

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

76th Legislative Day

June 30, 1983

Speaker McPike: "The House will come to order. The House will be in Session. We will stand in recess for Perfunctory Session until the hour of 10 a.m."

Speaker Matijevich: "The House will come to order, and Speaker Madigan again welcomes everybody to this June 30th, 1983 Session. We will be led in prayer today by a member of our House Democratic Staff, a friend of mine, and a friend of many of us, Gary McCants, who is studying for the ministry and will be receiving his deacon orders from the African Methodist Episcopal Church this August. Gary is a guest of Speaker Michael J. Madigan. Will the guests in the gallery please rise and join us for the invocation?"

Gary McCants: "May we bow our heads? Let every person be loyally subject to the governing authorities, for there is no authority except from God. By His permission, His sanction, and those that exist do so by God's appointment. Almighty God, as we come this day, we pray, O God, that You might bless each Legislator here that they may decide on the issues, as You would have them do so. Let them consider, O God, not only their own needs and desires and those of their district, but let them think about those of the other Members. We pray, O God, that You might be with those who support the Legislature - the staffs, the secretaries and all of the others who labor so diligently in this work. We ask, O God, that You might finally give us those things that we need that we might grow stronger and that we might carry Your word. We ask these blessings in the precious name of Jesus. Amen."

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

Ropp - et al: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands,

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one Nation under God, indivisible, with liberty and justice for all."

Speaker Matijevich: "Roll Call for Attendance. Is Vitek here? I think he is. Are there any excused absences? Representative Greiman, do you have any excused absences? Looks like everybody is here ready for a long day. The Clerk will take the record with the Cucrum Call. There being a quorum of 118 Members ready for business. Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar 1 is being distributed."

Speaker Matijevich: "Representative Giorgi here yet? Agreed Resolutions. The Clerk will read the Resolutions."

Clerk O'Brien: "House Resolution 444, Nash - et al; 446, Bowman - Levin - Currie; 447, Madigan; 448, Currie; 449, Levin; 450, Matijevich - Dwight Friedrich; 451, Currie."

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

Giorgi: "Mr. Speaker, Nash's 444, recognizes the Educational Progressive Association; 446, by Bowman, commemorates a 50th Golden Anniversary; 447, by Madigan, notes a 35th Anniversary; 448, by Currie, recognizes the Scholastic Press Association; 449, by Levin, commends a housing authority; 450, by Matijevich, approves...creates the committee that approves the Journal after we adjourn; and Currie's, sings the praises of the Principal of the Year, 451. I move for the adoption of the Agreed Resolutions."

Speaker Matijevich: "Representative Giorgi moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted. On the Order of Con...General Resolutions."

Clerk O'Brien: "House Joint Resolution 68, Breslin. Senate Joint Resolution #9, Mautino."

Speaker Matijevich: "Committee on Assignments. Death

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Resolution."

Clerk O'Brien: "House Resolution 445, Nash, with respect to the memory of William A. Jaskula."

Speaker Matijevich: "Representative Giorgi moves for the adoption of the Agreed (sic - Death) Resolution. All in favor say 'aye', opposed 'nay', and the Death Resolution is adopted. Alright. On the Order of Concurrence, on page two of the Calendar, appears House Bill 695. The Gentleman from Macon, John Dunn. Out of the record. House Resolution 721. I'm not...House Bill 721. Is anybody going to handle that for the Minority Leader?"

Speaker Yourell: "Yourell in the Chair. On the Order of Concurrence, House Bill 721. Read the Bill, Mr. Clerk. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is Cosponsored by the Minority Leader and myself, and we move to concur with Senate Amendment #1 to House Bill 721. As I said yesterday, neither he nor I are completely satisfied with the Senate Amendment, but we feel it is the best. This is the Bill that goes after fraudulent police advertising magazines where they have to register with the Attorney General's Office. There is an Amendment we would have rather lived without, but we think, rather than go to Conference, that we can live with the Amendment. And I would move to concur with Senate Amendment #1 to House Bill 721."

Speaker Yourell: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 721. Is there discussion? There being no discussion...is, the question is, 'Shall Senate Amendment #1 be concurred in?' All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Stuffle 'aye'. Take the record, Mr. Clerk. On

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this... Bopp 'aye'. On this question, there are 110 voting 'aye', none voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Matijevich: "House Bill 740. The Gentleman from St. Clair, Monroe Flinn. Monroe Flinn."

Flinn: "Take the Bill out of the record."

Speaker Matijevich: "Cut of the record. Anything else? The Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, would the...The Executive Committee will have a brief meeting in the office right next to the Speaker's Office. I would make a Motion that we have for consideration of a Subcommittee."

Speaker Matijevich: "Have you discussed that with the Minority? I see Doris Karpziel here. Alright. The Gentleman from Cook, the Chairman of Executive Committee, would like leave of the House that the Executive Committee meet for a very short meeting in the conference room right next to the Speaker's Office. Does he have leave? Leave is granted, and the Executive Committee will meet at the Speaker's conference room right by the corridor back here. The Gentleman from Cook, Representative Steczo, for what purpose do rise?"

Steczko: "Mr. Speaker, for an announcement. Senator Marovitz has asked me to indicate to the House Members that the annual General Assembly Night at Sox Park against the Detroit Tigers will take place on August 4th. And if anybody wishes to go, they should contact his secretary. There will be food, refreshments and the ball game."

Speaker Matijevich: "The House will come to order. The House will come to order. On Supplemental House Calendar #1 appears Senate Bill 25. Is Representative Farley ready? No, Representative Farley's got to handle that. Senate

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Bill...Unless somebody is moving to refuse to recede. Do you want to do that? Refuse to recede? Alright. Representative Levin on Senate Bill 25."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House..."

Speaker Matijeich: "Hold on, hold on. We better wait until Farley is here, because we want to make sure that Motion is the one he wants to proceed with, too. I thought it was agreed to, but it evidently may not be. So we'll...We better wait until Representative Farley is here. Senate Bill 357. The Gentleman from Cook, Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, I'm going to refuse to recede from Senate...from Amendments #1, 2 and 3 and ask for a Conference Committee."

Speaker Matijeich: "The Gentleman from Cook, Representative Jaffe, has moved that the House refuse to recede from House Amendments 1, 2, 3 to Senate Bill 357 and that a Conference Committee be appointed. There being no question, all in favor say 'aye', all opposed say 'nay', and the Motion prevails. And the House refuses to recede from House Amendments 1, 2 and 3 to Senate Bill 357, and a Conference Committee will be appointed. House Bill 457, Nash. Is Representative Nash in the chamber? Out of the record. Senate Bill 1135, Suzanne Deuchler. Representative Deuchler, ready? Representative Hoffman, do you want to proceed with that? Alright. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Mr. Speaker, I would like to proceed with Senate Bill 496."

Speaker Matijeich: "Oh, 496. Alright. The Gentleman from DuPage, Representative Hoffman, on Senate Bill 496."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen. With the agreement of the Sponsor of House Amendment #3 to Senate Bill 496, I would move that the House recede from Amendment

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#...House Amendment #3 to Senate Bill 496."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman, has moved that the House recede from Senate...House Amendment #3 to Senate Bill 496. On that, the Gentleman from Cook, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. Will the Gentleman making the Motion give us a capsule description of what we're receding from and how the Bill is left once we recede, what it does?"

Speaker Matijevich: "Representative Hoffman."

Hoffman: "One moment, please. Let me get a copy of the Bill. Yes, I'll respond to the question of the Gentleman, yes. This is the Bill put in by the Department of Children and Family Services, in terms of collection of nonpayment of support. And what House Amendment #3 did was to remove the Attorney General from the court enforcement Section. And the Gentleman has agreed to recede from this Amendment so that the Attorney General will remain in the court enforcement Section, which is in agreement with the wishes of the Senate Sponsor and the House Sponsor of this Bill."

Birkinbine: "Thank you very much."

Speaker Matijevich: "The Gentleman from Macon, Representative Dunn. John Dunn. There being no further discussion, Representative Hoffman has moved that the House recede from House Amendment #3 to Senate Bill 496. 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 108 'ayes', no 'nays', and the House does recede from House Amendment #3 to Senate Bill 496. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1135. Deuchler is off the floor for the moment. Senate Bill 1176, Winchester. Is

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Representative Winchester here? Out of the rec...Alright, Hallock. Senate Bill 1315, Brunner. Is Representative Brunner in the chamber? Senate Bill 1315. The Gentle...Hold it. Out of the record. The...Senate Bill 457. Nash is here. The Gentleman from Cook, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I refuse...I move to refuse to recede from Amendment #...Amendment #3 to Senate Bill (sic - 457) 557 and ask that a Conference Committee be set up."

