would, but I would certainly assume that very many would."

Cullerton: "The reason why they would choose it, they would... they would figure out which one will result in them paying the least amount of tax, either between the sales tax or the use tax, and then decide which one to pick."

Vinson: "No, I don't think that's quite the case, because the situation you have is not a case where the election of this form of taxation will result in a lower liability. What it does result in is a deferral of liability. As a matter of fact, the long-run liability is probably some 130% of the

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liability that they would otherwise pay. Now, I'm not saying it's 130% more. I'm saying it's 30% more, or 130%. They are actually... They actually end up paying more tax in the long run under this system, but it does help them with their cash flow problem."

Cullerton: "So that you would say that there's no... there might be an initial revenue loss to the state but that, over the long run, the state will collect more in taxes?"

Vinson: "That is correct, and I am advised by accountants in this field that the experience in other states is that the deferral period or when the state begins to catch up on the system is between six and nine months."

Cullerton: "Okay. You also mentioned that there are some problems now with collecting the sales tax in this area?"

Vinson: "What I... What I meant to say is that, under the Bill that passed the House, the reporting mechanisms, according to the Department of Revenue, were inadequate. Under the Senate Amendment, the reporting mechanisms that are built into the Bill are preferable."

Cullerton: "Okay. And could you explain one more time why there is a one-time election? Why not authorize the... the renter to, you know, to change from tax year to tax year to give them that flexibility that you talked about?"

Vinson: "The feeling of the experts in this is that if you permit a constant... if you grant a constant option to the taxpayer, then you run the risk of... on a transaction-by-transaction basis or on a year-by-year basis, that the taxpayer will avoid liability. And by giving the election to the taxpayer on a one-time basis, in the long run, no liability can be avoided."

Cullerton: "But it doesn't even... You couldn't even do it for, say, a five-year period or a four-year period. You say that forever?"

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Vinson: "After he once rescinds, the intention is that he can never again exercise the option."

Cullerton: "Alright. Thank you for answering my questions."

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

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

Speaker Matijevich: "He indicates he will."

Bullock: "Representative Vinson, so as to not have us fall in the same situation we've been in the past, particularly on the machine-gun Bill, I think we ought to look at this Bill very carefully. One of the questions I ask..."

Vinson: "I concur."

Bullock: "Representative Vinson, the DOR - revenue - what's the fiscal impact on DCR?"

Vinson: "The best estimates are that the fiscal impact will be an increase in revenue of approximately 30%."

Bullock: "Thirty percent of what?"

Vinson: "Thirty percent of the sales taxes assessed... the sales tax currently assessed on business engaged in this kind of activity."

Bullock: "You mean on renters, and what would that aggregate amount be?"

Vinson: "I don't know."

Bullock: "Okay. Simply because we're not presently collecting this type tax, is that correct?"

Vinson: "No, simply because for... I don't know what the current tax base in this field is, because there is not separate reporting."

Bullock: "Alright."

Vinson: "The sales tax reporting system, the information system based on the sales tax reports does not allow you to break out the firms that are engaging in this particular kind of transaction and figure out how much they're paying the

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state."

Bullock: "Well, just two more questions, Mr. Speaker and then to the Bill. Sam, if the automobile renters use tax is mandatory and does, in fact, similar to what you're purporting to do here with renters, why is not this Bill mandatory? Why is it optional?"

Vinson: "Well, what we did... what we chose to do in the Senate or what the Senate chose to do, I should say, was to permit a one-time rescission. After you... If you elect at once and then rescind, you cannot opt for it again."

Bullock: "Vinson, one last question before Ronan takes over the microphone here."

Vinson: "Sure."

Bullock: "Farm equipment is exempt, is that correct, under this tax?"

Vinson: "If you say so."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, I urge an 'aye' vote."

Speaker Matijeich: "Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijeich: "Representative Flinn moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye', opposed 'nay', and the main question is put. The Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I think the Bill has been thoroughly debated. It would result, in the long term, in an increase of revenue for the State of Illinois. It would result in an increase in income tax collections. It would result in an increase in the economic activity, and I would move for concurrence in the Senate Amendment to House Bill 1847."

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Speaker Matijevid: "Representative Vinson moves to concur with Senate Amendment #1 to House Bill 1847. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 101 'aye', 13 'nays' and 3 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 1847, and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1978, Representative Vinson. Out of the... Out of the record. House Resolution 2023 (sic - House Bill 2023), Curran, Gentleman from Sangamon. Is Representative Curran on the floor yet? Here he is. Representative Curran. Jesse White, for what purpose do you seek attention?"

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have leave of the House to hear House Resolution 438 tomorrow in room 122A. I discussed it with the Minority Spokesman... or Spokesperson and..."

Speaker Matijevid: "What... What number was that?"

White: "House Resolution 438, and it's the Human Services Committee."

Speaker Matijevid: "The Gentleman asks leave to hear House Resolution 438 in Committee tomorrow. Does he have leave? Leave, and leave is granted and the Resolution will be heard tomorrow."

White: "Thank you."

Speaker Matijevid: "Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 2023. We took the suggestions of the Northeastern Illinois Right-to-Life Organization and our friends in the Medical Society and made some changes in the Bill as it

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came out of the House. Essentially what that... those changes were is that we took the language 'dying process', for the right to life people, and changed it to 'moment of death'. For the Medical Society, we took the provision that two physicians had to make a decision that someone had a terminal condition and changed that to one physician. We did that largely because the initial provision of two physicians was a protection for physicians, and the change to one physician was at the physicians' request. So, I ask for concurrence on House Bill 2023, and I'd be glad to answer any questions."

Speaker Matijevich: "Representative Curran has moved to concur with Senate Amendment #1 to House Bill 2023. The Gentleman from Champaign, Representative Johnson."

Johnson: "I think other Members will discuss the position of the right-to-life movement on this Bill. I'm presuming that they're still in opposition to it. I voted for this Bill the first time and a lot of other people did, too. I'm not going to vote for it this time, and I want to explain why. In the first Bill, on page six, lines 12 through 15, the Bill contained the language, 'An attending physician who fails to comply with the declaration of a qualified patient or to make the necessary arrangements to effect the transfer shall be civilly liable'. This Bill removes that provision with respect to civil liabilities. Clearly, any court examining a situation where a physician or other fail to comply with a declaration pursuant to a living will and saw that the House and Senate took out language that used to be in it, with respect to civil liability, would clearly say that's an expression of legislative intent to immunize individuals from liability in this regard. And I would simply point out this - the purpose of the Bill and the reason I voted for it the first time was to, and in

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spite of some sincere and, I think, well-reasoned opposition by right-to-life people, the reason I voted for it and others did was because we felt that an individual should have the opportunity, at appropriate stage in their life, to have made a declaration and then to have that declaration complied with and have death with dignity. This Bill would put us in this structure. You could have gone through all the necessities of the difficult or at least long process of coming up with a declaration and then have a physician who says, 'In spite of that declaration, I'm not going to comply with it, because I don't want to be in a position of doing that. But not only don't I want to comply with it, I don't want to make arrangements to transfer this patient to someone else.' And so, the patient can be potentially stuck with a situation where a physician has failed to comply with the declaration, failed to make arrangements for a transfer and, at the same time, can come up and say, 'I can do all that, in spite of the intent of the Bill, and be immune from civil liability'. I would suggest to you that that's not the direction we ought to head; that there's a number of reasons in addition to what I have that I think others can express in terms of the general principal. But I think with one reason or the other, this is a Bill I've changed my mind on because the Bill has been substantially altered. The Bill was good when it came out. It's not good now, and I'm not going to vote for it. And I hope others don't either."

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

Currie: "Thank you, Mr. Speaker and Members of the House. A question of the Sponsor, please."

Speaker Matijevich: "Proceed."

Currie: "You said, I believe, in your opening, that you got various suggestions from various groups. From whom did you

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get the addition of the language about a qualified pregnant patient's declaration has no effect during the course of such pregnancy?"

Curran: "That is common language throughout all living will statutes throughout this country. That was originally in this statute when you voted for it the first time, in this Bill."

Currie: "That was in it when this Bill left the House?"

Curran: "It is always in... in living will Bills. It is always in living will Bills."

Currie: "And that language was in this Bill when this Bill left the House."

Curran: "It is always in living will Bills. Every living..."

Currie: "But it was in this Bill when we first voted on House Bill 2023?"

Curran: "That's right. That's right."

Currie: "I find it difficult to understand exactly what it's doing there. I mean, I don't understand what a..."

Curran: "What it says is that a ... that a person who earlier in her life and who is not pregnant, I guess, decided that, under certain circumstances, she would like to have medical heroics not practiced on her. When she finds herself pregnant and then there's another life involved, the physician will not execute a living will for the life... for the sake of the life inside her."

Currie: "So, if she's a week and a half pregnant and looking at some, maybe even three months of terrible pain, she may not... may not choose to exercise the living will."

Curran: "That is in every..."

Currie: "Why isn't there a provision in the living will when an individual first signs it that would make for an option in that situation? That is, so that someone can opt out in the event that she becomes pregnant, rather than specifying

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in the will that should she become pregnant, then this will not apply."

Curran: "That is the way it is in every living will throughout this country, and that's the way it is when... the way you voted 'yes' for it when it passed out of the House the first time."

Currie: "Thank you."

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

Oblinger: "Mr. Speaker and Members of the House, Representative Johnson, I hope you're listening. Representative Johnson, on our staff analysis on this Bill under 'Detail of Proposal As Amended', look at number E where it does allow a doctor to transfer a patient if it's against his conscience in the Amendment. And to the Bill, Mr. Speaker, the reason I supported this Bill, one of my volunteer activities has been to work with the people in the high-rises and the people who are indigent and elderly who cannot afford to pay to have a will drafted. I have done 52 this year for poor, elderly people. In nearly every instance, they asked me if they could execute a living will, and I've had to say to them, 'Go ahead and do it, but it has no force in Illinois'. All of them say the one thing they dread is becoming a vegetable in a nursing home or a vegetable in a hospital. They said, 'Once we never can be treated and returned to society, we don't want to continue living'. I've supported this on the request of hundreds of senior citizens who dread this condition."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is

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put. The Gentleman from Sangamon, Representative Curran, to close."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This group is largely right-to-life. When anything right-to-life comes before this group, it passes out of here. In the first instance, this Bill was opposed by one downstate right-to-life group, not all right-to-life groups, but one downstate right-to-life group. It passed overwhelmingly, 89 to 18. That same one downstate right-to-life group then opposed it in the Senate. It passed overwhelmingly 38 to 18. And Senator Lenke voted 'present'. It is my view that this is a very humane, well thought out, hard worked at piece of legislation. It addresses something that every one of us is going to face, our death, and whether we'll have control over some of the elements of our death. Let me just speak to one point. Those right-to-life people who are opposed to the living will, those who are, and it is a minority, are opposed on the basis that the living will, they believe somewhere down the line, might lead to euthanasia. I believe that is a perception of goblins behind bushes. Euthanasia is Mike Curran making all the decisions about your death. The living will is you making some of the decisions about some of the circumstances of your death. This is not euthanasia. This is a living will. It is nothing like euthanasia. It says specifically in the Bill that this is not a Bill for mercy killing. I think this is something we're all going to have to face. I think this is something that your constituents are largely in favor of. It has passed overwhelmingly in this chamber and in the other chamber, and I ask for a favorable vote."

Speaker Matijevich: "Representative Curran has moved that the House do concur with Senate Amendment #1 to House Bill

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2023. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Representative Vinson, one minute to explain his vote."

Vinson: "Mr. Speaker, I wonder if the... I had put my light on in the course of debate to ask a question of the Sponsor, and I wonder if he, in explaining his vote, might respond to me."

Speaker Matijeich: "Yes. Go... Leave."

Vinson: "On page two of the... in the Bill, there is a reference in Section 3 to maintenance medical treatment. I am concerned about that; because, when I read the definition Section, I don't find a definition of medical maintenance treatment."

Curran: "What line, Representative?"

Vinson: "Eighteen and nineteen on page two of the engrossed Bill."

Curran: "Okay. That is not the Bill now that we are voting on. We're voting on the Senate Amendment. But, in general, maintenance medical treatment means that treatment which would normally be done under the circumstances which can provide freedom from pain. We also include sustenance so the person can be given an IV and be kept nourished."

Speaker Matijeich: "Representative Piel."

Piel: "Thank you very much..."

Speaker Matijeich: "One minute to explain his vote."

Piel: "Thank you very much, Mr. Speaker. Unfortunately, I had my light on during debate because I was a little bit surprised by a couple of remarks of the Sponsor of the Bill. He made... He made the remark that any of the pro-life groups were... that were against this were definitely in the minority. Well, three groups that I know that are against this Bill, and I don't classify those three groups, you know, as far as the pro-life movement in a minority. That

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would be your Illinois Pro-life Coalition's against it, your Illinois Federation for Right-to-Life, and your Illinois Catholic Hospital Association. All three of them have come out against it, so when the man stands up and said the ones that are against it are in the minority, I think he'd better check his facts and figures."

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

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I would hope that more of you would move over and give it a green vote. I think it's a courageous Bill. It's not a perfect Bill, but I believe that it takes care, or begins to take care of those families who need to make this decision. I wish most of you could have heard George Sangmeister in the Senate, who gave a very moving speech, having gone through this experience, in favor of this Bill. This is a personal decision. It's a decision that can save a lot of agony in many families, and I would urge more votes on the affirmative side."

Speaker Matijevich: "Representative Johnson, I think you spoke in debate. Representative Homer, one minute to explain his vote."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise in support of the Gentleman's Bill. I have, I think without exception, supported each and every cause supported by the right-to-life organization. I do so because I believe in the fundamental right of the unborn to life. At the same time, I also believe that those who are terminally ill have a right to a dignified death. I disagree with Representative Johnson's view with regard to the immunity question. I certainly feel that any physician who acts in good faith, which is the requirement of this Bill, with

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reasonable medical standards and reliance upon the terms of the declaration, should not be subjected to criminal or civil liability. I congratulate Representative Curran. He has worked long and hard and diligently... "

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

Homer: "... With all of the interest groups, and I think that we should support this Bill."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 70 'ayes', 27 'nays', 21 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 2023; and this Bill, having received a Constitutional Majority, is hereby declared passed. Calendar announcement. The Clerk has a Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Matijeich: "Page seven of your Calendar appears House Bill 2035, the Gentleman from Bond, Representative Slape."