Speaker Matijevich: "The Gentleman from Cook moves to refuse to recede from House Amendment #3 to Senate Bill 457, request a Conference Committee. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I don't see any particular problem with this, but I do think it would be good practice for the Sponsors of Motions to briefly describe the underlying Bill and the Amendment that they're refusing to recede on."

Speaker Matijevich: "Representative Nash, would you briefly describe the Bill and what you're receding...refusing to recede from, the reasons that you feel you need a Conference?"

Nash: "I'll yield to Representative Bea. It's his Amendment."

Speaker Matijevich: "Representative Jim Bea."

Bea: "Thank you, Mr. Speaker. Actually, Senate Bill 457, it deals with the Department of Public Aid, in terms of reporting system and also rate setting. There are a number of areas there which deals with the care and the reimbursement system."

Speaker Matijevich: "There being no further discussion, all in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the House does refuse to recede from House Amendment #3 to Senate Bill 457, and a Conference Committee will be

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appointed. Representative Pierce, do you want to come to the podium? In this momentary lull, the Gentleman from Lake, Representative Pierce, is going to make a presentation."

Pierce: "Thank you, Mr. Speaker. Our colleague, Art Turner, will you come forward? Representative Art Turner. I saw him back there a minute ago. Art Turner back there? Our colleague, Art Turner, not only returned to the Legislature this spring, but in returning, he deprived much...many of us who are much more deserving of playing in the finals of the B division of the Southern Illinois Industrial Association Legislative Tennis Tourney, which is a tournament which is now in any event. We to Speak...thank Speaker Madigan for not meeting that night and for letting us play. Art Turner was a finalist in the B division, and Art...As I give you this, I think that if you hadn't come back here by appointment, this might have been my trophy today. And Senator Watson and myself, who are Cosponsors of the tournament along with our good friend Bob Walters, former Member of the House, who makes sure we have this tournament every year, on behalf of the Legislative Tennis Tournament Tenth Annual, I present to you the plaque as the B division finalist in the 1983 Legislative Doubles Tennis Tournament. Who says they are not coordinated?"

Turner: "I just want to thank everybody. All I can say is I'm trying to do my best here in the House. The appointment, of course, was a great thing. I'm going to be flexible on this tax situation so that we can try to get it passed."

Speaker Matijeovich: "Congratulations, Art. If anybody runs across a reading magnifying glass, Representative Rice uses it to read, and he lost it. So, Representative Rice up here...If anybody finds a reading magnifying glass, give it to Representative Rice."



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Greiman: "Announcement by the Clerk."

Clerk O'Brien: "Attention all Members of the House of Representatives, when there are appointments to Conference Committees or Conference Committees scheduled, you will be notified in writing at your desk on the House floor. For appointments or meetings, check your desk on the House floor. For the public meetings schedules will be posted on the bulletin board outside the House of Representatives in the rotunda and also in the Speaker's Gallery at the west end of the corridor."

Greiman: "Announcement by the Clerk."

Clerk O'Brien: "Attention all Members of the House of Representatives, you will be notified of Conference Committee appointments and Conference Committee schedule meetings at your House desk on the House floor. You will be notified in writing. Public notices of Committee meetings will be posted on the official bulletin board outside of the House chambers at the rotunda and also in the Speaker's Gallery in the west end of the corridor. Thank you."

Speaker Matijevich: "Representative Larry DiFrima has said that he has model speeches for the 4th of July celebrations, his...his contribution to his country every year at this time. Thank you, Larry. The Gentleman from Cook, Representative Jesse White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. I'd like to have leave for the Human Services Committee to meet to hear House Resolution 435. I have cleared it with other side of the aisle, and I'd like permission of the House."

Speaker Matijevich: "The Gentleman from Cook has asked leave that the Human Services Committee meet to hear House Resolution 435. Does he have leave? Leave is granted."

White: "Thank you, Mr. Speaker."

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Speaker Matijeovich: "Alright. Thank you, Jesse. Representative Flinn, for what purpose do you rise?"

Flinn: "Well, Mr. Speaker, if you'll just do something, I'll promise you I won't move the previous question."

Speaker Matijeovich: "Alright. Very good. We may need you."

Flinn: "Okay."

Speaker Matijeovich: "Calendar announcement."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Matijeovich: "The House will come to order. On Supplemental Calendar #2 appears Senate Bill 310. The Gentleman from Cook, Representative Terzich. On the Order of Nonconcurrency, Senate Bill 310."

Terzich: "Yes, Mr. Speaker, I make a Motion that we refuse to recede from House Amendment #1 and that a Conference Committee be called."

Speaker Matijeovich: "The Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 310 and requests a Conference Committee. On that, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Could we inquire what the Amendment is?"

Terzich: "Yes, the Amendment was the regional school superintendents pay adjustment, which was nonconcurrent in with the Senate."

Friedrich: "I remember, that is the Bill as I recall now. The Amendment is the Bill."

Terzich: "Correct."

Friedrich: "Thank you."

Speaker Matijeovich: "The Gentleman moves to...that the House refuse to recede from House Amendment #1 to Senate Bill 310. There being no further discussion, all in favor say 'aye', opposed 'nay'. The Motion prevails, and the House refuses to recede from House Amendment #1 to Senate Bill 310. Senate Bill 726, Representative Terzich, Gentleman

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from Cook."

Terzich: "Yes, Mr. Speaker, on Senate Bill 726, I make a Motion that we refuse to recede from Amendment #1 and a Conference Committee be called."

Speaker Matijevich: "Amendment 2. The Gentleman moves that the House refuse to recede from Amendment #2 to Senate Bill 726 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 refuses to recede from House Amendment #2 to Senate Bill 726. House will be at ease. Committee Reports."

Clerk O'Brien: "Representative White, Chairman from the Committee on Human Services, to which the following Resolutions were referred, action taken June 30, 1983, reported the same back with the following recommendation: 'be adopted' House Resolutions 435 and 438. Representative Terzich, Chairman from the Committee on Executive, made the following report this June 30, 1983 and created an Off - Track Betting Subcommittee."

Speaker Matijevich: "On House Supplemental Calendar #1 on the Order of Nonconcurrency appears Senate Bill 25. The Gentleman from Cook, Representative Bruce Farley. Bruce Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to nonconcur with Senate Amendment #1 to Senate Bill 25 and would ask for a Conference Committee."

Speaker Matijevich: "The Gentleman moves to refuse to recede from House Amendment #1 to Senate Bill 25 and requests a Conference Committee. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does refuse to recede from House Amendment #1 to Senate Bill 25. The House will be in order. On Supplemental Calendar #1 on the

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Order of Nonconcurrency, Senate Bill 1315. The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, I move to refuse to recede in...from House Amendment #1 to 1315 and ask that a Conference Committee be appointed. The Amendment dealt with the 'Joppa Plant'. And there are some problems with the Amendment, and I'm not sure exactly the reason for the Senate's refusal to concur on that, but we hope we can resolve that in Conference."

Speaker Matijevich: "Representative Brummer moves to refuse to recede from House Amendment #1 to Senate Bill 1315. There being no discussion, all in favor say 'aye', opposed 'nay', and the House refuses to recede in House Amendment #1 to Senate Bill 1315. The Gentleman Will, Representative LeRoy Van Dwyne."

Van Dwyne: "Mr. Speaker, I refuse to recede from your order not hear House Resolution 391."

Speaker Matijevich: "And you're still out of order."

Van Dwyne: "Immediately."

Speaker Matijevich: "Alright. Representative Stuffle is... Someone wants Representative Stuffle in room 114. Representative Beilly. Could Reilly come to the podium for a minute? Would Representative Tate come to the podium? Representative Tate for a moment. The House will come to order. On page four of the Calendar, under the Order of Motions, appears House Resolution 413. The Lady from Cook, Carol Braun."

Braun: "Thank you, Mr. Speaker. I move to reconsider the vote by which House Resolution 417 was passed."

Speaker Matijevich: "Is there any disc...413."

Braun: "413. 413."

Speaker Matijevich: "Is there any discussion? The Lady has moved to reconsider the vote by which House Resolution 413 was adopted. This takes 60 votes. You've heard the Motion."

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All those in favor will vote 'aye', those opposed by vote 'no'...vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record, and the Motion prevails. And the Motion... We had reconsidered the Motion by which 413 was adopted. Oh, I'm sorry, there are 95 'ayes', no 'nays', and 1 answered 'present', and the House has reconsidered the vote by which House Resolution 413 was adopted. Alright. There...I understand there is an Amendment to the Resolution. The Clerk will read the Amendment."

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

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

Terzich: "Yes, Mr. Speaker, in the spirit of unity and many other things, I would move that we adopt Amendment #1 to House Resolution 413."

Speaker Matijevich: "Has everybody read that? I guess they have. So, Representative Terzich moves to adopt Amendment #1 to House Resolution 413. All in favor say 'aye', opposed 'nay', and the Amendment is adopted. And now Representative Terzich moves that we...the House adopt House Resolution 413 as amended. Do you want to speak to that, Representative Terzich?"

Terzich: "Yes, Mr. Speaker, Amendment...with the addition of Amendment 1 of House Resolution 413, it does provide that the Illinois Investigating Commission look into the Chicago Housing Authority to see that they come in compliance with the law that has been set out as per the court order to see that everything is done in a proper fashion in the scattered house siting. And I would move for its adoption."

Speaker Matijevich: "The Lady from Cook, Representative Carol Braun."

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Braun: "Thank you, Mr. Speaker. I rise in support of this Motion. I just want to thank Representative Terzich and everyone concerned. This is a prime example of how well we can function in this legislative body, when we talk to each other, and actually communicate about issues and can reach some level of agreement. I think we are in agreement that the language in this Amendment...in the Resolution as amended is appropriate, and we are in support of it."

Speaker Matijevich: "Representative Terzich has moved to adopt House Resolution 413 as amended. Those in favor signify by voting 'aye', those opposed by voting 'no'. This Resolution takes 60 votes. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 107 'ayes', no 'nays', 3 answering 'present', and House Resolution 413 as amended is adopted. Representative Johnson, 'aye'. Representative Matijevich, 'aye'. Leave on that last Roll Call. Announcement. This is an announcement I'm sure all of the Members would enjoy hearing. Lieutenant Governor George Ryan, our former Speaker, is hosting all House and Senate Members for a little dinner at his office and also all staffs of House and Senate at his office at 7 p.m., chicken dinner. The same thing when George was Speaker. He's still cooking chicken. So, let's all give George a hand for that. The House will be in order. On Supplemental House Calendar #1, Senate Bill 1176. The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I move that the House would refuse to recede in Senate Amendment #...House Amendment #1 to Senate Bill 1176 and a Conference Committee would be appointed."

Speaker Matijevich: "The Gentleman moves to...that the House refuse to recede from House Amendment #1 to Senate Bill

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1176 and that a Conference Committee be appointed. There being no discussion, all in favor say 'aye', opposed 'nay', and the House does refuse to recede in House Amendment #1 to Senate Bill 1176. And a Conference Committee will be appointed."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. The House shall come to order. The Members shall be in their chairs. On page three of the Regular Calendar, on the Order of Conference Committee Reports, there appears House Bill 1470, Mr. Daniels. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, the most feared and yet the most necessary power of government is the power to tax. It is, therefore, axiomatic that without the ability to raise revenue, a government cannot long exist. The power to tax is a power the people invest in their elected Representatives, in order that the functions of government and the legitimate needs of society can be met. A government taxes to spend, and what is of central concern to our citizens are the reasons that government spends. We spend tax dollars, taxpayers' dollars, not our own dollars, it is true, but taxpayers' dollars, our neighbors', and our friends', and our loved ones' for many varied, vital and human needs. Government spends wisely; and, unfortunately at times, government spends foolishly. It is our responsibility, therefore, to always seek the wisest expenditures and to assiduously avoid the foolish expenditures of dollars. When we spend taxpayers' dollars to educate our young, to shelter and confront the aged, and to comfort the aged, to protect children from physical and mind-shattering abuse and to help those without the physical or mental ability to help themselves, we then spend the taxpayers' dollars wisely.

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When we spend taxpayers' dollars to create waterfalls, carved oak newsstands in our public buildings, lavish foreign travel for bureaucrats or studies of graffiti at our institutions of higher education, we are not spending our taxpayers' dollars wisely. Ladies and Gentlemen, we have an obligation, therefore, to spend these monies wisely, these monies that are entrusted to us by our constituents that elect us to these hallowed halls to represent them and to allocate to programs which serve those people who cannot serve themselves or who cannot care for themselves under circumstances beyond their control and, yes, beyond our control. That is our elected responsibility and duty to the people of Illinois. The responsibility we face here today is, therefore, to provide funds for our society's obligations, but we must also be sure that we are not taking more in taxes, more in the hard-earned dollars from the people of Illinois than we need. And we must be certain that we spend their money wisely. It was these issues which I then asked the House Republican Policy Committee to address in early April of this year. I asked the Chairman of that Committee, Representative Beilly, to appoint a Committee to study the governmental operations of Illinois for the Fiscal Year 1984, starting tomorrow. Mr. Beilly appointed Mr. Ewing from Pontiac as the Chairman of the Subcommittee on Governmental Operations, and I charged them with studying the expenditures of our taxpayers' dollars wisely. What are the state's real current and future obligations was a question that I asked them to resolve. Do we have revenue to fund education, higher education, elementary and secondary education and the necessary programs? Do we have the necessary tax dollars today, without any kind of an increase or asking our citizens to send more money to



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Springfield, to fund the necessary programs of mental health, to furnish the day-care facilities, and operations and programs for the people of Illinois so that they could care for their own families and, yes, to aid the indigent and those people that could not provide for themselves and to assist the aged in dire times when they need our help? If revenues are needed, then what kind of tax or taxes are the most equitable taxes to assess the people of Illinois? Which ones will best protect the economic health of our state and meet that very, very careful balance between the economic recovery that all of our economists are telling us today has begun to set in place so that we can recover from the deepest recession that many of us in this room today have experienced as the worst economic setback of their lifetimes? And it was this charge that I asked Representative Reilly and Representative Ewing to address through the Policy Committee. I am very proud of the job that the Policy Committee did in furnishing a service to the people of Illinois. They faced their responsibility and developed a plan, a plan which addressed the needed governmental operations for Illinois in the Fiscal Year 1984. And earlier this month, this program was released for your study and for the study of the people of Illinois. That program established the need for new revenues, addressed the issues for the people of Illinois and responded to the needs of the people of Illinois. And yes, it's true that within this program the Policy Committee recommended, for your adoption, an increase in taxes, which they found to be difficult to do, but found to be necessary when they addressed the responsibility that their constituents placed in them. And, although, uncomfortable as it was for two conservative legislators to address, they met on your behalf and on my behalf that responsibility.

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It became apparent that there was some question, therefore, that arose during the legislative debate and discussion. Finally, I asked the Policy Committee to meet again to alter, to look at, to review the questions that had come up during the debate on the issue of taxes and to take the information that you gave to them and gave to us, as you reviewed their work product contained in the sixty page Report that they released to you earlier this month. And earlier this week, they released a program, a program that they felt, to which I agree and endorse, addressed finally the need for those additional revenues - the people of Illinois. Ladies and Gentlemen, House Bill 1470 contains the results of the work of that Committee and contains the results of the work of the Summit Conference called by the Governor of this State in order to finally address the questions of serving the needs of the people of this fine state. The Summit meeting, which was convened by the Governor, comprised the Speaker of the House, Mr. Madigan, President Rock of the Senate, Senate Minority Leader, James 'Pate' Philip, and myself extending many, many hours and many days to try to work on your behalf as we discussed the solution of those problems as you saw them, as I saw them and as your constituents saw them. On your desks is a Report that is 102 pages in length that contains those recommendations for you to adopt, recommendations that I have endorsed, that many people in this House have endorsed and that the Speaker has endorsed in recommending to you for the adoption the new plan to meet the needs of the people of this state for the oncoming Fiscal Year 1984 which begins tomorrow. Without this plan and without the items that are addressed here, we will not be able to pay the debts that this state has incurred as it meets the... meet the needs of the citizens over the past several years. And