Slape: "Yes, Mr. Speaker. I would move to concur with Senate Amendments 1 and 2 to House Bill 2035. Actually, Senate Amendment #2 deletes the language of Amendment #1, and what it does... Senate Amendment #2 does is, it adds an additional exclusion that says, 'The peer review processes shall not be available to the employee when he goes to look in his personnel records.'"

Speaker Matijeich: "The Gentleman moves to concur with Senate Amendment #2... 1 and 2. 1 and 2 to House Bill 2058."

Slape: "2035."

Speaker Matijeich: "On that... 20... 2035. You're right. House Bill 2035. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House. This has been a Session where legislative attacking industry, attacking business in the state, has been relatively easy

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to pass in this House and in this General Assembly. I suppose in some... in some ways, one ought to be expected, at this stage in the Session, to roll over and play dead, but I don't think we ought to do that on this Bill. I think we ought to absolutely not ratify, concur in, or do anything to move this Bill to the Governor's desk. Some things... Some things can be left. Number one; to private parties to deal with, and number two; if people do, in fact, believe in the collective bargaining process, they can be left to the collective bargaining process. I don't see any reason why anyone who wants to include this in a collective bargaining contract can't do that, and I presume that what this is, is an attack on the collective bargaining process. But, number two, I don't see why we have to fix something that's not broken. And I don't... I have not seen any major abuses in this field. No one's reported them to me. I don't think we ought to saddle business with the cost involved in this. I think we ought to send at least one signal from this General Assembly in this... in the course of this year that the State of Illinois and its government is not dedicated to the destruction of business. And for those reasons, I would urge a 'no' vote on House Bill 2035."

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

Satterthwaite: "Mr. Speaker and Members of the House, the Bill has already passed in this House. Our action now is simply concurrence with an exception of review for records that would otherwise perhaps have been available to an employer... employee. I think that there are plenty of experiences where employees are not organized for collective bargaining, where they should still have the right to look at their records to see what those records

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contain, and where there may be something misleading or inaccurate in those records, provide them with an opportunity of going to the employer to have those records completed or revised to give a better perspective on the situation. The Member from across the aisle who indicates that this can be done by collective bargaining, would also, I think, not want to put every employee in a position of feeling that they had to go to collective bargaining in order to gain a right of this sort. Certainly, if employers are keeping records that are accurate, there is nothing for them to hide. Those records ought to be open for the employee to see, to know what is on file for them and, if necessary, to put their version of a situation into that file so that anyone else will get that balanced picture. This is a good Bill. The Senate Amendment simply makes one clarification that will help in special circumstances to keep those records from being opened, and I urge a 'yes' vote for concurrence with the Senate Amendment."

Speaker Matijevich: "Representative Dwight Friedrich."

Friedrich: "Mr. Speaker and Members of the House, the last speaker said that this did pass the House, and I can tell you, it isn't any better than it was when it passed the first time. We have continued to regulate and harass and tax business, and then, we wonder why business is leaving this state. And we have a Study Commission to figure out why they're leaving. Well, this is just another reason why somebody wouldn't want to come to Illinois."

Speaker Matijevich: "Representative Slape to close."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Republican Floor Manager said that this was going to add a cost. The only possible cost that House Bill 2035 could bring about would be for copies, and it's

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already a provision of the Bill that if an employee wants a copy of his personnel record, why, he has to pay the fee for it. The only other costs that could be incurred if the employer decided to keep two sets of books, and that would... that would be a self-inflicted injury on his own part. Senate Amendment #1 just adds one more exception where an employee cannot see his records. I think it's a good move to allow people to see personnel records and see what people are putting in there and give them an opportunity to make corrections if there has been incorrect entries, and I would ask that the House does concur with Senate Amendment #1 and 2."

Speaker Matijevich: "Representative Slape moves to concur with House... Senate Amendments 1 and 2 to House Bill 2035. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 71 'ayes', 40 'nays'. The House does concur with Senate Amendments #1 and 2 to House Bill 2035; and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2012, the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 2012. What the Amendment does is make purely technical changes. We discussed the similar Amendment that was tacked onto the Senate Bill a few days ago. The Bill makes changes in definition of words, defining 'eligible and qualified candidate', which had been both used in the previous version of the Bill. This Amendment goes through the Bill and cleans it up and uses only 'qualified candidate', which is defined and makes other nonsubstantive, purely technical changes, and I'd ask for

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your 'aye' vote."

Speaker Matijevich: "Representative Preston has moved to concur with Senate Amendment 1 to House Bill 2012. There being no discussion, all in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 68 'ayes', 48 'nays', and the House does concur with Senate Amendment 1 to House Bill 2012; and this Bill, having received the Constitutional Majority, is hereby declared passed. On page four of the Calendar is House Bill 704... 741, the Majority Leader, Jim McPike."

McPike: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. At the request of Representative Vinson, I took this out of the record earlier this morning. I think he is now okay on the Bill. As I explained earlier, the problem that occurred in the House with the pesticide manufacturers or the pesticide distributors that spray these on the farms, we cleared that problem in the Senate, with Senate Amendment #2, and the other Amendment, I explained this morning, deals with the... bringing the Act under 'JACAR'. I think both of them are good Amendments, and I would move to concur in Senate Amendments #1 and 2 to House Bill 741."

Speaker Matijevich: "Representative McPike moves to concur with Senate Amendments 1 and 2 to House Bill 741. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I did, in fact, ask the Majority Leader to take this Bill out of the record when he called it earlier in the day, because it had been my understanding that the Bill was... that the problem... that there were problems in the Bill that the Manufacturers' Association objected to, and I thought the Gentleman did not want to move the Bill, if that were the case. And I have subsequently conferred with them, and

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they tell me that they have no opposition to the Bill in its present form."

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

Tuerk: "Mr. Speaker, would the Sponsor yield for a question?"

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

Tuerk: "I have no problem voting for the agreed Bill; however, I do have a problem with Amendment #1, since this is a new Act, and there is a number of Sections or lines in the Act that are underlined. I'm fearful that you're going to have some problems with that. Do you have a response to that?"

Speaker Matijevich: "Representative McPike."

McPike: "If you're asking the Parliamentarian a question, I think you should address it to the Chair."

Tuerk: "Well, I can ask the Parliamentarian the question."

Speaker Matijevich: "What's the question?"

Tuerk: "This is a new Act, as we all know, but in Senate Amendment #1, there's a number of lines that are underlined, and I just feel that that's out of order, and I think we may have some problems with this Bill, under the circumstances."

Speaker Matijevich: "The Parliamentarian will make the ruling on behalf of the Speaker."

Parliamentarian Getty: "On behalf of the Speaker, House Bill 741 is a new Act. Amendments should not be underlined. The Chair would rule that the underlining under these specific circumstances, as the Amendment is presented, would be surplusage. It cannot be amended on its face because it is a Senate Amendment to a House Bill, but in Enrolling and Engrossing, it can be treated as surplusage. It does not, in any way, affect the intent of the Bill. The Chair so rules."

Speaker Matijevich: "Proceed, Representative Tuerk."

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Tuerk: "Well, that... that was the ruling that I was seeking, because I wasn't sure whether Enrolling and Engrossing could handle this matter. Under those circumstances, if that be a fact, I have no problem supporting the Bill."

Speaker Matijevich: "There being no further discussion, Representative McPike moves to concur with Senate Amendments #1 and 2 to House Bill 741. 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' and no 'nays'. The House does concur with Senate Amendments 1 and 2 to House Bill 741; and this Bill, having received the Constitutional Majority, is hereby declared passed. Rice 'aye'. We will now go to the Order of Supplemental Calendar #1. On the Supplemental Calendar... Wait... Alright. Before we go on to that, we have House Bill 1978, which we momentarily took out of the record just a little while ago, and Representative Vinson, I believe, was the Sponsor of that. Yes. The Gentleman from DeWitt, Representative Vinson, on House Bill 1978."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to nonconcur in the Senate Amendments to House Bill 1978."

Speaker Matijevich: "Representative Vinson moves to nonconcur with Senate Amendments 1 and 3 to House Bill 1978. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does nonconcur in Senate Amendments 1 and 3 to House Bill 1978. On House... On the House Calendar Supplemental #1, we're going to ask leave of the House... Representatives Leverenz, Barnes, Eowman and Reilly ask leave of the House that the House refuse to recede on all House Amendments to all Senate appropriation Bills on Supplemental Calendar #1. Do we all understand that? And

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I will... On page one of Calendar One, all Bills on page one are appropriation Bills. On page two, all Bills except Senate Bill 313 and 332 are appropriation Bills. All of page three are appropriation Bills. On page four, Senate Bill 498, Senate Bill 680, 774... or, that's 714, rather, 715 and 766 are appropriation Bills. The House refuses to recede from all House Amendments to all House... those House appropriation Bills on Supplemental Calendar. There being... Representative Leverenz."

Leverenz: "Does your list... Just an inquiry of the Chair. Does your list include Senate Bill 1144? On page four. That is an appropriation Bill."

Speaker Matijevich: "It is? Are you sure?"

Leverenz: "Yeah. There's a \$100,000 problem. 1144."

Speaker Matijevich: "Alright. 1144 was not on my list. I thought that was not an appropriation Bill. You're right. I missed that one. Add 1144 to that list. You've heard the Motion. All in favor say 'aye', opposed 'nay', and the House does... the Motion prevails, and the House does recede... refuses to recede from all House Amendments to all House appropriation Bills on Supplemental Calendar #1. Senate Bill... all Senate Bills on Supplemental Calendar #1. Representative Slape, for what purpose do you seek recognition?"

Slape: "Mr. Speaker, since you're on that Order of Business, I'd like to help you clear the Calendar, because I'd like to move to non... not recede from House Amendment 2 to Senate Bill 313, too, Sir."

Speaker Matijevich: "We're getting right to that. You're going to be next. Alright, the next... we're going to continue on the Supplemental Calendar #1 on the Bills that are not appropriation Bills. Senate Bill 313, Representative Slape."

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Slape: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 313 dealt with the jurors for the Coroner Act. Representative Cullerton asked me to put an Amendment on there exempting... or, taking away all exemptions from jury duty, with a commitment that he would have one opportunity in the Senate, but I suppose mistakenly the Senator moved to nonconcurrences to the House Bill instead of a concur, so I would ask now that the House not recede to Senate... or, House Amendment #2 and that a Conference Committee be formed."

Speaker Matijeich: "Are you refus... move to refuse to recede?"

Slape: "Refuse to recede and that a Conference Committee be formed."

Speaker Matijeich: "The Gentleman moves to refuse to recede from House Amendment #2 to Senate Bill 313. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker. Question of the Sponsor."

Speaker Matijeich: "Proceed."

Vinson: "Did I understand you to say that your commitment to Mr. Cullerton was taken care of if the Senate had one crack at his Amendment?"

Slape: "Well, that was my commitment to him, he could use my Bill for a vehicle."

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

Cullerton: "Yes, Representative Vinson, we put this Amendment on this Bill that removed all jury duty exemptions. The understanding was that Senator Vadalabene would call that for a vote on a Motion to concur in the Senate. If it failed, then it would come back here, and we would recede from the Amendment. But Senator Vadalabene perhaps misunderstood, and he moved to nonconcur with the Amendment. And so, now we have to go to a Conference

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Committee. We will again allow the Senate the opportunity to vote on that issue. If it fails, then perhaps the Second Conference Committee could take it off, and we could pass the Senate Bill 313."

Speaker Matijevich: "There being no further discussion, Representative Slape has moved to refuse to recede from Senate Amendment 2 to Senate Bill 313. Those in favor say 'aye', those opposed say 'no'. The Motion prevails and the House refuses to recede in Senate Amendment 2 to Senate Bill 313, and the Gentleman requests a Conference Committee. Senate Bill 332, Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. I move to refuse to recede on House Amendment #1 to Senate Bill 332 and ask to have Bill placed in Conference Committee."

Speaker Matijevich: "Representative Hensel moves to refuse to recede from House Amendment #1 to Senate Bill 332 and asks for a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede in House Amendment #1 to Senate Bill 332, and a Conference Committee will be appointed. On page four of the Calendar appears Senate Bill 498. Is anybody going to handle that for the Minority Leader? Yes. Senate Bill 498. Well, wait. That's an appropriation Bill. How'd we miss that one? That one should be included in our appropriation Bills. Leave that we refuse to recede from Amendments 1 and 3 to Senate Bill 498, and that go to a... 1 and 3, and that... It's 1 and 3 on the Calendar. Well, let's just take care of this one. This is an appropriation Bill, and we have leave that... that we refuse to recede and appoint a... Representative Vinson, for what purpose do you seek recognition?"

Vinson: "I thought we already put all of the... "

Speaker Matijevich: "We did, but I... I, in error, didn't read

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it, and I just wanted to make sure it's read in the record as an appropriation Bill."

Vinson: "Alright."

Speaker Matijevich: "Alright. So, leave to read that into the record as an appropriation Bill in which we are going to Conference Committee. Leave. And we skipped over Senate Bill 492, Representative Nash, the Gentleman from Cook."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, I refuse to remove to... refuse to recede from Amendments 2 and 3 and ask that a Conference Committee be set up."

Speaker Matijevich: "Representative Nash moves to refuse to recede from Senate Amendments 2 and 3 to Senate Bill 492 and asks for a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails. We... The House refuses to recede from House Amendments 2 and 3 to Senate Bill 492, and there will be a Conference Committee appointed. Senate Bill 513, the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House refuse to recede from House Amendments 3 and 6 to Senate Bill 513, and that a Conference Committee be appointed."

Speaker Matijevich: "Refuse... The Lady from DuPage, Representative Nelson, moves to refuse from Amendments 2, 3 and 6. There are three of them. 2, 3 and 6. House Amendments to Senate Bill 513, and asks for a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does refuse to recede from Amendments... House Amendments 2, 3 and 6 to Senate Bill 513, and a Conference Committee will be appointed. House Bill 589 (sic - Senate Bill 589), Leverenz. The Gentleman from Cook, Representative Leverenz, on Senate Bill 589."