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although, I, for one, do not like the idea of a tax increase, and I know, as I walked the floor and talked to each and everyone of you and asked for your input, that you, too, are concerned about the necessity to raise taxes. And, yes, I've heard the same comments. I know what people are saying to us. I know what this means back home, and I realize that tomorrow we all return home to talk to our constituents. And what they have said to us is that they work hard for their dollars, that they need their money, that they have to furnish for their own families. So, they've asked you, as you look at these revenues, to be careful when you dip into their pocket to help finance the services of this government. But when I reviewed this project and looked at the results of the Report and recognized the fact that we had 520 million dollars in debts that had to be paid or somehow deferred into another year, that that alone was a fact that required us to act on the question of taxes, and that when we realized that in order to bring the level of spending of this state to the same level that it was this time last year... Remember that, some of you, when we voted on Bills last year at this time, when we funded the services of this state? We didn't know what was going to happen in the fall. We didn't bring that upon ourselves. We didn't understand that this government and the government of this country would take, perhaps, one of the worst dips in its expected revenues that we've seen in our history and our lifetime. We didn't know that October... not only in October of this last year that this government would experience a reduction in revenues that nobody anticipated. But it happened, and it was there. And we had to address that very important item. And we found ourselves... Remember what we had to do earlier this year? Remember the tough votes that we had to

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cast to reduce the expenditures of this government? Remember when we had to ask the people of Illinois to sacrifice with us when we reduced some of our spending allocations? And it wasn't easy. But to bring our level of spending equivalent to the level that last year we experienced here, we needed additional revenues. We've addressed that. And although I, personally, don't like the idea of a single increase in spending or a single increase in taxes, I am asking you today to join with me in recognizing the need to pay our obligations of this state, that obligations that today are a total of 520 million dollars, to join with me in asking the people of Illinois to understand that we must furnish additional sums of money for elementary and secondary education for our children, for the neighbors' children and, for some of our cases, our children's children so that they can enjoy the educational facilities of this state, so that our great learning institutions, our colleges and universities can receive the necessary funds, so that the mental health facilities of this state can continue on. And I'm asking you to cast that difficult vote, recognizing how hard it is for each and every one of you to cast a vote of that nature. I'm asking, therefore, that you increase, on a temporary basis, the income tax of this state on individuals by .5% for a total of an eighteen-month period, retroactive to January 1 of this year to terminate on June 30th, 1984, eighteen months from its effective date, to ask the people to understand that it is only through this measure that we can meet our debts and obligations, but, at the same time, to stand up with me and say to the people of this state that we understand how they feel about spending and taxes. Therefore, we're going to drop this off, this temporary income tax increase, before an election so that if

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necessary, if unfortunately and if unfortunate as it may be that we have to ask again for an increase, it's done before an election year. It's done before we have to stand up for election so the people of Illinois can judge for themselves the services that we have provided for them and the importance of the role that we take in this government. I've also asked that we have a temporary income tax increase for the same period of time of .8% on our corporations through Illinois, and I have asked them to join with us in making the necessary sacrifices for this period of time. In order to meet the balance of revenues of this state and to keep them below the billion dollar figure for 1984, a figure that was determined by our Policy Committee that was absolutely necessary to have in funds a total generation of new revenues of 963 million dollars for this fiscal year, I have also asked for a one cent increase in the sales tax with two cents remaining on the food and drugs to terminate on January 1, 1984. That sales tax increase would become permanent. And, yes, I've heard the arguments, and I understand all of our feelings about raising a sales tax. I don't like it, and you don't like it. And I'm suggesting to you that we've implemented on January 1, 1984... we've tried our best to address the needs of the poor, of the medically indigent, of those people that basically buy food and have to purchase drugs on occasion; and, consequently, because of that, we have dropped off totally any state sales tax on food and drugs altogether commencing January 1, 1984. So, therefore, we have delicately balanced this tax program so that the income tax takes effect beginning tomorrow, retroactive to January 1, but terminating a year from today, and the sales tax then would kick in in January of 1984 for the balance of the six months of Fiscal 1984. Total amount of new

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revenues generated 963 million dollars. Let me say before I open this up, Mr. Speaker, for debate that I want to thank you, Sir, for your participation in the Summit meetings, for your endorsement of this plan, for your willingness to work with me and all other Members of the House in joining in the Conference Committee Report that we have before us, a Report that, yes, I take pride in the fact that was originally addressed by Mr. Reilly, and Mr. Ewing and myself, but a Report today that you will notice, on the back page, has been signed by all Conferees, by the President of the Senate, by the Speaker of the House and by the Minority Leader of the House as a recommendation to you for the spending level in governmental operations for this state in 1984. Once again, Mr. Speaker, as we have started this Session in January, I want to commend you for your willingness to work with us to resolve these difficult times. I recommend to you, for your support, the plan contained in House Bill 1470. Thank you."

Speaker Madigan: "Ladies and Gentlemen, it is the intent of the Chair to take an Oral Verified Roll Call, and every Member will be afforded an opportunity to explain their vote, if they so desire. On the question, the Chair recognizes Mr. Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Am I being recognized to speak to the question that the Chair just put or to explain the reasons for the vote that I'm about to cast on this Bill?"

Speaker Madigan: "The Chair recognized you, Mr. Yourell, to address the Conference Committee Report."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am at a difficult stage in my political career and as a Representative of this Body for the past eighteen years to cast a vote for what I think, perhaps, is a

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necessary vote for the passage of this kind of legislation; but, at the same time, I feel a certain responsibility to the people in my district that sent me here to represent them during that long span of years. There's many things wrong with this legislation that I think should be brought to the attention of the Body. Number one, I don't believe that a unit of government, whether that unit of government be of a local nature, a school district, a state, a region of states or the Federal Government, has ever, on any occasion in the history of this country, said to the taxpayers that they represent that after you have paid and made your responsible contribution to government through the taxation process, that now we're going to go back. We're going to go back on you for six months and ask you to increase that contribution that you made six months previously. I can't recall, in the history of this state or in the history of any other unit of government, that that has taken place, where the taxpayer is asked to contribute again for taxes that he's already paid. He thought when he paid that taxes that he met his commitment to his government, but now, with this Conference Committee Report, we find that that's not the case at all. We're asked again to appropriate more funds for the educational system in this state that I think is totally inadequate, mediocre in nature, highlighted by the National Commission on Excellence in Education. One of the Representatives that sits in this House received, from one of the very fine high schools in the City of Chicago, over two hundred letters from juniors and seniors that could not spell Springfield, Illinois, principal, or the Representative's name. In a study made recently in the State of Florida, in... University, with members from all over the state, more than half could not find the City of Chicago on a map.

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Forty-two percent didn't know where the Pacific Ocean was. In other tests made throughout this country and the state, determined that 8.7% of the seventeen year olds are functional illiterates, and now we're asked to fund public education in this state at a figure greater than ever to sustain a system that I think everybody recognized as being mediocre. What we should be doing is restructuring the system of education in Illinois so that we can improve the quality of education. We should pay our teachers more. We should mandate programs that will dictate that when an individual receives a diploma from high school, he can at least read. Some of the junior colleges in this state are now teaching courses in remedial reading. College students that graduate cannot, in some sense, fill out an application for employment. High school students that graduate that want to get a job at Wendy's or McDonald's for \$3.40 an hour cannot fill out a simple application for employment. That tells me there's something definitely wrong with the system and, to continually pour more money into a system that has proven that it's unworkable, simply does not make sense. You're not going to continue to tell the taxpayers of this state that after funding education for eight years and for four years and for a total of twelve, that now those students who reach that college level are not able to read. That's a terrible thing to say, as I stand on the floor of this House, that education in Illinois has reached that kind of level. We introduced legislation in this House that would mandate that certain number of years be taught for math, for English, for social sciences, for a foreign language, social studies, and we've been told by the State Board of Education that that's not the answer to our problem. That's too simplistic. Well, Ladies and Gentlemen, I think, perhaps, we ought to go back



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to being a little more simplistic and teach our students how to read, and how to write and how to think, instead of... excuse me, just voting for more funding for a system that don't work. I'm sorry I have to vote against this Bill, but it does not address the problems that this state faces."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Conference Committee Report. It was my pleasure... my pleasure to work with the Committee on Governmental Operations and to chair that Committee. We would meet early in the morning in the Capitol, before the other Committees. And we invited all the Members of our side of the aisle to take part in those meetings, because we wanted their input. And we would have eighteen to twenty-five Members present each morning at seven o'clock when we met, and I think they deserve the thanks of this Body for their efforts on behalf of this Body in arriving at a solution to some of the very serious financial problems and spending problems we have in this state. We found out some things. We substantiated some facts that most of you in this House would know. Number one, that revenue growth had come to a halt during the recent recession, that there was a need to pay off past obligations of this state in over half a billion dollars, that the Governor's doomsday budget was unacceptable in that it cut human services more than we could afford and that there was growth coming in the future with the economic recovery. We also heard from home, and I think that's more important, that we were listening to what our constituents were saying back home. And they were saying to us, 'We will accept a small tax increase to get our state over the hump, to pay the bills that have been

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incurred and the obligations. Yes, we will accept a temporary tax increase, and we would like to have some additional money for education, for mental health, for corrections, yes, for public aid, that there is a need for some additional money in this state, but that we do not need large sums of new money to be spent on government programs.' And they said to us that, 'We don't want government to grow like topsy in Illinois, because we have to continue to fund that government once it's in place.' They also said that there is fat in government, and all of us down here know that is the truth. We debate our Commission Bills and other travel expenses, and we know that there is excess expenditures in government. And our constituents said, 'We want that cut cut wherever you can.' We arrived then at a plan that provided for temporary taxes to meet the immediate needs, to pay the past bills and, yes, to fund education and other necessary services at a level that was acceptable to this state. And we said in this plan that there must be some cuts in government spending, and we've tied those cuts in to provide the funds for education and other necessary services. And we called upon our forecast for economic growth to provide for the years to come, but you can't always have just your will. And we found that our Report, which contained only a very small permanent tax on liquor, that this could not be adopted or would not be acceptable to this Body. And there was a compromise which provided for a one cent additional sales tax and, yes, with some tax relief in that the two cents on food and drugs, which the state... state still imposed, would be removed. This compromise has been built into this program, and the taxes after the first year will not be two billion dollars, or a billion and a half dollars or a billion dollars of new tax money, but only about 300

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million - a small increase considering the size of State Government. Ladies and Gentlemen, I think this is a good compromise. It is a conservative compromise, one that all of your taxpayers can accept. And when it's criticized for being too small, I think that is the best endorsement of it, because that's what the people of this state want. They want government to be held lean and for us to watch how we spend our money down here, and that's a responsibility of this Body and, yes, of our Governor. And I think that this plan and this Conference Committee Report, if adopted, will meet our immediate needs but will make us be prudent in our expenditures, and I would ask for your favorable vote on this Report."

Speaker Madigan: "Mr. Fierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I'm one of the few people remaining in the Legislature who was here on June 30th, 1969, when Governor Ogilvie and his wife sat in the balcony, and we debated the Ogilvie income tax. I felt that tax was necessary at the time. I voted for it. I'm still here. It's too bad we can't... we couldn't say the same for Governor Ogilvie in the next election. I feel much the same this evening. I agree with the Minority Leader that there's a need for additional revenue. I agree with him. I agree with him that our rates that we established in '69 were adequate to fund State Government, produced substantial state surpluses in the past, but now, due to the recession, Reaganomics, whatever you want to call it, in the last two years, we've run up a deficit in our State Government. And Governor Thompson was correct when he said we needed additional revenues. Now the problem is how to go about it. I think the temporary... a temporary increase was a good idea; because, as we pull out of the recession, hopefully, those rates that were once...

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that were once adequate will be adequate again. But I ask this question, why is the most regressive part of this tax, the sales tax, made permanent, where the fairest part of the tax, the income tax, is made temporary? I think that's a legitimate question. I don't think it has been answered. Why did we choose the winners and losers here? Why are the liquor interests the winners? Why are the losers the families in Chicago when they buy their childrens' clothes will have to pay eight percent sales tax, eight percent - five from the state, two from the City, one from the ETA when they go out and buy their clothing for their children? Who chose these winners and losers? Why does this plan seem slapdash? Why does it seem like a band-aid plan? I'll tell you why it does. This plan was never heard in a House Committee or a Senate Committee. This plan did not go through the normal legislative process. It comes to us today on a Conference Committee Report on a Bill dealing originally with a checkoff on the income tax to support nongame wildlife. Who participated, and who didn't participate? Politicians participated, it is true, in this tax increase which will result in over a billion dollars when it's all collected. Who didn't participate? The public. The public didn't have Committee hearings to attend and to testify as to whether a sales tax was fairer than an income tax. The public couldn't testify as to whether replacement parts, which are now subject to sales tax, should be exempted from the sales tax, a little goodie contained in this Bill that hasn't been mentioned by anyone up to now but is definitely in the Bill. Lobbyists participated. The Illinois Manufacturers' Association participated. The public did not participate. But it's easy to... it's too easy to pick. It's easy to be critical. It's easy to criticize. The Minority Leader did have a

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plan. The Governor had a plan. And in my opinion, and I agree with the Minority Leader, the Governor's plan called for too much money, permanent taxes that we didn't need. The Minority Leader had a plan. I can't say we had a plan on this side of the aisle. We're presented with a plan that all the Leaders have agreed to, brought forth by some hard-working Members on the other side of the aisle, who I think tried to do a job within the parameters of their philosophy, which is... apparently prefers a regressive sales tax to an adequate income tax. But we're presented with this plan, at this time, just as we were in 1969, and I intend to make the same decision this evening I made then and that is for the school children of our state who need the money, for the mentally ill and retarded who need the money, for the unfortunates on public aid who need the money, for public transportation to keep our buses and trains running. We need the money; and, for those reasons, I intend to vote 'aye'."

Speaker Madigan: "Mr. Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a tough vote. When we leave this chamber and we go out into the public, we talk to our constituents. A lot of them will respond that it was an easy vote. A lot of them will respond that politicians love to increase taxes, and that we do it all time. It's a tough vote. There's not a person in this chamber who will cast a vote, 'yes' or 'no', on this question who has not searched their mind and their conscience as to what that vote should be. It is a tough vote. It is a vote that we have not taken, as Representative Pierce said. In fact, we have not increased taxes for fourteen years in this state - no politician, and we are all politicians. And none of us should apologize for that. That's what democracy is all

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about. No politician votes to increase taxes because they want to, or because it's fun or because it's easy. And anybody who thinks differently is just plain foolish. That is wrong. Tough times and easy decisions or the easy way out on decisions that could have been tough have brought us to the point where we must make this decision that we make this evening. Tough times have cut our income and cut it drastically, just as they have every business, and every family and every individual in this state. And we are living through those tough times. We hope those tough times are coming to an end thanks to the economic programs put in place by the national administration and thanks to the strong growth in the free enterprise sector of our economy. But those tough times have been here, and they have left their effect. And nobody can ignore that. But that's not to say that we are at this situation just because of forces beyond our control. We have made some easy decisions, or at least politically popular decisions, taken the easy way out, and all of us, I suppose, bear some burden for those mistakes. We have cut taxes over the past few years under the guise that we had a big surplus, and maybe we shouldn't have, though certainly there was a great deal of support for doing that at the time. We've taken the easy way out all too often when it came to questions of spending. It is so easy when there are people standing out on the rail, maybe hundreds of them from your district, saying, 'Please, I need money for...', and then you name the cause. And it's almost always a good cause. The Governor has often said that the hard thing is not to throw out the foolish program or the bad program, because mostly the programs people bring us and want are programs that indeed do serve someone and that do help someone. The tough calls are making those decisions and prioritizing

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between good programs, and often times many of us, perhaps, have failed to do that. Nonetheless, we are where we are, and we face the decisions that we face. And it will be a tough vote. We politicians are human beings. Thank God. We are not machines. We should not be. We are human beings who want to be liked. We are human beings who want to keep our jobs. And those things all lead us in the direction of voting 'no'. Anybody who thinks that this... a vote 'yes' is going to help you politically is wrong. And for the very same reasons, anybody in the public who thinks that we want to do this is wrong. Politicians are human beings in that they are parochial. We all are. Our constituents sent us here in part to get things for our district, and so we tend to look at not the whole state, but our own problems. What benefits us? What money will come to our district? What will our schools get? What will our institutions get? And none of us should apologize for that, other than a few theorists who somehow think that government ought to be run by kind of machines, machines who think like the theorists, who have the same values the theorists do. Other than that, democracy is human beings trying to make government work. And that's what we're about, and that's what we are. We are human beings. We have all those weaknesses, and the system wouldn't work without it. Freedom can only work in a kind of messy way, because it has people who have all those weaknesses to make it work. But again, thank God for that, because the alternatives are not free. And the alternatives are not good, but democracy still to work, despite the fact that it has to deal with all of us, and all of our human weaknesses, and all of our desire to be reelected and to respond in politically popular ways, democracy has another side. Sometimes we have to stand up on our hind legs and