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Leverenz: "Would you take that out for a second, Speaker?"

Speaker Matijevich: "Cut of the record momentarily. Leave to return. House Bill... Senate Bill 620, Capparelli. Senate Bill 620, Capparelli."

Capparelli: "Mr. Speaker, I would ask the House to refuse to recede on House Amendments 1 and 2 and request a Conference Committee."

Speaker Matijevich: "Representative Capparelli moves to refuse to recede from House Amendment 3 to Senate Bill 620 and asks for a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does refuse to recede from House Amendment #3 to Senate Bill 620, and a Conference Committee will be appointed. Senate Bill 728, Terzich. Is Representative Terzich... Where's he at? Out of the record. Oh. Representative Leverenz is going to... Oh. Terzich is here. Representative Terzich on Senate Bill 728."

Terzich: "Yes, Mr. Speaker, I move that we do not recede from Amendment #1 and a Conference Committee be formed."

Speaker Matijevich: "Representative Terzich moves to refuse to recede from Senate Amendment #1... House Amendment #1 to Senate Bill 728 and that a Conference Committee be appointed. There being no discussion, all... all in favor say 'aye', opposed 'nay', and the Motion prevails, and the House does refuse to recede from House Amendment 1 to Senate Bill 726, and a Conference Committee shall be appointed. House Bill... Senate Bill 749, Sam Wolf."

Wolf: "Thank you, Mr. Speaker. Request leave of the House to defer to Representative Panayotovitch for the Motion on Senate Bill 749."

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

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

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the House. I move to recede from House Amendment #1 to Senate Bill 749. It's a... It's an Amendment that affects my district. It was... not I was aware of, and I want to make sure that we get it off."

Speaker Matijevich: "Representative Panayotovich moves to recede from House Amendment #1 to Senate Bill 749. On that, the Gentleman from Cook, Representative Piel."

Piel: "It just might affect other districts, Sam. Would you mind just going into it a little bit? What does the Amendment do that you're receding from?"

Speaker Matijevich: "Representative Panayotovich."

Panayotovich: "The Amendment has to do with the wildlife and gaming laws in the port district, and the port district had a Bill. It's a port district Bill, and they asked for us to abolish the hunting and fishing there in the port district, and our district is right... My district is for it. Chicago didn't want it. Chicago only. It just affects the city."

Piel: "Thank you."

Speaker Matijevich: "Representative Brummer. Representative Brummer. No further discussion. Representative Panayotovich moves to recede from House Amendment #1 to Senate Bill 749. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 112... 13 'ayes' and no 'nays', and the House does recede from House Amendment #1 to Senate Bill 749. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Leverenz on House Bill 58... Senate Bill 589."

Leverenz: "Thank you, Mr. Speaker. We refuse to recede in Amendments #1 and 2 to Senate Bill 589 and ask that a

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Conference Committee be appointed."

Speaker Matijevich: "Representative Leverenz moves to refuse to recede from House Amendments 1 and 2 to Senate Bill 589 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the Motion prevails, and the House refuses to recede in House Amendments 1 and 2 to Senate Bill 589, and a Conference Committee will be appointed. Senate Bill 824, James Keane. Jim Keane."

Keane: "Thank you, Mr. Speaker. I refuse to recede from Amendment #1 to Senate Bill 824 and ask that a Conference Committee be appointed."

Speaker Matijevich: "Representative Keane moves to refuse to recede from House Amendment #1 to Senate Bill 824. Requests a Conference Committee. No discussion? All in favor say 'aye', opposed 'no', and the Motion prevails. The House refuses to recede from House Amendment #1 to Senate Bill 824, and a Conference Committee will be appointed. Senate Bill 919, the Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I move that the House refuse to recede from House Amendments #1 and 3 to Senate Bill 919."

Speaker Matijevich: "Representative Steczo moves that the House refuse to recede from House Amendments 1 and 3 to Senate Bill 919. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Matijevich: "He will. Proceed."

Vinson: "Representative, what is the controversy here? What are the issues?"

Steczko: "Representative Vinson, if you recall, in a discussion with you, we had inadvertently left out a provision to

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exclude this from the provisions of the State Mandates Act, so the purpose for going to Conference is to put in the provision that you requested."

Vinson: "Thank you."

Speaker Matijevich: "Being no further discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does refuse to recede in Amendments #1 and 3 to Senate Bill 919, and a Conference Committee will be appointed. Senate Bill 949. Representative Reilly on the floor? Is anybody ready to handle that for Representative Reilly. Out of the record for the moment. Senate Bill 1146, Tate. Is Representative Tate ready on Senate Bill 1146? On page four of the Supplemental. The Gentleman from Macon, Representative Tate."

Tate: "Could you take it out of the record and come back to it?"

Speaker Matijevich: "Alright. Out of the record for the moment. Senate Bill 1263, Ewing. Is Representative Ewing ready on 12... Senate Bill 1263? Out of the record. Supplemental... Alright. Representative Tate is ready on his Bill. Alright. That's Senate Bill 1146, Representative Tate."

Tate: "I refuse to recede and ask for a Conference Committee."

Speaker Matijevich: "Representative Tate moves to refuse to recede from Senate... House Amendment 1 to Senate Bill 1146. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield?"

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

Cullerton: "Representative Tate, the Amendment... First of all, the Bill has to do with the state aid formula for school districts located in enterprise zones. Correct?"

Tate: "Right."

Cullerton: "Okay. And the Amendment #1 was adopted in Committee."

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Tate: "Eight."

Cullerton: "This is the... This is the only Amendment that was adopted?"

Tate: "Correct."

Cullerton: "And the Senate did not accept the Amendment?"

Tate: "Correct."

Cullerton: "Okay. What, then, is your intention? To go to a Conference Committee?"

Tate: "Well, we either work it out with the Senate, or the Bill dies."

Cullerton: "Well, you're going to go to a Conference Committee."

Tate: "Correct."

Cullerton: "And you're going to try to address the issue of the state aid formula for school districts located in enterprise zones?"

Tate: "Correct."

Cullerton: "Anything else?"

Tate: "No."

Cullerton: "Okay. Thank you."

Speaker Matijevich: "The Gentleman has moved to refuse to recede from House Amendment #1 to Senate Bill 1146. All in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does refuse to recede from House Amendment 1 to Senate Bill 1146, and a Conference Committee will be appointed. Supplemental Calendar #2, on the Order of Nonconcurrency, appears Senate Bill 599, Representative Terzich. The Gentleman from Cook, Representative Terzich, on Senate Bill 599. Supplemental Calendar #2."

Terzich: "Yes, Mr. Speaker. I move that we do not recede from Senate, or House Amendments 1 and 3 and that a Conference Committee be formed."

Speaker Matijevich: "Representative Terzich moves to refuse to recede from Senate Amendments 1 and 3 to Senate Bill 599

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and asks for a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede in Senate Amendments 1 and 3 to House... Senate Bill... House Amendments 1 and 3 to Senate Bill 599 and requests a Conference Committee. And a Conference Committee will be appointed. Senate Bill 621, White, Jesse White. On Supplemental Calendar #2."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to recede from House... Senate Amendment #1 to Senate Bill 621."

Speaker Matijevich: "I didn't hear you. Are you refuse?"

White: "No, I recede."

Speaker Matijevich: "No, you... Alright. The Gentleman moves to recede from House Amendment 1 to Senate Bill 621. There being no discussion, all in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 108 'ayes', 5 'nays', and the House recedes from House Amendment #1 to Senate Bill 621; and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 668, Representative Hicks. The Gentleman from Jefferson, Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to refuse to recede on Amendments... "

Speaker Matijevich: "One moment. Representative McMaster is seeking attention. For what purpose do you seek attention, Mr. McMaster?"

McMaster: "Thank you, Mr. Speaker. I poked the wrong button on 621. Did you record me as 'aye' instead of 'no'?"

Speaker Matijevich: "Leave for Tom McMaster to be recorded as 'aye' on the last Bill. Leave, and he shall be so

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recorded. Representative Hicks."

Hicks: "Yes, Mr. Speaker. I'd like to refuse to recede on Amendments 1 and 2 on Senate Bill 668 and ask for a Conference Committee."

Speaker Matijevich: "The Gentleman moves to refuse to recede. I believe you want 1, 2, 3 and 4. Correct? 1, 2, 3 and 4. House Amendments 1, 2, 3 and 4 to Senate Bill 668. There being no discussion, all in favor say 'aye', opposed say 'nay'. The Motion prevails, and the House does refuse to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 668, and a Conference Committee will be appointed. On page five of the Calendar, under the Order of Concurrences, appears House Bill 1024, the Gentleman from Cook, Representative Rice. Representative Rice."

Rice: "Mr. Speaker, I would like to receive a vote of this General Assembly for this Bill. It left the Senate with an Amendment, and we concurred with the Amendment. It changed as read in the analysis. It amended the Bill to an inactive status, rather than conflict of interest, and I certainly would... "

Speaker Matijevich: "Representative Rice moves to concur with Senate Amendment #1 to House Bill 1024. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Motion. I do not believe, and I think if you will examine this particular Amendment with some care, you will... and the underlying Bill as well, you will discover that the Bill is designed to get a particular license for a particular individual. It is not a general law. It is not a Bill that this General Assembly ought to pass. It is not a public policy we ought to adopt. I believe we ought to beat this Bill. I believe we ought to beat it decisively. We ought to pass general laws

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for dealing with the situation where we license professions. We ought not pass laws which deal... create specific exceptions for specific individuals. We ought to have full opportunity for everyone to get a license to enter any profession, but we ought not give special consideration to any individual to enter any profession. When we do that, we're passing special legislation. We're passing legislation which flies in the full face of the constitutional prohibition against special legislation, and I would urge a 'no' vote on this Bill."

Speaker Matijevich: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was wondering if the Sponsor will yield for a question."

Speaker Matijevich: "Proceed."

Bullock: "Representative Rice, the legislation before us has Senate Amendment #1 on it. Were you consulted before this Amendment was adopted or offered by Senator Lemke and adopted?"

Rice: "No."

Bullock: "Representative Rice, this legislation is intended to cover many individuals in the field of insurance, some of whom who may have been inactive and then choose once again to become active in the profession and to merely renew their license. Is that your understanding?"

Rice: "Yes."

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

Speaker Matijevich: "Proceed."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the House, this is not class legislation. We pass Bills in this House dealing with pensions, sometimes pensions for former Members of the House of Representatives. We pass Bills in this House dealing with special projects for special

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districts, whether it's a barn that's destroyed by a storm in Vermilion County or whether it's a road that rumbled in northeastern Illinois, we pass Bills to address specific problems. That is why we exist, to address public policy in this state. I defy the previous speaker to cite for me in one instance when a Bill is merely passed and merely benefit one person, that he or anyone else has not taken a conscientious consideration of and voted their conscience. I recommend the Gentleman vote his conscience on this Bill. The fact of the matter is, this legislation with Senate Amendment #1 merely says, and I quote, 'A former holder of a broker's license whose license is currently in an inactive status may restore that license to an active status without taking an examination but by paying the 50 cents applicable license fee'. That is, in essence, the legislation before us, Mr. Speaker. I see no difficulty in supporting that. There are many fine individuals in this Body who practice law, who sometimes, for health reasons or other reasons, become inactive in their profession and thus be... come back and subsequently want to become active in their profession, and there's nothing wrong with the law that grants them that ease of returning to the profession. It's a good Bill. I recommend it. I vote in concurrence."

Speaker Matijevich: "The Gentleman from Champaign, Representative Johnson. Representative Cullerton, the Gentleman from Cook, I guess."

Cullerton: "Mr. Speaker, I rise in support of the Motion. The Senate Amendment is not really that significant. I looked at it very carefully because I figured maybe the Senate Amendment gutted the Bill or something, because on May 5th... I'm sorry... May 12th, 1983, this Bill passed 100 to 14, and I would point out that Representative Vinson voted 'yes'. And now, he wants to defeat the Bill. I don't

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understand that. I think we should pass this again 100 to 14."

Speaker Matijeovich: "One moment. We're going to take this Bill out of the record, and we'll come back to it right after we've... going to do some other business. We're going to recognize Representative Yourell for a moment, but one moment. Hold on. Calendar announcement from the Clerk."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker Matijeovich: "The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, and particularly the Democratic Members, we are going to have a Party Conference on the income tax, and we would like to have our full attendance, because this is probably the most important matter we'll be considering this Session. So, promptly in room 114."

Speaker Matijeovich: "Room 114, and all Democrats promptly in 114. Representative Vinson, do you need any... a roundup? Representative Friedrich, the Gentleman..."

Friedrich: "I would ask all Republicans to go to room 118 immediately for a Conference, possibly on the same subject."

Speaker Matijeovich: "Alright. Representative Yourell. 118 for the Republicans."

Yourell: "How much time, Mr. Speaker?"

Speaker Matijeovich: "If it takes less..."

Friedrich: "We need an hour, Mr. Speaker."

Speaker Matijeovich: "They need an hour. I imagine we need an hour. One hour. We'll come back. The House will be in recess."

Speaker Madigan: "The House shall come to order. The House shall come to order. All unauthorized personnel shall please leave the floor. All unauthorized personnel will please

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leave the floor. Mr. Doorkeeper, clear the floor. On the Order of Concurrence, there appears House Bill 97, Mr. Matijevich. Do you wish to call your Bill? The Gentleman indicates he does not wish to call this Bill. House Bill 265, Mr. Hannig. Do you wish to call your Bill? Mr. Hannig."

Hannig: "Okay. Mr. Speaker, Members of the House, I would move that the House not concur on the Senate Amendments to House Bill 265."

Speaker Madigan: "The Gentleman moves to nonconcur in Senate Amendment #1 and Senate Amendment #2. For what purpose does Mr. Matijevich seek recognition?"

Matijevich: "I'm asking you to return to House Bill 97 when you complete... complete this Bill, Mr. Speaker."

Speaker Madigan: "We'll get back with you on it, Mr. Matijevich. Thank you. The Gentleman has moved to nonconcur. The Gentleman has moved to nonconcur on Senate Amendment #1 and Senate Amendment #2 to House Bill 265. All those in favor of the Gentleman's Motion say 'aye', all those opposed 'no'. The 'ayes' have it. The House does not concur in Senate Amendments #1 and 2 to House Bill 265. On the Order of Concurrence, there appears House Bill 695, Representative John Dunn. The Gentleman wants to take the Bill out of the record. On the Order of Concurrence, there appears House Bill 1065. Mr. Matijevich, do you wish to call that Bill? The Gentleman indicates he does not wish to call the Bill. On the Order of Concurrence, there appears House Bill 721, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I'm handling this for the Minority Leader. We are Co-chief Sponsors of House Bill 721. Both he and I are not altogether pleased with the Senate Amendment; however, at this late stage, we feel it's the best that we can get, so

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we are moving to concur with Senate Amendment #1 to House Bill 721."

Speaker Madigan: "Mr. Matijevich, could you take this Bill out of the record at this time?"

Matijevich: "Yes."

Speaker Madigan: "Thank you. The Chair will now proceed with consideration of Supplemental Calendar #3. Mr. Webb, Supplemental Calendar #3. And on that Order, there appears Senate Bill 991, Mr. Tate. Do you wish to move your Bill? For what purpose does Mr. Johnson seek recognition?"

Johnson: "Representative Tate should be on the floor just momentarily. Could we pass that and come back to it, Mr. Speaker?"

Speaker Madigan: "Senate Bill 1001, Representative Rhen. Mr. Rhen."

Rhen: "Yes, Mr. Speaker. On Senate Bill 1001, Amendment 1 and 2, I refuse to recede."

Speaker Madigan: "Mr. Rhen moves to refuse to recede in Senate Amendment #1 and 2 to Senate Bill... "

Rhen: "1001."

Speaker Madigan: "1001."

Rhen: "And ask for a Conference Committee."

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

Johnson: "Representative Rhen, can you explain to the Membership what House Amendments #1 and 2, that we want to maintain on this Bill, or you want to maintain on this Bill, dc?"

Rhen: "Amendment #1 establishes how many members it takes to consist of a quorum, and that no members than less... no less than four of the members appointed pursuant to Section 3 (d) shall be representatives of organized labor. That the council shall meet at least quarterly but may meet more frequently at the call of the chair or the majority of the

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chairpersons of the advisory committee established by the council."

Johnson: "Well, let's take that one first, before you go to Amendment #2. Why should we refuse to recede from that Amendment?"

Rhem: "Well, the Senate didn't agree with it."

Johnson: "I understand that. I'm just saying, why should we refuse to recede from our Amendment? Why do we need that Amendment on the Bill?"

Rhem: "Well, the state does not agree with labor on some of the language. I'm not sure what... one of the Sections that they are disagreeing on."

Johnson: "What about Amendment #2?"

Rhem: "Okay. On Amendment #2, DCCA and labor are sitting down to work out, and the Governor's Office, are sitting down together to try to work out the language on Amendment #2."

Johnson: "They are?"

Rhem: "And they've asked us to recede on this Amendment."

Johnson: "The Governor's Office is sitting down working on this Bill tonight?"

Rhem: "Well, they have with DCCA and labor."

Johnson: "That's interesting that they're doing that. Now, is your Motion to recede? I'm not sure I understand whether you want to recede or not."

Rhem: "Refuse to recede."

Johnson: "Oh, to refuse to recede."

Rhem: "Yeah."

Speaker Madigan: "The Gentleman moves to refuse to recede in House Amendments #1 and 2 to Senate Bill 1001. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Gentleman's Motion is adopted, and the House will ask for the appointment of a Conference Committee. Senate Bill 1002, Mr. Leverenz. Mr. Leverenz,

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do you wish to call your Bill? For what purpose does Mr. Leverenz seek recognition? Senate Bill 1022, Mr. McGann. Do you wish to call your Bill?"

McGann: "Yes, Mr. Speaker. Thank you, Mr. Speaker and Members of the Assembly. I refuse to recede to Amendment #1 of Senate Bill 1022 and request a Conference Committee."

Speaker Madigan: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 1022. On that question, the Chair recognizes Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Members of the Assembly. My analysis of Amendment #1, which the Gentleman would move to refuse to recede from, would provide that the tax credit allowed to business would not be allowed to the extent that it reduces the taxpayers' liability below zero. And it would seem to me that the Gentleman's Motion and removing that Amendment... failure to remove that Amendment would, in essence, have the effect of detracting from the general purpose of the Bill. And so, for those reasons, I would oppose the Amendment... the Motion."

Speaker Madigan: "Mr. McGann moves to refuse to recede from House Amendment #1 to Senate Bill 1022. All those in favor of Mr. McGann's Motion will signify by voting 'aye', all those opposed by voting 'no'. The vote requirement is a simple majority. All those in favor of Mr. McGann will vote 'aye'. Have all voted who wish? On this question... Mr. Clerk, take the record. On this question, there are 73 'ayes', 39 'nos'. The Gentleman's Motion is adopted. The House has refused to recede from House Amendment #1 and will request the appointment of a Conference Committee. Senate Bill 1026, Mr. Mautino. Do you wish to call your Bill? Mr. Mautino on Senate Bill 1026."

Mautino: "Excuse me. We refuse to recede on the House Amendments to 1026, mainly because it was the... the Amendment that

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tied in the CETA language with the Job Training Program Act, and I think that we have additional language worked out that would be sufficient. Therefore, I move to nonconcur with the Senate... with the House Amendments."

Speaker Madigan: "Mr. Mautino moves to refuse to recede from House Amendment #2 to Senate Bill 1026. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion is adopted. The House refuses to recede from House Amendment #2 and requests the appointment of a Conference Committee. Senate Bill 1057, Mr. Klemm. For what purpose does Mr. Matijevich seek recognition? Mr. Klemm."

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1057 was a good Bill. It still is a good Bill. House Amendment #2 made it a better Bill. House Amendment 2 has run into some problems with the ICC. They oppose it, but let me tell you briefly what it is. It would require that the ICC Commissioners would have to attend public comment hearings where our people come and testify and try to present their side of the view... their point of view to rate increase hearings. It also would have required that they would go to evidentiary hearings if it were requested. Apparently, ICC wishes not open the window, not to let the light in, to keep the proceedings closed. In view of the fact that the Bill 1057 is still a good Bill without it, then I move to recede from House Amendment #2."

Speaker Madigan: "Mr. Klemm, have you refused to recede?"

Klemm: "No. I move to recede."

Speaker Madigan: "Recede. Fine. Mr... Mr. Klemm moves to recede from House Amendment #2 to Senate Bill 1057. On that question, the Chair recognizes Mr. Brummer, and Mr. Matijevich shall be in the Chair."

Brummer: "Yes. Will the Sponsor yield?"

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

Brummer: "There is one Senate Amendment. Is that correct?"

Klemm: "No, I'm talking about House Amendment #2."

Brummer: "I'm sorry. How many House Amendments are there?"

Klemm: "Just that one."

Brummer: "What happened to House Amendment #1?"

Klemm: "That was by me, and I had it withdrawn."

Brummer: "Okay. And the... the Senate failed to concur in House Amendment #1, now... I mean #2. I'm sorry."

Klemm: "Yes. That's correct."

Brummer: "And you're moving to recede."

Klemm: "That's correct."

Brummer: "So we're back in the original posture with the Bill as it went over to the Senate, and that dealt only with the original cost issue?"

Klemm: "That's correct."

Brummer: "Okay. I think this is a reasonable motion, and I would urge the support of it."

Speaker Matijevid: "The Gentleman has moved to recede from Senate Amendment #2... House Amendment #2 to Senate Bill 1057. Those in favor will signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 114 'ayes', no 'nays', and the House does recede from House Amendment #2 to Senate Bill 1057; and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1061, Barnes. Are you ready with that? The Lady from Cook, Representative Barnes."

Barnes: "Mr. Speaker, I refuse to concur... refuse to recede."

Speaker Matijevid: "The Lady from Cook moves to refuse to recede from House Amendments 4, 5, 7 and 8 to Senate Bill 1061. There being no discussion, all in favor say 'aye', opposed

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'nay', and the House does refuse to recede from House Amendments 4, 5, 7 and 8 to Senate Bill 1061, and a Conference Committee will be appointed. Is Representative McPike on the floor to handle Senate Bill 1070? Representative McPike. Out of the record for the moment. Senate Bill 1073, Giorgi. Is Representative Giorgi on the floor? Senate Bill 1073, Giorgi. Is that your Bill? Are you ready? After this... Representative Giorgi, after this Bill, come to the podium. I want to discuss the Bill with you. Thank you."

Giorgi: "Yes. I refuse to... I refuse to recede from the House Amendment to Senate Bill 1073."

Speaker Matijevich: "Representative Giorgi moves to refuse to recede on Amendments 1 and 3 to Senate Bill 1073 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the Motion prevails, and the House does refuse to recede from Amendment... House Amendments 1 and 3 to Senate Bill 1073, and a Conference Committee will be appointed. Senate Bill 991, the Gentleman from Macon, Representative Tate. Representative Tate."

Tate: "Yes, Mr. Speaker, Senate Bill 991, the Senate has refused to concur. I would refuse to recede and ask the Bill to go to Conference Committee."

Speaker Matijevich: "Representative Tate, was that refusal to recede? Alright. Representative Tate has moved that the House refuse to recede on House Amendments 1 and 3 to Senate Bill 991. All in favor say 'aye', opposed 'nay', and the Motion prevails, and the House does refuse to recede on House Amendments #1 and 3 to Senate Bill 991, and a Conference Committee will be appointed. Senate Bill 1070. The Sponsor is requesting Representative Giorgi to handle that Motion. Representative Giorgi on Senate Bill

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1070."

Giorgi: "I move to not recede from Amendments 1 and 4 to Senate Bill 1070 and request a Conference Committee Report because of the... we're in the wrong Section of the Bill."

Speaker Matijevich: "The Gentleman moves to refuse to recede on House Amendments 1 and 4 to Senate Bill 1070 so we can clear up the Regulation C defect pointed out by Representative Vinson. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, and I appreciate the fact that you have recalled the nature of the problem that I called to your attention when we voted on this on Third Reading. There is, indeed, a fundamental problem with this Bill in the posture it's in now. And Mr. Speaker and Ladies and Gentlemen of the House, the fundamental problem is in Amendment #1. Amendment #1 contains an allusion, a citation to a federal regulation that it ought not contain. Now, it would seem to me, Mr. Giorgi, that the simple way to solve that problem is for you to recede on #1. If you recede on #1, then that problem's gone. And as long as you persist in a refusal to recede, and what that has the effect of doing is promoting the cause of Amendment #1, which the Speaker, Mr. Matijevich, has already said is wrong, is flawed. As long as you persist in trying to force down the Senate an Amendment that clearly is wrong, that the Sponsor of the Bill says is wrong, I oppose your Motion. I say that we ought to recede on this. And for that reason, I speak in opposition to your Motion to refuse to recede. I ask for a Roll Call vote on that, and Mr. Speaker, I request the right to verify that."

Giorgi: "I renew my Motion because your perception has me perplexed."

Speaker Matijevich: "Representative Woods Bowman."

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Bowman: "I just wanted to suggest that Sam Vinson ought to check his analysis. Earlier today, he got up and didn't want to recede on one of his own Republican Amendments, and I just thought maybe that his analysis was in error on this one, too."

Speaker Matijevich: "Representative Giorgi moves to recede from House Amendments #1 and 4 to Senate Bill 1070... refuses to recede, moves to refuse to recede and to... that a Conference Committee be appointed. 'Aye' votes is right. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 66 'ayes' and 47 'nays', and the House does refuse to recede from House Amendments #1 and 4 to Senate Bill 1070, and a Conference Committee will be appointed. Senate Bill 1002, Leverenz. The Gentleman from Cook, Representative Ted Leverenz."

Leverenz: "Thank you, Mr. Speaker. I move to refuse to recede from Amendment #4 to Senate Bill 1002, and that a Conference Committee would be appointed."

Speaker Matijevich: "Representative Leverenz moves that the House refuse to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1002 and requests the appointment of a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House does refuse to recede from House Amendments 1, 2, 3 and 4 to Senate Bill 1002. On regular Calendar, page number four, appears House Bill 742, on the Order of Concurrence. Is Representative Kulas in the chamber? Representative Kulas. I understand he's here. Representative Kulas on House Bill 742. It's on the Order of Concurrence, on page four. The Gentleman from Cook, Representative Kulas."

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Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 742 amended the Chicago Teachers Article of the Pension Code, and it made mostly various changes, including changes of definitions. It was mostly a housekeeping Bill. It was approved by the Pension Laws Commission. Senate Bill (sic - Amendment) #1 to House Bill 782 amended the State's Mandates Act to make any increased costs attributable to the provisions of the Act but not reimbursable by the state, and I would move that the House do concur with Senate Amendment #1 to House Bill 742."

Speaker Matijevich: "Representative Kulas moves to concur with Senate Amendment #1 to House Bill 742. There being no discussion, all in favor will signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 85 'nos', 30 'nays', and the House does concur with Senate Amendment #1 to House Bill 742; and this Bill, having received a Constitutional Majority, is hereby declared passed. On page two of the Calendar, on the Order of Concurrence, appears House Bill 385. Is Representative Yourell in the chamber? Representative Yourell on House Bill 385. I'm sure the Gentleman will be here shortly. We'll hold and return to House Bill 385, Representative Yourell. There's Representative Yourell on House Bill 38... 385. The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur in Senate Amendment #1 to House Bill 385."

Speaker Matijevich: "Representative Yourell has moved to concur with Senate Amendment #1 to House Bill 385. The Gentleman from Champaign, Representative Johnson. Representative Johnson."

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Johnson: "I guess two questions, Representative Yourell. I know... I just didn't completely hear your explanation. What does the Bill, as it passed the House, do? What was the purpose of the original Bill?"

Yourell: "What the Bill did, Representative Johnson, is to mandate that libraries produce a written policy as to the operation of the library and the material in the library, and Senate Amendment #1 deleted the word 'mandatory' and made it 'permissive'."