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say we are at a tough point. We have a tough decision to make, and we've got to make it. If democracy doesn't have the first side, it's not freedom. If it doesn't have the second side, it collapses of its own easygoing, easy-way-out kind of philosophy. And sometimes we have to recognize that this is one state, and that the idea that somehow we each live in little, hermetically-sealed compartments and that we can worry only about the money that comes there and not worry about any other human beings in the state or the schools in any other part of the state or the transportation system in any other part of the state, that's just wrong. And in our heart of hearts, we know it's wrong. And sometimes we have to stand up on our hind legs and say so. Illinois is a kind of a crossroads. It's a crossroads in a lot of different ways. We could have taken a very high road towards a very high kind of permanent tax increase and let state spending soar. We could have taken a low road and passed no tax increase and let state spending fall off a cliff, closing schools, hospitals, mental institutions, doing all kind of things we don't want to do. Instead, we have chosen, I think, a middle road, a middle road that recognizes the key role of... that a tax policy plays in terms of economic recovery. We have chosen not to impose a big permanent tax increase on this state, because it's important that this state's economic position and competitive situation, as compared with the states around us and the other major industrial states, be improved, because Illinois has to take that road back to the greatness this state once had industrially and in terms of manufacturing and business and that it can have once again. And I think this program strikes that middle balance and will take us on that road back to greatness. Carl Sandberg said that Chicago is a



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city with big shoulders. In many ways Illinois is, too. We're not a terribly sophisticated state. We don't have all the kinds of image of history that perhaps the east has. We don't have all of the kinds of glitter that the west has; that this is a state that has gotten things done, grown the food that feeds this country, manufactured the stuff that makes this country work. Now that may not be glamorous, but it's darned important to this country and to the people who work here. And it's important that we get on the road to economic recovery, and I think again, I say again that we, I think, with this program have struck that middle balance between caring for the human needs that we have and, at the same time, not overburdening our tax system so that we can have those competitive advantages that Illinois has. And we've got to get out and sell that. I repeat what I said at the first. This is a tough vote. There's nobody here who wants to do this. We have thought long and hard, I think, on both sides of the aisle, but perhaps particularly on this side; because, as a matter of philosophy, most of us would rather have very low taxes and would never want to vote for a tax increase. But we've looked at the situation. We've looked at it seriously. We recognize the unique situation that we're going to face in this coming fiscal year. We pray to God that we don't face it in the future, and I think we have struck a middle ground that will take us on the road that we should follow. I join with the others in asking for concurrence or acceptance of Conference Committee Report #1 on House Bill 1470."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Mr. Speaker and Members of the House, it's difficult to know what to say. On one hand, some suggest it's tough to vote 'yes', and I agree. It's tough to vote 'yes'. It's

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also tough to vote 'no'. I ran in the last election, and I told my voters that we did need revenue. We needed revenue, because we had a problem in this country of a recession, a lack of recovery, of high unemployment that robbed us of revenue while, at the same time, robbing people of jobs. We have a situation where it's my opinion we stand here today because the Federal Government has cut the revenues of this state to the tune of nearly a billion dollars since the new administration took office. But even with that in case and point a fact, even with the fact that we're here because of that, even because we've shifted the burden back to state and local government to make up for necessary revenues, I ran last time, and I said we need to look at the revenue structure of the state. We know there are some shortfalls that will have to be made up. In doing that, I was attacked, and so were other downstaters for suggesting that we need to meet our needs. In suggesting that, I also said a second thing. In meeting those needs, we ought to be putting the money where we claim our priorities are - in education, in programs for the old, the sick, the legitimately poor who can't help themselves. I'd like to do that tonight. I'd like to be able to stand here and say this program, with its tax increase, also provides for an allocation that's fair to the people of this state. And when we look at the program, when we ask the people to spend a billion dollars in new tax money, to come up with a billion dollars in new tax money, we need to ask what's best for our state, what's best for our district, who is helped, who is hurt, whose needs are being met. It would be easy for me to go back in my district, simply vote 'no', not give any reasons for that vote and blame it, as many do downstate, on Chicago, to suggest without cause that the money was driven to the north and cut off our districts.

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But I rather suggest to you today that in voting 'no', that you consider the alternatives. I don't think this program was put together with dollars and cents as much as it was put together with mirrors. We ask questions about how we will fund the allocation of the 110 million dollars that we owe the schools, that we already owe them. We're told it won't be paid this year, as it's supposed to be in the next month or two, but rather deferred to the end of the fiscal year. And you and I know that if these figures are out of balance, and they were only put in balance yesterday by using a better fiscal estimate, that that 110 won't be paid in August, and it won't be paid next June. That means less money for education, if that happens, this year than last, even with a billion dollar increase. That means the promise that was made this year, which unkept for certain in August, won't be kept at all. Now, Mr. Speaker, you and I passed in this House as Cosponsors, and I think an important Bill towards economic recovery that used retirement funds, and we took great heat for that. We borrowed money, and we promised just yesterday by Amendment to pay it back with interest at 10% and to pay the payout levels in addition; yet, we ask for a 60% payout of the pension systems with the allocation under this Bill this year. That doesn't just cut from the people who are retired and the future beneficiaries and drive up the costs. That cuts from the assets of those programs, and that cuts from the businesses and the programs in this state in which it's invested and from the ability to create capital. And it means to downstaters like me, without great numbers of financial... without great numbers of educational facilities like the U of I or SIU, and many of us who sit here that we simply won't get back much of anything. We won't get back our school aid. We won't get

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new increases for anything else. We look at the budget, and we see elementary education - and there's not a person on this floor, not a person in the 118 who doesn't say that's their first priority - and we see now 33% of the budget going into elementary and secondary and higher ed and only 13% of the money under this program. Yes, we have problems. Yes, the cities have problems. The cities get their money on a strict one-twelfth basis here, not on need. Those who need the money ought to get it. Those who don't shouldn't. We should have looked at that, too. I would have liked to have stood here and voted 'yes'. I would like many times, as a downstater in the midst of only 25 of us or so on the Democratic side, to be able to be included at all times, to be able to get back in my district and in downstate a share that we think is adequate and fair, but I don't think this program does that. I don't think it addresses the needs of my people. I don't think it addresses the needs of downstate, and I don't think, as one who has stood to fight for the little guy, and the pensioner and education, that a regressive sales tax is the way to go or that only giving a nickel tax relief on property tax out of every dollar is the way to go. I think this ought to go back to the drawing board, even though some suggest this is the final hour and the last package before midnight, because I think we're promising something we can't deliver, even if all of this takes place. And I don't think all of it will. And I think we're promising something that when it... even if it is all delivered, when it ends, we'll be back here again trying to come up with adequate revenue for the poor, for education, for all the programs we all talk about. And simply suggesting that we're going to give them a little more with a billion dollar tax increase doesn't do the job.

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I can't go back to my district and tell them much of anything that we got for a billion dollars. I can't tell them much of anything that they got for extending themselves for new taxes. If I could, I would. So, voting 'no' is just as hard as voting 'yes'. But I have to vote 'no', because I've stood here to fight for retirement, and stood here this year to fight for economic recovery when we got a majority and stood here to fight for adequately putting our allocations where our mouth is, into education and poor people and mental health, and I just don't think this allocation of this tax increase does the job."

Speaker Madigan: "Mr. Ropp."

Ropp: "Mr. Speaker and Members of the House, when I came to the General Assembly five years ago, we had a cash operating balance in this state of 500 million dollars, and that ran along for several years. And we had a cry from the people of the state saying, 'We need tax relief. We have too much money in our Cash Operating Fund.' And so, this Body responded by reducing the sales tax on food and medicine two cents. And I might say that I opposed it at that time, because I felt that there are certain groups of people that receive substantial amounts of government money and that I felt that everyone ought to pay some share of the state taxes in order to support their government. But I eventually supported it. We still had people saying, 'We want less taxes.' And so, we abolished sales tax on farm machinery. We reduced the taxes on implement purchases for expansion. We also reduced... eliminated the inheritance tax. All of these taxes total something close to between 1.5 and two billion dollars. And yet, if you ask the average taxpayer today, he says, 'You haven't done anything for me lately. You haven't given me any tax relief.' Really this Body receives no credit for the tax relief we