Johnson: "Well, let me ask then, as to Senate Amendment #1. Why should Chicago be exempt from this requirement?"

Yourell: "I have no idea. I guess they... I guess the problem... problem was, they didn't want to be in it."

Johnson: "And you agree, apparently, by your Motion, that they shouldn't be in it."

Yourell: "That's right."

Johnson: "Well, I don't agree, but I guess that's what government's all about."

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

Friedrich: "Well, I want to pursue that question a little farther, Mr. Speaker. I support the Bill in general because the libraries did get the short stick when the replacement tax went on, but for the life of me, I can't understand why we should go for this uniformity. We've got some city councils who would like to not have the Bill at all. The Chicago... Just because the Chicago City Council doesn't want it, I don't think that's an excuse for letting them out. If it's good for us, it's good for them."

Speaker Matijevich: "Representative Yourell moves that the House concur with Senate Amendment #1 to House Bill 385. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all

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voted who wish? The Clerk will take the record. On this question, there are 81 'ayes', 33 'nays', and the House does concur with Senate Amendment #1 to House Bill 385. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the... On page nine of the Calendar under Speaker's Table Short Debate Calendar appears House Resolution 245. The Gentleman from Will, Representative Davis. Representative Davis, do you want to proceed on House Resolution 245?"

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

Speaker Matijevich: "Proceed."

Davis: "Well, thank you, Mr. Speaker and Members of the House. House Resolution 245 comes as a repeat of a Resolution that passed out of Committee last year but got stuck on the Order of Motions, and we all know what... and Resolutions, and we all know what happened to that last year. The Resolution, itself, calls for the House of Representatives to form a state-wide Building Code Committee... to create a state-wide Building Code Committee to hold hearings state-wide through a Committee of this House to seek the advisability and desirability of producing a uniform state-wide building code. This argument has raged for years, and years and years as to whether there should be one. It relates to safety in terms of fire and sprinklers upstate, downstate, all over the state. No one can really figure out whether the state should have something like the 'Eocca' Codes. No one can figure out whether we shouldn't have them. There's a lot of opposition to a uniform building codes all over the state coming from some municipalities. There's a lot of people that are interested on the other side of the issue. And I think of all the issues that were normally silent on in the General Assembly, it's one of this magnitude that probably should

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have some airing, some legislative examination by special Committee. So I recommend this Resolution to you that creates that Committee with the... with the House appointing eight members to such a Committee with four appointed by the Speaker and four by the Minority Leader, and I would move for the adoption of House Resolution 245."

Speaker Matijeich: "Representative Davis has moved for the adoption of House Resolution 245. The Gentleman from Madison, Representative Wolf."

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

Speaker Matijeich: "Well, let's wait. There may be somebody... Nobody wishes to debate? It's on Short Debate. Does anybody stand in opposition? There... There being no debate, those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Take the record. On this question, there are 97 'ayes', 16 'nays', and the House does adopt House Resolution 245. House Resolution 256, O'Connell. The Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. This Resolution addresses a major problem that is facing municipalities all across the country. Recently, the United States Supreme Court, in a decision entered in January of 1982, held that municipalities could be subjected to anti-trust actions. The result of that Supreme Court decision has been to put a poll... a poll throughout municipalities throughout the country. What this Resolution does is to encourage that Congress adopt a policy restoring immunity to municipalities from proper municipal activities. We, in this House, have adopted a Bill sponsored by Representative McCracken and myself, and it is now going to the Governor for the State of Illinois. This Resolution would ask Congress to do something for the... on a national basis. I

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ask for its adoption."

Speaker Matijevich: "The Gentleman has moved to adopt House Resolution 258. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen. Would the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will."

Vinson: "Representative O'Connell, as I understand your Resolution, it deals with the Boulder, Colorado case on cable television. And as I understand the Boulder, Colorado case the basic effect was to say that the anti-trust laws did, indeed, apply in the area of cable television and in the states in the municipalities. Are you familiar with the doctrine in the law known as primary jurisdiction in the regulated utility field?"

O'Connell: "Somewhat."

Vinson: "Can you tell me whether that doctrine was addressed in the Boulder Case or not?"

O'Connell: "I can't tell you whether the doctrine was addressed in the Boulder Case except to say that the Colorado Legislature had not given authority to a home rule unit, such as Boulder, to regulate cable companies and; therefore, they were... the city of Boulder was subjected to the anti-trust action because there was no expressed policy from the Colorado Legislature."

Vinson: "Now, do they have anything comparable to our concept of home rule in the Colorado Constitution?"

O'Connell: "I... I can't answer that."

Vinson: "Is there any possibility... If the State of Colorado had done what Boulder, itself, had done, would there have been a problem?"

O'Connell: "I'm sorry, Sam. Could you repeat that?"

Vinson: "If the State of Colorado had attempted to regulate cable

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television, in the way in which the City of Boulder did, would there have been a problem?"

O'Connell: "I... I don't think there would have been a problem if there could have been concurrent jurisdiction on the part of the municipality. That's the best I can answer that. I can't answer it properly."

Vinson: "I don't want you to believe that I am standing in any form of opposition to your Resolution. I am concerned. I've been concerned since someone in the House earlier in the Session had a Bill that addressed this problem, which I read as basically negating Dillon's Rule for all communities in the State of Illinois, and that's what brought the problem to my attention in the..."

O'Connell: "Well, Sam, if I can address that. Well, we're biding time here. The... The Dillon's Rule is kept intact in our Bill that we passed to the Governor. We addressed both home rule and non-home rule municipalities, so as to the Bill that is now sitting on the Governor's desk, Dillon's Rule is intact. As to this measure, this is simply a Resolution. So, therefore, I don't think the question of Dillon's Rule can probably... properly be addressed by the United States Congress. I think that is up to each sovereign state."

Vinson: "As a matter of fact, I think it's a constitutional reality that would prevent Congress from addressing it, but what... what bothers me is why a state, and I think this may be what you and Mr. McCracken did, why can't a state create a statute for authorized municipalities to create a statute sufficiently regulatory in scope so that that statute, the fact that that was on the books, would, in fact, invoke the doctrine of primary jurisdiction and oust the anti-trust regime as a way of regulating this issue? Isn't that... Is that what you did, and is that, in fact,

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feasible?"

O'Connell: "I don't know. No, I don't think that's..."

Vinson: "That's not what you did? Could you explain to me then what you did?"

O'Connell: "We did address..."

Speaker Matijeich: "The Gentleman from Winnebago, Representative Giorgi, for what purpose do you..."

Giorgi: "I think they're going to bill us for this dissertation. I think we're going to get billed for this dissertation."

Speaker Matijeich: "Yeah, let's conclude this, and then we've got some more concurrences to work on now."

Vinson: "Well, Mr. Speaker, ladies and gentlemen, to the Resolution, itself. I'm not sure precisely what Congress will do in this field, and I'm not sure precisely what they ought to do, but I do think the two gentlemen have, in both legislation that they passed earlier and in this Resolution, worked at a comprehensive solution to this problem. I think they ought to both be commended. I think they've done something that will, in the long run, make it much easier for this society, for our state statutes, to come to grips with this new technology, and I think that everybody ought to be voting for this particular Resolution."

Speaker Matijeich: "The Gentleman from Madison, Representative Wolf. Representative Wolf moves the previous question. All in favor say 'aye', opposed say 'no', and the previous question prevails. The Gentleman from Cook, Representative O'Connell to close."

O'Connell: "Could my colleague, Representative McCracken, close... field the rest of the questions and close, please?"

Speaker Matijeich: "Representative McCracken to close."

McCracken: "I move the previous question."

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Speaker Matijevich: "Representative McCracken."

McCracken: "I appreciate a favorable Roll Call."

Speaker Matijevich: "You've heard the Motion to adopt the Amendment... House Resolution 258. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, and House Resolution 258 is adopted. We will now go to the Order of Concurrences. LeRoy Van Dwyne's been waiting all day for one here. House Bill 1065 on page five. The Gentleman from Will, Representative LeRoy Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. Very quickly, the Senate Amendment guts the Bill and provides for continuing education for nursing home administrators and the people that work in them, and I move for a concurrence."

Speaker Matijevich: "The Gentleman moves..."

Van Dwyne: "And thank you after nineteen hours."

Speaker Matijevich: "I told you I had a commitment. The Gentleman moves to concur with Senate Amendment #1 to House Bill 1065. There being no debate, all those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Gentleman from Will, Representative Van Dwyne, wants to explain his vote."

Van Dwyne: "Yes, I would, and also to ask a question. I thought we were on House Resolutions? I was all set to present 391, Mr. Speaker."

Speaker Matijevich: "See you get what you want and you want more. Have all voted who wish? Take the record. On this question, there are 101 'ayes', 13 'nays', and the House does concur with Senate Amendment #1 to House Bill 1065. And this Bill, having received the Constitutional... What? Oh, after all that, he forgot to vote. How do you want to be recorded?"

Van Dwyne: "'Aye'."

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Speaker Matijeovich: "'Aye.' All right. And the House concurs with Senate Amendment #1 to House Bill 1065, and this Bill, having received the Constitutional Majority, is hereby declared passed. Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #4 is being distributed."

Speaker Matijeovich: "House Bill 1155, Representative Hannig. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. After consultation with the Leadership on both sides of the aisle, I would now move to concur in Senate Amendment #2 to House Bill 1155. This Bill, as it went over to the Senate, provided that utility companies would provide to the Illinois Commerce Commission a long term energy plan. The Bill also tried to address some of the problems we in downstate Illinois had with the sale from private water companies. Unfortunately, this second Amendment was inadvertently knocked off in the Senate. I've discussed it with the Senate Sponsor, and quite frankly, we've come to the conclusion that it's best not to try to put this Bill in Conference Committee. So that part of the Bill has been removed. The Bill as amended now in proper form does provide that electric utility companies would have to file long term planning... plans with the Illinois Commerce Commission. It is a good Bill, and it passed out of this House with 107 votes earlier in the year. And I would move now that the House concur in Senate Amendment #2 to House Bill 1155."

Speaker Matijeovich: "The Gentleman moves to concur. Is that correct, Gary?"

Hannig: "That's correct."

Speaker Matijeovich: "Concur with Senate Amendment #2 to House Bill 1155. The Gentleman from McHenry, Representative... Representative Klemm."

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Klemm: "Thank you, Mr. Speaker. I just stand in support of the Gentleman's Motion to concur."

Speaker Matijevid: "You've heard the Motion. All in favor will signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 110 'ayes', no 'nays'. The House does concur with Senate Amendment #2 to House Bill 1155, and this Bill, having received the Constitutional Majority, is hereby declared passed. On page four of Supplemental Calendar #1 appears Senate Bill 945 (sic - 949). The Gentleman from Morgan, Representative Reilly. Would..."

Reilly: "Thank you, Mr. Speaker. Senate Bill 949, I move that the House refuse to recede from Senate... from House Amendment #1 to Senate Bill 949 and request that a Conference Committee be appointed."

Speaker Matijevid: "Representative Reilly has moved that the House refuse to recede from House Amendment #1 to Senate Bill 949. There being no discussion, all in favor say 'aye', opposed 'nay', and the Motion prevails. And the House does refuse to recede from House Amendment #1 to Senate Bill 949. We will now proceed to House Calendar Supplemental #4. And on that, Senate Bill 16, the Gentleman from Cook, Representative Jesse White. Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I move to recede on Senate Bill 16."

Speaker Matijevid: "You're receding? You don't want a Conference Committee, right?"

White: "No, I don't."

Speaker Matijevid: "All right. The Gentleman moves to recede from House Amendment #1 to Senate Bill 16. The Gentleman from DeWitt, Representative Vinscn."

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Vinson: "Yes, Representative, would you... Well, Mr. Speaker, will the Gentleman yield for a question?"

Speaker Matijevich: "Proceed. He will."

Vinson: "Will you explain the Amendment that you're receding from?"

White: "Well, the Amendment was a procedural one, and in consultation with staff and with the Senate Sponsor, we agreed that the Amendment should not have been placed on the Bill in the first place."

Vinson: "Would you explain what it would do, how the Bill would work without the Amendment?"

White: "I don't have the Amendment before me so I can't talk as intelligently about it as I should. The Amendment was placed on some time ago. I think you have a copy of it before you."

Vinson: "I do. I'm trying to figure it out. I have no... I have no opposition to your Motion to recede."

Speaker Matijevich: "The Gentleman moves to recede from House Amendment #1 to Senate Bill 16. Those in favor will signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 109 'ayes', Harris 'aye', 109 'ayes', no 'nays', 1 answering 'present', and the House does recede from House Amendment #1 to Senate Bill 16. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill... Senate Bill 1268. The Gentleman from Kendall, Representative Hastert."

Hastert: "Mr. Chairman... Mr. Speaker, I'm sorry. Mr. Speaker, Ladies and Gentlemen of the House, I move to recede from House Amendment #1. What House Amendment #1 did was change the effective date."

Speaker Matijevich: "Representative Hastert moves to recede from

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House Amendment #1 to Senate Bill 1268. There being no...
Representative Brummer. The Gentleman from Effingham,
Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

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

Brummer: "Yesterday, for some reason it was very important to put
this effective date on here. In fact, or the day before,
we took it back from Third to Second, as I recall, and put
the effective date on because otherwise there wouldn't be a
date certain when this important Bill went into effect.
Now, why is it important that we take that effective date
back off?"

Hastert: "Well, Mr. Brummer, I guess we've discussed it with our
House economists over here, and the scope of the Bill
thought that maybe it's not that important that the
effective date is immediate. And maybe the 1st of January
would be a fine time for this Bill to become effective."

Brummer: "Well, it deals with the issue of taxpayers being
entitled to refunds on their income tax, and the issue of
whether they're entitled to interest on that. You mean
it's not important that we define that prior to January
1st?"

Hastert: "Well, I think if the intent in the Bill is there and
what we've been told, if we have the intent there before
January 1st that the... actually the refunds don't start
until after January anyway, and that's plenty of time."

Brummer: "And the Bill is still in the same posture then that
once the... once the voucher goes to the Treasurer's
Office... I mean to the Comptroller's Office, the interest
stops running even though the voucher may be misplaced
there or for some reason got hung up there for 30, or 60 or
180 days. The taxpayer would not receive interest for
during that period of time under this Bill then."

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Hastert: "Yeah, it doesn't change the scope of the bill... Bill at all."

Brummer: "And that's what the bill does, right?"

Hastert: "Yes, Sir."

Brummer: "Thank you. It's still the same bad bill it was yesterday or two days ago."

Speaker Matijevich: "Representative Hastert moves to recede from House Amendment #1 to Senate Bill 1268. Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 98 'ayes', 10 'nays', 2 answering 'present', and the House recedes from House Amendment #1 to Senate Bill 1268. This bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1307, the Gentleman from Cook, Representative Yourell. 1307, the Gentleman from Cook."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to refuse to recede from Amendments #1, 2 and 3 to Senate Bill 1307 and request that a Conference Committee be appointed."

Speaker Matijevich: "Representative Yourell has moved to refuse to recede from House Amendments 1, 2 and 3 to Senate Bill 1307 and requests a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed 'nay', and the motion prevails. The House refuses to recede from House Amendments 1, 2 and 3, and a Conference Committee will be appointed. Senate Bill 1336, the Gentleman from Cook, Representative Kulas. Myron Kulas."

Kulas: "Thank you, Mr. Speaker. Can we take this out of the record for a few minutes..."

Speaker Matijevich: "Out of the record for a moment. To the Order of Speaker's Table, Short Debate Calendar appears

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House Resolution 262. The Lady from Cook, Representative Ethel Alexander."

Alexander: "Thank you, Mr. Speaker. May I have leave of this House to return this Bill for the purpose of Amendment, and leave further for it to remain on Short Debate?"

Speaker Matijevich: "The Lady asks leave to return House Resolution 262 back for an Amendment. Does she have leave? Leave is granted. Read the Amendment."

Clerk O'Brien: "Amendment #1 amends House Resolution 262 as follows, on line 28 by deleting the period and inserting in lieu thereof the following, 'And be it further resolved that the expenses of the members of the Committee and the performance of their duties shall be paid from the amount appropriated for the expenses of the Committee'."

Speaker Matijevich: "Representative Alexander moves for the... to adopt Amendment #1 to House Resolution 262. The Gentleman from Will, Representative Davis."

Davis: "I... I apologize to Representative Alexander. I did not hear the explanation of the Amendment. Would you do that again?"

Alexander: "Thank you very kindly. The Amendment is asked to be placed on by Representative Jane Barnes and if she wishes to speak to it, I would let... I would yield to her."

Davis: "I'm sorry. Representative Barnes, what was the Amendment?"

Speaker Matijevich: "The Lady from Cook, Representative Jane Barnes."

Barnes: "Representative, I think that you are aware that Representative Leverenz and myself, I think for four consecutive weeks, heard all the different Commission Bills, and we discovered that the Rape Study Committee, for the last eight years, is the only Committee that did not have the expenses paid of the Committee members. Since the

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appropriation was being increased from 25,000 to 40,000, we felt that the members should be paid for their services. There is one of our members that lives way up in Lake County and has traveled all the way to the south side of Chicago and has not been reimbursed. So, since there is an increase in this appropriation, we felt that we would like it to go to the Committee members."

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

Vinson: "Mr. Speaker, oh, I'm sorry. I'm sorry, Mr. Speaker. I think that Representative Davis has some questions...further questions, and then I would like to be recognized."

Speaker Matijevich: "All right. Representative Davis."

Davis: "Well, yes, as a matter of fact I have. Representative Barnes, I'm intrigued with what you just said. I'm... I'm not necessarily in opposition to the notion of paying Commission members, although, as you know, that is a burning issue right now within what we may or may not do tonight, or what we will do tonight, and tomorrow and next week in the appropriations process and whatever. But Representative Barnes, you said something that intrigued me. The Rape Study Commission members, themselves, have not had any expense money returned in eight years?"

Barnes: "That is absolutely correct, Representative."

Davis: "The guy from Lake County or the gal that comes to these Commission things, has she offered to resign in the last eight years?"

Barnes: "Very dedicated member, just like I am myself."

Davis: "And she's never said a word about the expense money not being paid?"

Barnes: "Well, we are all on this Amendment if that answers your question."

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Davis: "Well, I understand that. Well, okay, to the Amendment.
Thank you, Representative Barnes."

Speaker Matijevich: "Proceed."

Davis: "I think you serve with distinction on that particular
Committee, which has done a great deal of good work, but
I'll speak to that when we get to the Resolution proper."

Speaker Matijevich: "Proceed."

Davis: "Yeah, gee-whiz, here's the issue..."

Speaker Matijevich: "Golly."

Davis: "Golly. Here's the issue of Commissions and of funding
Commissions, and we spend 15,000,000 dollars a year funding
Commissions. And here's a Commission that hasn't been paid
in eight years, and apparently, if they hadn't found it,
they wouldn't be paid in another eight years, that... that
doesn't really care because they like their work. Now, by
George and golly, gee-whiz, all that together, which I'm
getting into terrible speech patterns, but here we are with
an Amendment to pay them. Now, I think they, above all,
should be paid. The rest of the Commissions shouldn't, and
that would save us 15,000,000 dollars. So I... I think
this is a good Amendment, and I'm going to support it,
Representative Barnes."

Speaker Matijevich: "Representative Leverenz, the Gentleman from
Cook."

Leverenz: "Thank you, Mr. Speaker. I stand in support of the
Amendment to the Resolution. It merely conforms this
Commission in the manner to pay the people that serve on
the Commission their expenses while on Commission business.
It is not unreasonable, if the Gentleman wants to beat up
on Commissions, let him take it out on the Bill."

Speaker Matijevich: "The Lady has moved for the adoption of the
Amendment. All in favor say 'aye'. Your light was off. I
thought you changed your mind. One moment. The Gentleman

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from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, what Order is this Resolution on?"

Speaker Matijevich: "It's on the Order of the Speaker's Table, and by the way, the Chair erred when I was following... when she asked leave. In fact, I didn't say Second Reading. I was just following her Motion. She asked leave to return it to Second, and I automatically being up here so often said, leave to return it to, and then I realized that it was a Resolution. So, it can be adopted without being returned to Second."

Vinson: "Is... is it on Second?"

Speaker Matijevich: "It is just on the Calendar. It can be adopted without going to Second Reading."

Vinson: "Can it be... If it's amended, can it be acted on tonight?"

Speaker Matijevich: "Yes, a Resolution can."

Vinson: "Would... Would you inquire of the Parliamentarian to that effect?"

Speaker Matijevich: "All right. My Parliamentarian agrees with me, Sam. Now, you can talk to yours now. Now, we can say all in favor of the Amendment say 'aye', opposed 'nay', and the Amendment is adopted. Now, Representative Alexander, on the Resolution as a... as amended."

Alexander: "Thank you, Mr. Speaker."

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

Piel: "Question, Mr. Speaker."

Speaker Matijevich: "Proceed."

Piel: "Question of you."

Speaker Matijevich: "Proceed."

Piel: "First thing, did you call me cause you saw my hand up in the air or is my light out? I'm trying... The light's been on for five minutes."

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Speaker Matijevich: "Oh, no, it hasn't."

Piel: "Yeah, it has."

Speaker Matijevich: "No, it hasn't."

Piel: "Four and a half. Four."

Speaker Matijevich: "Well, when Representative Vinson had turned his off, I looked specifically at his. His was off, and so was yours."

Piel: "I didn't... I didn't want to move..."

Speaker Matijevich: "But go ahead. Let's not argue about that. What's your point."

Piel: "No, I was going to ask some questions, but it's too late now cause you already moved it."

Speaker Matijevich: "All right. Proceed, Representative Alexander."

Alexander: "Thank you, Mr. Speaker. The Rape Study Committee, as many of you know, has done excellent work here in this General Assembly. In fact, our state has the distinction of being the forerunner with regards to the matters of rape and the legislative work that has been done. We have also been able to, with your help, to have brought forth for the people of this state very excellent legislation with regards to this violent crime. People now are beginning to understand more and more each day that rape is a crime of hatred, and not one of passion. I ask for this General Assembly to pass House Resolution 262."

Speaker Matijevich: "Representative Alexander has moved to adopt House Resolution 262 as amended. All those in favor will... All right. Representative Davis, for what purpose do you rise?"

Davis: "Well, to speak to the Resolution as amended, Sir."

Speaker Matijevich: "All right. Representative Davis."

Davis: "My first inquiry of the... of the Chair. Does this require a Roll Call vote? Do Resolutions that create and

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extend... require a Roll Call vote?"

Speaker Matijevich: "As long as it's expending... expending funds, it does. It requires 60 votes."

Davis: "It requires... So this one actually would require... Well, then to... to the Resolution, Mr. Speaker."

Speaker Matijevich: "Proceed."

Davis: "To the Resolution. I have supported time and again the product of the Rape Study Commission such of which is good. A great number of the items that they bring to us for our consideration is good. Chairman Jaffe is a very respected member of that Committee, and I know that the Commission members work hard. I worry, however, despite the fact I, erroneously, I believe, voted, for House Bill 606, was a product of this Study Commission. And I think in this case they probably 'erred' by not having a more definitive product when they came out of that particular Commission with that... with that Bill and with those recommendations. I suppose we should extend the life of it, and I suppose we should pay the members of this Commission. I'm not so sure that we shouldn't extend it beyond the January 8th, 1985 date and just keep it bound over like we do with all other Commissions, past the next General Assembly because of its prior work product, despite House Bill 606. So, I think, Representative Alexander, in retrospect despite the money that will be contained in Amendment #1 and further expenditure of funds, I'm going to support the Resolution. I don't know about the rest of my colleagues or Representative Vinson, how he feels about this, but I know I'm going to support it."

Speaker Matijevich: "Representative Frederick, you did a good job, Virginia. Representative Piel, the Gentleman from Cook."

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

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Will the Lady yield to a question?"

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

Piel: "Ethel, what is the appropriation for this specific Commission?"

Alexander: "The appropriation this year is understandable. It'll be somewhere in the neighborhood 25... Wait a minute. Let me get my paper, 25,000 dollars.. 45?"

Piel: "I heard 25, 40 and 45. It's got to be one of the three, right?"

Alexander: "Representative Piel, I'm getting 40,000 dollars."

Piel: "40."

Alexander: "40."

Piel: "Okay. All three agree. Now, is that including the appropriation of the money that the Amendment took care of?"

Alexander: "That would include that Amendment also."

Piel: "Okay. I've just got a question. Why did not this Resolution go through the normal Committee, Commission Bill process?"

Alexander: "This Resolution was heard in the Judiciary Committee and come out... came out of that Committee."

Piel: "I'm sorry. I didn't mean the Committee process, but I mean, why was it put in the form of a Resolution instead of on a House Bill like we usually do?"

Alexander: "That's why... The Bill was created in that fashion, and that's why a Commission continues to have been presented to this General Assembly in that fashion."

Piel: "Fine. Thank you very much. To the Bill, Mr. Speaker."

Alexander: "Resolution, rather."

Piel: "To the Resolution, Mr. Speaker."

Speaker Matijevich: "Proceed."

Piel: "Ladies and Gentlemen of the House, I think, you know, a lot of us, on both sides of the aisle, many times take a

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look at a Commission and right away we start wrinkling our nose and saying here's another bad Commission. I think this is an exception to the rule though, Ladies and Gentlemen of the House. Many times we have situations to where innocent victims are raped. They don't want to come out and see a doctor. They don't want to admit this to the police, or at times, they have problems really conveying what exactly happened. This Commission has, since it's been in existence, has heard testimony, has talked to different women, who have been victims of this heinous crime, and I think this is one Commission in the State of Illinois that does something for the victims of crime, and helps them adjusting to the crime that has been portrayed against them. And I would ask for a favorable vote on House Resolution 262."

Speaker Matijevich: "Representative Winchester, the Gentleman from Hardin."

Winchester: "If I read the analysis... Would... Would the Lady yield to a question?"

Speaker Matijevich: "Yes. Proceed."

Winchester: "If I read the analysis correctly, this would extend the life of the Rape Study Commission until January 8, 1985. Can you tell me, has this Commission held any kind of Commission meetings in the southern part of the state?"

Alexander: "I can only relate to those Committee meetings that I have been invited to and have attended. During the fall of last year, we held seminars in key areas of this state, Springfield, north... the northeast, rather the northwest part of the State of Illinois and in Chicago in conjunction with the articles that had recently come out in the news publications concerning this heinous crime. It was there that a lot of information was picked up and learned, in depth information dealing with law enforcement agencies,

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state's attorneys, victims, rape councils, crisis persons, that we were able to formulate what you all have referred to as House Bill 606. I'm sure that this Committee has been in the southern part of the State of Illinois. Perhaps not last year."

Winchester: "Well, to my knowledge, I'm not sure, and you only indicated those locations north of Springfield. And there's still 250 miles to the south of Springfield until you hit Cairo, but kind of sends a message to me that maybe rape in southern Illinois is not really a very serious problem, or can you comment on that?"

Alexander: "Representative Winchester, I've just been informed that the chief... the chief rapist in the State of Illinois was brought up from southern Illinois to testify before this Committee."

Winchester: "Oh, he was brought up. Well, did he get caught in southern Illinois or did he get caught somewhere else."

Alexander: "Southern Illinois, I'm being told."

Winchester: "I... I can't hardly believe that cause... but if you say it's true, then I guess it is. How much... How much does the... What's the appropriation for the Rape Study Commission, or is there an appropriation Bill?"

Alexander: "Forty thousand this year."

Winchester: "Now, when you... The Rape Study, I assume that's... that includes rape of men as well as rape of women."

Alexander: "Of course. Of course. Little boys, little girls, old ladies, old men, anybody."

Winchester: "Okay. Thank you."

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

Marzuki: "Move the previous question."

Speaker Matijevich: "Representative Marzuki moves the previous question. All those in favor say 'aye', opposed 'nay', and

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the main question is put. The Lady from Cook, Representative Alexander to close."

Alexander: "Mr. Chairman, I just ask for an 'aye' vote on this very important piece of legislation. Thank you."