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have given to taxpayers throughout the State of Illinois, and we will not receive any credit for reducing the remaining two cents on food and drugs. But, truly, that amount does equate to at least one week's free groceries now, and we're about to allow now the second week of free groceries to come about should this piece of legislation pass. Yes, but more important in the whole issue is the financial picture of the State of Illinois now. I don't think the some 20 million dollars that we have in our cash operating balance is sufficient. I don't think any business can operate that way. I think this Body has addressed and the Governor has addressed the situation that we have reduced government spending. We have reduced state employees rather substantially in the last two years, giving real concern and real interest in developing a more efficient-spending kind of a government. And I think that's what taxpayers have asked for, and I think we have responded. And now we're in the situation where those dollars have not continued to flow in as a result of our economy being somewhat sluggish. I'm hearing people throughout my area saying, 'We need some additional dollars on a short-term basis.' And I want to compliment the leaders in this House and the leaders in the Senate and the Governor for coming up with this proposal. True, I can name two or three things in here that I really don't think that is in the best and wisest decision to come forward, but I've also learned in this Body that compromise is one of the most important things that we, as Legislators and citizens of the State of Illinois, should understand; that to be able to live together, we must be able to work together. And we've got to work together here in this Body in order to come up with the needs that we are charged to provide for our citizens. Yes, I think it is tremendously

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important to deal with the sickness or the ills that we have in our society. And let me just mention - I don't think we can continue to afford to spend thousands and thousands of dollars in our correctional institution; that the way to heal that kind of a situation, in my best judgment, is through an educational system that does provide quality education, that does assure that those students who are graduating from college and elementary and high school education can read, as we have already heard today many, unfortunately, are not in that position to do. And the way we do that, in my best judgment, is to provide sufficient dollars so that we can retain quality teachers. It's distressing in my own district to see college professors and elementary and secondary education teachers moving out of state, because they can receive additional dollars, more pay if you will, in Texas or other states. It's the sad day when we cannot maintain and keep quality instructors, people who have tremendous experience, people who have the love for young people to want to teach them, people who have the will and the desire to want to challenge those young minds who, in a chemist's mind, might develop a cure for cancer or might be able, through a physicist's mind, challenge that glimmer of hope to build the greatest of buildings that has even been built. Let us hope that this vote today does not preempt that young person from being the greatest that he or she might ever become, and let us, in some glimmer of hope, that we might be able to turn around the lives of a young person, maybe even in the third grade, by some careful touch of a teacher who might be able to encourage that young person not to want to get involved in crime or not want to be involved in that first drink or that first drug; that that teacher might be able, through personal example and by long

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experience, be able to help the ills that we are now funding rather substantially. Yes, we have a lot of people in our state that need care - day cares, mental health - just to name the few. In this proposal, in my judgment, we have something that can satisfy the needs of many people not as much as everybody would like, but certainly sufficient amounts. We've given tax relief both through food and drugs. We've given some property tax relief, not as much as I would like, but certainly there is some. There is good intention here. We have some short-term income tax, certainly not long. And I truly don't like the eighteen-month approach, too; but, in my best judgment, I think this is a package that is acceptable. It's one that will provide some answers to the people's questions that we have been talking to throughout the last several months. And let me leave with this body and with the State of Illinois a challenge to everyone that these monies that are provided, let us hope that all of the recipients and all of the people who will be paying them will use those dollars wisely. Let us not spend them uselessly. Let us be sure that each dollar spent well will provide a dollar's worth of super value for the citizens of the State of Illinois."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm going to agree with the other speakers in saying that this is a difficult vote. I, frankly, do not like this tax plan. I particularly don't like the sales tax aspect of this plan. It is imposed as a permanent tax, and the sales tax, even with the elimination of the sales tax on food and medicine which I have always supported, is still a regressive tax. Poor people still have to buy essentials and will pay this additional penny. However... However, the fact of the matter is that we were forced, if



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you will, in a choice between a... On the one hand, we could totally dismantle State Government, and allow poor people to go hungry, and allow the roads to crumble and force the cities to collapse, which I think would be a greater disaster than this plan is. Yesterday, I raised objections to this plan and to the inherent unfairness of the hodgepodge of taxes that we are being presented with and particularly the draft... the Bill that we have in front of us. Representative Pierce is exactly right. This plan was presented to us at the 11th hour 59th minute, and we were told that we had to take it like it was. I had a choice, and my initial choice was to say that I would not, under any circumstances, support this particular plan. However, I have had discussions and negotiations with the architects of this plan. And they brought out charts and graphs, and they proceeded to tell me that without the construct in this plan, there simply were not the dollars there to provide the essential services that this state needs and that its people must have. That being the case, I chose to work with those people to try to do what I could do to improve the plan. It's not much improved, but it is an improvement. We have been able to produce some benefits. The corporate community is being called on to make a contribution by delaying the impc... by delaying a tax credit which would have happened the first of this next month. The local revenue sharing for local governments which our cities depend upon is back in this plan. It was not in the draft that was presented two days ago. The school aid payment, which we had called the law school aid payment, is back in this plan. It was not in here two days ago. And even more importantly, the allocations for human service funding are in this plan at a level which is below that of which is desirable, but which is at least

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supportable. The human service programs will be funded, and we will be able to keep government moving in Illinois. And we will be able to open the schools, and we will be able to keep our mental health centers open. And we will be able to provide for health and welfare programs that are so desperately needed by the poor. That being the case, it seemed to me that the choices were not good really on either side. On the one hand, there was a terrible tax program. On the other hand, there was the disaster of not having the revenues necessary to run this state. As such, having weighed the consequences, having looked at this plan, having done what I could do to make it a better plan than it was two days ago, I feel that I have no choice but to support this program. I don't like it, and I want everyone to be clear. It seems to me that this plan shifts to the middle class the burden of funding State Government, shifts to working people the burden of a recession that was not their fault, shifts to people who can least afford to carry the burden of State Government the responsibility. The hodgepodge of taxes that we will be passing, this tax, road taxes and the like regrettably reflect the absence of any rational, comprehensive tax policy in this state. We are here today debating whether to vote on a Bill. We have not yet had a discussion on what kind of tax policy is fair, what kind of tax package makes sense, what are the needs of the people in this state and what kind of tax approach do we want to take, who should pay the taxes to run State Government. That debate hasn't been had, and Representative Pierce is exactly right. I believe that when you avoid the legislative process, when you go into a room and come out at the 11th hour with a package, it is bound to incite the kind of dismay and controversy that this plan has done. I think that's unfortunate; but, at

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the same time, unlike Representative Stuffle, I am not willing to take the chance that we have no tax at all and we cannot fund our schools. We cannot fund our hospitals. We cannot fund our human services. I am not willing to take that chance and have the blood of the poor on my hands, and so I am going to vote for this tax package, regrettably."

Speaker Madigan: "Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Briefly, I was wondering if Representative Daniels would answer a couple of questions. Representative Daniels, this revenue package that you offer here today is intended to raise a billion dollars. What percent of this revenue will be derived from the sales tax?"

Daniels: "Seven hundred and ten million will be derived from the .5% on the individual tax..."

Bullock: "The sales tax, not the income tax."

Daniels: "On the sales tax, 14 1/2%, Congressman."

Bullock: "Thank you. And the... You owe me for that one."

Daniels: "All you have to do is vote 'yes', Sir. That will pay me back."

Bullock: "The last question, Representative Daniels."

Daniels: "Yes, Sir."

Bullock: "Some argue that this package may not be but a half loaf, and you alluded earlier to the fact that we have some 500 million dollars in debt which had to be rolled over. Some of the previous speakers have enunciated clearly the cause of that debt being some tax relief. Do you have, at your disposal, what percent of that tax relief is part of the 500 million dollar debt?"

Daniels: "None of the tax relief, Sir, is part of the deferred debt. Let me explain that part of the deferred debt involves unitary tax refunds, hospital reconciliation

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payments and FY '83 borrowing that we took... that took place last year in order to continue our government in operation so that we didn't have to incur a crisis at that time. We deferred those obligations, the actions of this General Assembly and the statutory authority of the Governor and other constitutional officers, when they enacted that authority to borrow money, created a deferral of debts to the tune of 520 million which are now due."

Bullock: "Thank you, Representative Daniels."

Daniels: "You're welcome."