Speaker Matijevich: "Representative Alexander moves that House Resolution 262 as amended be adopted. All those in favor signify by voting 'aye', opposed by voting 'no'. This takes 60 votes. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 91 'ayes', 23 'nays', 1 answering 'present', and the House does adopt House Resolution 2... 262 as amended. House Resolution as amended 284, the Gentleman from Cook, Representative Bowman. Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 284 establishes, on a temporary basis, a Committee of the House which... or actually more like a Commission, because it also has public hearings on it, to review the report from the International Year of the Disabled, which was concluded last year. And so far, the report which was developed by many disabled citizens throughout the state, that report has been gathering dust. And I believe that this House owes it to the disabled citizens of Illinois to review their recommendations for legislation and to take action where we deem it appropriate. So, this Resolution proposes forming a body consisting of Legislative Members, and disabled persons, and other individuals interested in the problems of disabled to decide where... how we wish to proceed with the recommendations of the IYD and to take... make other recommendations that pertain to disabled as the Commission sees fit. It would exist only for the term of the 83rd General Assembly, and I believe it is high time that this House take a close look and a comprehensive look at these

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issues. So, I now move for the adoption of House Resolution 284."

Speaker Matijevich: "Representative Bowman has moved for the adoption of House Resolution 284 as amended. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Pardon me, Mr. Speaker. Will the Gentleman yield for a question?"

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

Vinson: "Representative, are you familiar with the House Human Services Committee?"

Speaker Matijevich: "Representative Bowman."

Bowman: "Yes, Representative Vinson, a fine Committee it is, too."

Vinson: "Why is it that they are unable to investigate this matter?"

Bowman: "Well, there... there are a couple of reasons that this method is superior. First of all, something that I find particularly attractive about this proposal is that we are including disabled individuals and other public members that have interest and expertise in the problems of disabled, as full participating members. Of course, the House Human Services Committee is limited to Legislative Members. One other thing, Representative Vinson, that I think you should find attractive about this proposal is that the Legislative Leadership has equal number of appointments. So, there will be equal numbers of Republicans and Democrats on this Committee, and as you know, the Human Services Committee has more Democrats on it. Now, I happen to like that about the Human Services Committee, but I thought you might find this other aspect more appealing."

Vinson: "Do you suspect that that's to equally apportion the blame for what happens on this thing?"

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Bowman: "I... I think there will be enough glory to be shared equally by all."

Vinson: "Now, Representative, are you familiar with the Mental Health Commission?"

Bowman: "Yes, Representative, a fine Commission it is too."

Vinson: "Why would it be impossible for them to study this problem?"

Bowman: "Well, Representative, the Mental Health and Developmental Disabilities Commission, that is the full name, limits its purview to issues involving, oddly enough, mental health and developmental disabilities. It does not deal directly with the problems of the blind, nor with the full range of problems of the deaf, nor with other kinds of disabilities involved, say, amputatory disabilities due to accidents occurred in adulthood and so forth."

Vinson: "Accidents occurring when?"

Bowman: "In adulthood. For example, if a person has a spinal injury in a... on the football field or something, they would, perhaps, be confined to a wheel chair and would not be ambulatory. Of course, some developmentally disabled persons, who are that way from birth, are also confined to wheelchairs, but it's... there are different kinds of problems faced by the different types of disability groups."

Vinson: "Representative, do you have any familiarity with the House Appropriations II Committee?"

Bowman: "Yes, Representative Vinson, a fine Committee it is, too. In fact, it's even better than the others that you've mentioned."

Vinson: "Why can't it study this problem?"

Bowman: "Well, Representative Vinson, as you know, we deal primarily with money matters. And I know that there are a

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number of Republicans especially who are eager not to spend any money at all, and I would hope that some of the legislative solutions that this Committee might come up with would not involve the expenditure of money."

Vinson: "The... don't you think that it might come up with some ideas that would involve the expenditure of money though?"

Bowman: "Well, conceivably."

Vinson: "Now, am I not correct in believing that there's a Democrat Majority in the House Appropriations II Committee?"

Bowman: "Yes, Representative Vinson, you better believe that."

Speaker Matijevich: "Let's keep it that way too."

Vinson: "And I've had the feeling, through time, that they avidly pursue ways to spend money. Isn't that correct?"

Bowman: "Well, Representative Vinson, actually what we do is to review Governor's Budget Bills and, perhaps, vote them out."

Vinson: "Now, don't you think that they would avidly pursue this particular strategy for spending money?"

Bowman: "Well, Representative Vinson, I assure you that we give the closest..."

Speaker Matijevich: "The Gentleman... the Gentleman from Bond, Representative Slape, for what purpose do you rise?"

Slape: "What Order of Business, is this Civics 101 or what's the Order of Business we're on?"

Speaker Matijevich: "I don't know. It's... looks like it's the Sam and Woods Show. Proceed Representative Woods and..."

Bowman: "Well, I'm just answering the Gentleman's questions; however, I would appreciate if he'd bring his questions to a close."

Speaker Matijevich: "Proceed, Representative Vinson, and try to bring it to a close. We've got some more work to do."

Vinson: "Well, I just urge a negative vote in regard to this

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Resolution."

Bowman: "Well, I think that's really impolite to take the time of the House and then to urge a negative vote like that. I think this is a fine Resolution. We ought to vote it out."

Speaker Matijevich: "Gentleman from St. Clair, Representative... are you ready? Representative Flinn."

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

Speaker Matijevich: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. Representative Woods Bowman to close."

Bowman: "Just to say that this has the support of the Department of Rehab Services as well as all the Members of this House."

Speaker Matijevich: "Representative Woods Bowman moves that the House 'do adopt' Senate... House Resolution 284 as amendment... as amended. All those in favor signify by voting 'aye', opposed voting 'no'. This takes 60 votes. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 64 'ayes', 48 'nays', and the House does adopt House Resolution 284 as amended. On the Order of... change... change the Order of Business to the House Concurrence on page six at the top of the Calendar. House Bill 1402, the Gentleman from Cook, Representative Daniel Pierce. The Gentleman from Lake, Representative Daniel M. Fierce."

Pierce: "Thank you, Mr. Speaker. Yes, good old Lake County."

Speaker Matijevich: "Aren."

Pierce: "The Senate placed an Amendment on the House Bill 1402 that improves the Bill. It was... It's actually eliminating the Amendment that was suggested by Representative McPike, Majority Leader McPike, when 1402 passed. It makes it clear that the tax loss cannot be used

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to offset income that's exempt from federal tax on the Illinois tax. Such income would be interest on municipal bonds. You cannot use a loss in one year to offset income from municipal bonds. It closes a loophole in the Bill that would have resulted in a double tax benefit. The basic Bill, itself, allowed you to do on the state income tax what can be done on the federal, and that is when you have a loss, to show a loss so that loss can be offset against other years. I, therefore, move that the House concur in Senate Amendment #1 to House Bill 1402."

Speaker Matijevich: "Representative Pierce has moved to concur with Senate Amendment #1 to House Bill 1402. The Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

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

Pierce: "Yes, I would..."

Hastert: "Representative Pierce, I have a couple of questions. First of all, I know we've talked about this, but I want to establish some legislative intent here. Is there impact to the state?"

Pierce: "I couldn't hear you. What?"

Hastert: "Is there an impact, fiscal impact?"

Pierce: "I understand it'll be more of a cash flow impact than a fiscal impact. In the end, there won't be significant loss of revenue to the state, but there could be some loss at the beginning. That's my understanding."

Hastert: "So, you say a cash flow impact. You're talking about the... you'll have to correct me now, but the cash flow impact then is that the dollars will always, either the positive or negative dollars will always show up sometime in the tax return, but always not necessarily the year that the return is filed?"

Pierce: "That they now will be able to be... be shown carried..."

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carried back at the first year instead of waiting for future years, but that will even out. That's my understanding."

Hastert: "So then, the intent of this is to carry back but not to carry forward?"

Pierce: "Yes, that's... I understand that's what the Bill accomplishes. No. No, I'm wrong. It will allow to carry forward too."

Hastert: "Well, then that brings up another question. Can you... enter a negative number, Representative Pierce, and then carry that forward?"

Pierce: "Yes."

Hastert: "If you do that... Now, it's kind of noisy in here, and we can't hear very well, I know, but if you put a negative number in and carry it forward, then would that party get a double deduction?"

Pierce: "No, because you only get the deduction in the one year, because if you carried it forward, it would have to be against... against the income."

Hastert: "I understand."

Pierce: "You only get it once."

Hastert: "Well, yeah. That's basically... I don't question that. I wanted to establish that for the legislative intent."

Pierce: "Yes. It's our understanding and the purpose is you could carry it forward but you would only get the deduction once, and then we make it clear by Amendment #1 that you couldn't use it to offset... you couldn't show a loss and use it to offset taxable income in Illinois that wasn't taxable under federal law."

Hastert: "And then... Oh, I'm sorry."

Pierce: "Such as interest on municipal bonds, state municipal bonds."

Hastert: "And then this also applies only to corporations,

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right?"

Pierce: "Yes."

Hastert: "So if you're doing... if you're doing this on negative numbers and applying those and carrying those forward on corporations, does it affect local governments in that the personal property replacement tax is involved?"

Pierce: "Yes, I should think it would."

Hastert: "So then it does have some... also some impact on local government?"

Pierce: "Yes, we're trying to... we're trying to tax peoples' net incomes not their gross incomes, and it would include corporations and trusts. If I said just corporations, it would include trusts also."

Hastert: "What... Corporations and trusts, did you say?"

Pierce: "Yeah, but not individuals."

Hastert: "Eob, when you're talking about personal property replacement tax which, of course, you know is a local income or a local revenue source, does this Bill affect personal property replacement tax?"

Pierce: "Yes, I believe it would."

Hastert: "All right. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Hastert: "I commend Representative Pierce. This is a very technical piece of legislation. I know he's worked hard, and he made a very fine presentation in the Revenue Committee. And these were some of the questions that we never really got to ask. And I did want to establish some legislative intent. But true to form, I think we have to consider what kind of impact does this have, in fact, on local governments. And, of course, we're very protective of our tax base. Now, we know that this really ultimately does not affect the state revenue tax base, only the cost of interest that we would lose or the company would gain in

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carrying forward. But it would affect the tax base for local properties and their... I don't think there's a fiscal note on this or a mandate's waiver, so it would have some affect. But again, I would like to commend Representative Pierce for having a fine piece of legislation that would certainly help corporations and big business out. I would ask you to keep in consideration the possible affect it would have on local governments. Thank you"

Speaker Matijevich: "The Gentleman from Lake, Representative Pierce, has moved to concur with Senate Amendment #1 to House Bill 1402. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 113 'ayes', no 'nays', and the House does concur with Senate Amendment #1 to House Bill 1402. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4 appears Senate Bill 1336. The Gentleman from Cook, Representative Myron Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House refuse to recede from the House Amendments on Senate Bill 1336 and that a Conference Committee be appointed."

Speaker Matijevich: "The Gentleman has moved that the House refuse to recede from House Amendment #4 to Senate Bill 1336 and that a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed say 'no', and the Motion prevails. And the House refuses to recede from House Amendment #4 from Senate Bill 1336, and a Conference Committee will be appointed. On page seven of your Calendar on the Order of Concurrence appears House Bill 2072, the Lady from DuPage, Representative Diana

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Nelson."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 2072 has been substantially amended since we sent it over to the Senate, and I would like to explain to you as briefly as I can what it does. The problem revolves around major bus companies downstate. We are not talking about bus companies in the RTA region, but we are talking about bus companies downstate where certain runs between small communities may be unprofitable. And what the Illinois Commerce Commission wants to do is ensure that bus service is continued to those small downstate communities that may have no other form of transportation. As House Bill 2072 passed the House, it said it amended the Public Utilities Act and the provision was that bus companies wishing to provide transportation service could be issued a certificate by the Illinois Commerce Commission authorizing such service if the Illinois Commerce Commission determined that the applicant is fit, in other words, had the proper insurance and so on, and that such transportation services is consistent with and not required by the public interest. As it passed the House, it required the Commerce Commission to consider the following when determining whether a proposed service is consistent with the public interest. First of all, the value of competition to the traveling public, the effect of issuance of the certificate on bus company service to small communities, and third, whether issuance of the certificate would impair the ability of any other bus company to provide a substantial portion of the service which such carrier provides over its entire system. Basically, it provided that for any route not served regularly by a bus company, a new carrier would only need to establish his fitness. This Bill was called an easy entry Bill, because

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the reason for it was to make it easier for companies to simply walk in and take over a route. Part of the role of the Illinois Commerce Commission, as they see it, is to encourage bus service downstate between small communities, and what they will do is actually recruit carriers who may be truckers or others who have the garages and have the ability to provide this service quickly to a community that could possibly be left without it. Three Amendments were added in the Senate to do three different things. The Amendments, I would first like to point out, are agreed Amendments. They are endorsed by the Motor Vehicle Laws Commission, and they are agreed to by the Illinois Commerce Commission and the bus industry. They follow the lines of a new federal law adopted in late 1972. Amendment #1 allows a zone of rate freedom to raise or lower fares by no more than 25% from the amount on file one year earlier. This zone of rate freedom is for motor carriers of passengers. Senate Amendment #1 prohibits the Illinois Commerce Commission from suspending or revoking any single line or joint rate of a bus company, provided that the company notifies the Commission that it wishes to have the rate considered pursuant to this paragraph, and also that the aggregate increases or decreases in any such rate is not more than 25% below or above the rate in effect one year prior to the effective date of the proposed rate."

Speaker Matijevich: "I hate to interrupt you, Representative Nelson, but the Chair doesn't know, are you moving to concur on these Amendments? You haven't told us yet. All three of them."

Nelson: "Yes. Right."

Speaker Matijevich: "All right, because the Chair didn't know what... All right. Proceed."

Nelson: "Thank you, Mr. Speaker. Amendment #2 specifies a

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minimum of ninety-one days to a maximum of 180 days for permission to discontinue service to a named point. This means that when there is a proposed abandonment, there's a set procedure that busses need... that bus companies need to go through. A time table is set for it for filing a list of proposed abandonments. After the list is published, then there are notices of intent to abandon, and after that, a petition seeking authority to abandon a designated route or routes. The Illinois Commerce Commission would then have ninety days from that time to rule on the petition. The third Amendment that was added in the Senate retains the present law relating to applicants for new authority on any route where an airport is served on such a route. It exempts from the provisions of the Bill a transportation route that ends at an airport, and actually, this would protect the airline service that serves O'Hare Airport. I'd be glad to answer any questions that you have on these Amendments. They are rather extensive, but I agree with all of them, and I would like to move to concur with Amendments... Senate Amendments #1, 2 and 3 to House Bill 2072."

Speaker Matijevich: "Representative Nelson has moved to concur with Senate Amendments 1, 2 and 3 to House Bill 2072. The Gentleman from Cook, Representative Cullerton. Representative Cullerton. He's on his way."

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

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

Cullerton: "Representative Nelson, in reviewing the original Bill, it appears that it was proposed by the Commerce Commission?"

Nelson: "Yes. That's correct."

Cullerton: "And it was the goal of the Commerce Commission

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towards more competition among bus services?"

Nelson: "Well, yes. More competition and also notice of this abandonment, so that the Commerce Commission..."

Cullerton: "With the issue of competition..."

Nelson: "Yes."

Cullerton: "... which is a good capitalist concept and a strong component of the Republican Party, I'm sure, and it was a good Bill. Now, with... I address myself to Amendment #3, Senate Amendment #3. It says that the original Bill, in effect, will not apply to bus routes to and from an airport, doesn't it?"

Nelson: "That is correct."

Cullerton: "Why do you want to accept Senate Amendment #3 if the goal of the Bill is to encourage competition, and you're accepting..."

Nelson: "Well, the reason that I want to accept Senate Amendment #3 is so that the Bill will pass."

Cullerton: "Ah. I see, so the Bill will pass."

Nelson: "It meets the... It meets certain objectives."

Cullerton: "So that's why you're taking so much time to try to bore everybody so they didn't really lock too closely at Senate Amendment #3."

Nelson: "No. I wanted to make it very clear to everyone on the floor precisely what was in the Bill because there were three rather long Amendments added in the Senate."

Cullerton: "Okay. Would you do this? Would you divide the question, move to concur with Senate Amendment #1 and 2, and then give us a Roll Call on #3? Because I particularly think that #3 is... is not a good idea. It would give special protection to Continental Transport Company which runs out to C'Hare. There might be a bus company that goes to Midway. Mr. 'Justice' Getty was telling me that there's been, in the past, where there was competition by companies

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to the airports that service was good. When there was a monopoly, service deteriorated. And I don't think that you want to accept Senate Amendment #3. I don't think you want to accept it, and you've said, you want the Bill to pass. Run this back to the Senate, and it'll be obvious what that Amendment does. Maybe when they first adopted it, they... somebody mumbled it, and maybe they'll recede from it."

Nelson: "Well, what I would like to say to you is that the reason I introduce Bills down here is to solve a problem."

Cullerton: "It's a great Bill."

Nelson: "The problem that this Bill seeks to address is a problem of abandonment of bus routes. There is absolutely no question that any bus route that runs to O'Hare or Midway is in any danger of being abandoned and, therefore, I think it unnecessary to divide the question, Representative."

Cullerton: "You asked for... You said... Mr. Speaker..."

Speaker Matijevich: "Proceed."

Cullerton: "I would ask to divide the question, so that there's a separate Roll Call on the Motion to concur with Senate Amendment #3, and I'm opposed to that Motion."

Speaker Matijevich: "The Gentleman has a right... Any Member has a right for division of the question. And are you asking that we divide a vote on 1 and 2 or on each one... on each..."

Cullerton: "No. As a matter of fact, #2 gets rid of #1, so there's not really any need to even concur with #1, but if she wants to take 1 and 2 together, that's fine."

Speaker Matijevich: "Is that what you want to do, Representative Nelson?"

Nelson: "I would be glad to do that that way. Yes."

Speaker Matijevich: "All right, the Lady moves to concur with Senate Amendments #1 and 2 to House Bill 2072. Any discussion on that? The Gentleman from Adams,

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Representative Mays."

Mays: "Thank you very much..."

Speaker Matijevich: "We are now on 1 and 2."

Mays: "Right. Thank you very much, Mr. Speaker, Ladies and Gentlemen. Diana, will this adoption of Amendment #2 in any way result in loss of inter-city bus service to downstate cities and villages? I know you, with Amendment #3, you've got the exemption for bus routes going to airports and so on. What about... you know, inter-city bus routes to downstate cities and towns?"

Nelson: "Absolutely not, Representative Mays. What Amendment #2 does is give them more time to go through an abandonment procedure so that the Illinois Commerce Commission would, in fact, be able to find a carrier who might want to pick up that route, or they might go out and recruit a carrier, as a matter of fact."

Mays: "So then under the provisions of Amendment #2, you're going to be giving the ICC time to find another company to pick up the slack where this original company has fallen off. Is that correct?"

Nelson: "Where the original company is seeking to abandon a route. Yes, that's correct."

Mays: "Thank you very much. I support it."

Nelson: "Thank you."

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

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

Speaker Matijevich: "She indicates she will."

John Dunn: "In Amendment #1 and #2, which I seem to have misplaced right now, the Amendment #1, I guess it is, which confuses me. It seems to me to say that the Commerce Commission cannot investigate rates that these... that the bus companies will be charging, is that right?"

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Nelson: "I'm sorry. There was a lot of noise in here, and I did not hear you, Representative Dunn."

John Dunn: "It appears to me that Amendment #1 says that the Commerce Commission will be prohibited from investigating the rates charged by bus companies in certain circumstances. Is that correct?"

Nelson: "If the bus... That is true under certain circumstances. It prohibits the ICC from suspending or revoking the single line or the rate of a bus company, and then there are certain provisions. Yes."

John Dunn: "That, of course, seems like it's not the thing to do to me. If there's some justification for it, maybe you can explain what that is."

Nelson: "It is the explanation of staff that it has to do with the new federal law which went into effect in 1980 and, in fact, unless these rate increases are very exorbitant, it would not come into effect."

John Dunn: "Unless what is exorbitant, what would not come into effect?"

Nelson: "The proposed rate increases. This Amendment #1 seeks to bring our Illinois law..."

Speaker Matijevich: "One moment. The Gentleman from DeWitt, Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, there are lobbyists on the House floor who are not entitled to the House floor. I don't care to mention names, but I think they should remove themselves."

Speaker Matijevich: "All unauthorized persons will be... should be removed from the floor. Remove yourself from the floor. I think there are some people here that don't belong here. In addition, if there are any lobbyists, I haven't seen any, but there must be somebody on the floor that is not authorized because there just seems to be too many people

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on the floor. So all those... unauthorized persons that... that... that doesn't include John Cullerton's family. Is George Ryan here? Well, we'll let him on the floor any time. Hello, George. I'll tell you. George says it's quiet here compared to when there were 177 Members. Proceed, Representative Nelson, and let's bring this to a close if we can. Representative Nelson, you were finishing a question."

Nelson: "Thank you, Mr. Speaker. To Representative Dunn's question, the federal law was an attempt at deregulation, and it's a portion of that law, a new rate goes into effect unless... it just automatically goes into effect unless it is blocked. This rate zone that is set up here is created to make our law compatible with that federal legislation but to give our Illinois Commerce Commission some oversight authority."

John Dunn: "Well, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill as amended. Perhaps, I don't understand, but I've tried to listen to the explanation. The analysis which I have before me indicates that under certain circumstances the Illinois Commerce Commission is prohibited from investigating rates charged customers by certain bus companies in certain circumstances, and that runs contrary to the purpose for which the Commerce Commission is in business in this area. Now, the Sponsor has indicated that there are some extenuating circumstances which seem to imply that the Federal Government has said that a different rate will apply unless we do something, but I don't understand what we're doing by this. I would recommend that we not approve this legislation in its present form until we can clarify to the satisfaction of all the Members that the Illinois Commerce Commission will be actively involved in whatever bus rates are set in the

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State of Illinois to protect the passengers, the customers, the consumers who ride those busses. I would urge a 'no' vote at this time."

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

Bullock: "Speaker, I move the previous question."

Speaker Matijevich: "Moving the previous question, rather. Those in favor say 'aye', those opposed say 'nay', and the previous... main question is put. The Lady from Cook, Representative Nelson, to close on the concurrence of Senate Amendments #1 and 2. Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I believe that the more important Amendment is Amendment #2 which slows down the time that a bus company could take to abandon a route downstate. As I understand Senate Amendment #1, Senate Amendment #1 is on the Bill to bring Illinois law into conformity with the new federal law that seeks to deregulate bus companies like this, and I would ask for an 'aye' vote on concurrence with Senate Amendment #1 and Senate Amendment #2 to House Bill 2072."

Speaker Matijevich: "So that the Members are aware, this is a Motion to concur with Senate Amendments #1 and 2 to House Bill 2072, the question has been divided. We will vote on Amendment 3 later. Those in favor will signify by voting 'aye', those opposed by voting 'no' on these two Amendments. This is final action. Have all voted who wish? have all voted who wish? The Clerk will take the record. On this question, there are 114 'ayes', 2 'nays', 1 voting 'present', and the House does concur with Senate Amendments 1 and 2 to House Bill 2072. And now the Lady moves to concur with Senate Amendment #3 to House bill 2072. The Lady from DuPage, Representative Diana Nelson."

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Nelson: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As I explained earlier, Senate Amendment #3 retains present law relating to applicants of bus companies that go to airports, and it is on the Bill because there is no problem with abandonment of bus routes to O'Hare or Midway. And I would ask that we concur with Amendment #3 to House Bill 2072."

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

Cullerton: "Mr. Speaker, I disagree with the last speaker. There indeed could be a problem of abandonment of routes to and from an airport throughout this state. If the Bill passes with the Amendments #1 and 2 in the original Bill, it will give special preference to the existing bus companies that are now going to the airports. It is a very bad Amendment, and people should vote 'no'."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the lady's Motion. It seems to me that the Amendment on the Bill is contradictory to the whole thrust of the legislation that she is proposing. I would like to quote from the Democratic staff analysis on this particular Amendment. It says, 'Airports such as O'Hare and Midway are presently unique situations. They are properties belonging to the City of Chicago and the Department of Aviation. The Department contends that, quote, 'It would be extremely detrimental to the proper and orderly functioning of these airports if buses were given liberal reign to enter and exit at will without regulations'.' In other words, the Department of Aviation in the City of Chicago is somehow saying to us that the market forces are not adequate and sufficient discipline on

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their routes to O'Hare Airport. The other thing that it is saying is that a way to keep the rates up is to keep the competition out. We've also... The public has been treated to a scandal recently involving the... the prospective sale of the franchise, and it seems to me that if ever there is a bus route in the City of... in the entire State of Illinois that needs a little competition, that one's it. And Representative Nelson, you ought to take this Amendment off... to get the Senate to take this Amendment off the Bill."

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

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

Speaker Matijevich: "Representative Hallock has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'nay', and the main question is put. The Lady from DuPage, Representative Nelson, to close on Amendment #3."

Nelson: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #3, I believe, is necessary on this Bill. One of the reasons that I support Amendment #3 is because there is lots of congestion right now trying to get to O'Hare. If we let ever more and more bus companies enter, none of us will ever get down here to Springfield, who fly. So I would ask for your concurrence with Senate Amendment #3 to House Bill 2072."

Speaker Matijevich: "Representative Nelson has moved that the House concur with Senate Amendment #3 to House Bill 2074 (sic - 2072). Those in favor would signify by voting 'aye', opposed by voting 'no'. This would be final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question... Lady from DuPage, Representative Nelson."

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Nelson: "Mr. Speaker, Ladies and Gentlemen of the House, I would now ask that we nonconcur..."

Speaker Matijevich: "Well, wait til I announce the vote, please. On this, there are 28 'ayes', 84 'nays', and the Motion fails. And now, the Lady from DuPage moves that the House nonconcur with House... Senate Amendment #3 to House Bill 2074 (sic - 2072). All those in favor say 'aye', opposed 'nay', and the Motion prevails. And the House nonconcur with Senate Amendment #3 to House Bill 2072. Clerk for an announcement."

Clerk O'Brien: "Supplemental Calendar #5 has been distributed."

Speaker Matijevich: "On the Order of Nonconurrence on Supplemental Calendar #1 appears Senate Bill 1263. The Gentleman from Livingston, Representative Ewing, on... Senate Bill 1263. Representative Ewing. The Gentleman from Livingston, Representative Ewing."

Ewing: "This is on which Supplemental Calendar?"

Speaker Matijevich: "Supplemental #1 page four. Senate Bill 1263. I think you want to refuse to recede, I'm sure."

Ewing: "Mr. Speaker, we want to move to nonconcur."

Speaker Matijevich: "Yeah, I think you want to refuse to recede, right?"

Ewing: "Yes, refuse to recede."

Speaker Matijevich: "The Gentleman moves to refuse to recede from House Amendment #2 to Senate Bill 1263 and asks for a Conference Committee. There being no discussion, all those in favor say 'aye', opposed 'nay', and the Motion prevails. And the House does... refuses to recede from House Amendment #2 to Senate Bill 1263. The Gentleman from Cook, Speaker Michael Madigan, for what purpose do you rise?"

Speaker Madigan: "Mr. Speaker, Ladies and Gentlemen of the House. We have concluded all of the work available to be acted upon this evening. We had said that we would schedule a

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vote on the proposal to raise the income in sales tax for this evening. We are not prepared to proceed with that vote tonight. In light of the fact that we have no other work to perform, I would suggest that we now adjourn, return tomorrow at 9 a.m. for a Perfunctory Session and then 10 a.m. for Regular Session. I would suggest that everyone be prepared to work tomorrow from 10 a.m. until close to or beyond midnight, depending upon whether we are able to complete our work on time. So, Mr. Speaker, I would now move that the House stand adjourned to a Perfunctory Session at 9 a.m. and a full Session at 10 a.m. tomorrow morning."

Speaker Matijevich: "The Gentleman moves that the House stand adjourned until...for Perfunctory at 9:00, Regular Session at 10 a.m. tomorrow. The House does now stand adjourned."

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10:53

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