Bullock: "Mr. Speaker and Ladies and Gentlemen of the Assembly, to the Bill. Mr. Speaker and Ladies and Gentlemen of the Assembly, some of us are called upon to be followers. Some of us are mere spear carriers in this process. I chose early on in May to come out in support of a tax increase primarily due to the fact that I understood at the time - I received 35 letters a day which now has exceeded almost 4,000 letters not just from my district, most of whom were from the City of Chicago. One of the messages in those letters was clear. And I'm not ashamed to say that I stand here and speak for many of the poor in the City of Chicago, because that's my district. Unlike other districts, I represent poor people. I represent mothers that are on ADC. I represent teachers, some of whom are working poor. I represent senior citizens that must take public transportation who are on fixed incomes and some are, yes, very poor. I also represent taxpayers in the district, but they have compassion and they have a conscience. And so, I went on record in support of a tax increase, and I said then and continue to say that if the tax increase is for six months, I'll vote for it. If the tax increase is for two years, I'd prefer it. I did not equivocate. I did vacillate, did not cogitate, because I knew the

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consequences. And I was very glad to hear some of the speakers mention that no one wants blood on your hand from casting a vote here today to kill this program, because that's exactly what would happen. For we know, and I join Representative Daniels in the bipartisan support for 1470, and I have from day one joined in support of Representative Daniels in his proposal. But I think we also should understand that the problem in this country today is a national problem; that here in Illinois today we stand and we receive 350 million dollars less per year under Reaganomics. Some of you might say that's not true. It's a fact. The tax burden, as Representative Stuffle has indicated, has been shifted from the Potomac to Springfield, and fortunately we have in our Constitution a requirement to balance the budget. So, we can't duck the issue. The issue is foursquare here tonight, and we play it out in this drama. But I submit to you, Ladies and Gentlemen of the Assembly, and those of you in the gallery and those of you across this state, that our problem is a national problem, one of insensitivity, one of regression, one of supply-side economics. And we know who gets supplied, and we know who gets shafted. And the people getting shafted are the ones here today waiting on this tax increase, and I represent the shafters in this debate. The fact of the matter is, Mr. Speaker and Ladies and Gentlemen of the House, we have to pass this tax package. We have to pass this tax package, because people in my district tomorrow are going to ask me one simple question. 'Where is my 144 dollar check for general assistance?' They're going to ask me that question, and I want to respond affirmatively and say to those people, 'Yes, I fought, and I stayed up, and I kept my promise that I brought the 144 dollar check home.' But, before you jump

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to judgment, let me tell you that three-quarters of a million people are out of work in this state, and they're out of work in this state through no fault of their own. Unemployment insurance benefits have run out. And when unemployment insurance benefits run out, they have no alternative but general assistance. They're not on general assistance because they want to. They're there because they have no other place to go. We understand the mothers of this state want to send their kids to day care centers, because those day care centers will enable them to live a meaningful life in work. It will not, in fact, allow them to go on AFDC, because that is not dignity. And they don't want handouts. We must fund day care to keep mothers working, paying taxes - yes, paying taxes - yes, even paying that sales tax that Representative Fierce talked about, because the winter will be here and they've got to buy that coat for that daughter to go to school. And they'll pay that sales tax just like you and I. Even some of the Members of this Body buy a Rolls Royce, and they got to pay the tax on that, too. But the fact remains that the people in this Assembly, the people in this Assembly have an obligation to the poor, have an obligation to the poor. Yes, we represent the poor, the working poor, the senior citizens on a fixed income that needs to get to the hospital, to Michael Reese Hospital in my district, that can't afford a car. They've got to take the el, and they've got to have a mass transit system that works. But more importantly, the educational system of this state must survive, must survive. Representative Daniels has taken a very awkward stand. Even for a Republican, he's taken an awkward stand. But the fact remains he's taken the stand, because he believes that he's right. I take the stand, because I believe that I'm right. And the fact is, if we

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don't pass 1470 in this Assembly tonight, we will be held in disrepute, disrepute by, yes, even the conscience taxpayers that live in Highland Park or Winnetka who have compassion for the poor, because they don't want to see this state devastated. They don't want to see blood on the hands of people who could give but were scrooge. Mr. Speaker and Ladies and Gentlemen of the House, I support 1470, and I urge the Members of this Body who support the Democratic Party philosophy to support this Bill, because it removes sales tax on food and medicine which, for 50 years, has been a part of our Democratic Party platform. And for the first time, we have the opportunity to vote to remove the sales tax on food and medicine."

Speaker Madigan: "Mr. Daniels to close."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, you've heard the debate. You've heard the discussion. And, yes, as one of the speakers referred to the debate and the position that we're here now, yes, it is awkward. Yes, it is difficult, but you have in front of you a Report that's signed by the President of the Senate, Mr. Bock, agreed to by the President of the Senate, Mr. Bock, deliberated by Mr. Bock, participated by Mr. Bock and drafted and compromised by Mr. Bock. And, yes, the Speaker of the House participated with me in the formation of this plan. Speaker Madigan, in fulfilling his duties to you and to the people of Illinois, joins me as one of the Conferees of the Committee in recommending this Report for your acceptance. And Mr. Philip, the Minority Leader of the Senate, has endorsed this package and has recommended to your attention. But when we looked over the debts of this state, we knew and we added up those debts, we realized that this was, in fact, the responsible way to go and the way to address the problems of this state on, yes, perhaps,

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as some of the speakers mentioned, a temporary basis and a tax plan of hope, a tax plan that we anticipate will meet the needs of this state and allow this state to continue its recovery and, at the same time, meet the obligations. But we also paid attention to some of the other taxpayers around this state that have been supporting their local schools through, in my opinion, unreasonably high real estate taxes by affording them, for the first time, a permanent real estate property tax relief program which allows them to deduct from their income tax a deduction based upon the amount of real estate tax that they pay against their adjusted gross income. Small as it may be, a commencement of a recognition of this body that property tax relief for unreasonably high real estate taxes must be addressed now and must be addressed tomorrow and is one of the reasons that this Report, for the first time, brings a permanent commencement of a real estate tax program and reform that people of Illinois are asking us to adopt. And at the same time, we know that certain levels of funding are not as we wished, for our Report recommends a level of retirement funding at 66%, but the compromise adopted by the leaders of this state places that level at 60%. And it doesn't make us happy. And I know that it doesn't make Speaker Madigan happy, but it is necessary to get us through this difficult year. And the school aid payment is a recognition that if the dollars are there, we'll meet that thirteenth school aid payment which is required by us and an obligation of this state. So, when I ask for your support, and when I ask for your consideration and when I've been around the floor asking for your help with the passage of this program, it is with a recognition that it is not a program that will answer all of the problems that we have in this state, but it is a beginning. It is a plan



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for Illinois for 1984 Fiscal Year. It is a plan for Illinois that's carefully balanced, carefully judged to meet the needs of all of the citizens of this fine state, of our children, of our parents and of our grandparents, of those in need and those that require and request our help. And I thank you for your consideration."

Speaker Madigan: "The Clerk will proceed to an Oral Verified Roll Call. When a Member's name is read, the Member will rise at his or her chair, respond orally to the Clerk and then push their voting switch in the manner in which they wish to be recorded. The Chair would once again ask that unauthorized personnel remove themselves from the floor, that all Members be in their chair. Mr. Clerk, proceed to the Roll Call."

Clerk O'Brien: "Alexander."

Speaker Madigan: "Representative Alexander."

Alexander: "Mr. Speaker and to this General Assembly, according to the mandate sent to me from the persons of the 32nd District, I cast my vote 'aye'."

Clerk O'Brien: "Alexander 'aye'. Barger. Barger 'no'. Barnes."

Barnes: "'No'."

Clerk O'Brien: "Barnes 'no'. Berrios."

Berrios: "Mr. Speaker, I must vote for the poor, and I vote 'yes'."

Clerk O'Brien: "Berrios 'aye'. Birkinbine. Birkinbine 'no'. Bowman."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Every long-distance runner has had, at one time or another, the experience of hitting the wall. If you've never hit the wall, you may not know what it feels like to be gasping for breath and have your muscles cramping and not being able to push yourself another inch. Ladies and

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Gentlemen of the House, though, today the State of Illinois has hit the wall; and, because the alternative is too horrible to contemplate, I vote 'aye'."

Clerk O'Brien: "Bowman 'aye'. Braun."

Braun: "Braun votes 'aye'."

Clerk O'Brien: "Braun 'aye'. Breslin. Breslin 'no'. Brookins."

Speaker Madigan: "Mr. Brookins."

Brookins: "Mr. Speaker, Ladies and Gentlemen of this Assembly, unlike some of my other colleagues, I am not from what is called a tax-eating district. I am from a district that pays taxes. I am from a district of property owners; but, yet, I know from the letters that I have received in my district that we are a humane people and a humane Body, and we must provide for the poor, educate the young, protect the old. Though this is not the tax that I have talked about in my campaigns throughout my district, I know that the schools will open in my town and that the buses and the CTA will roll in my town so that my people may go to work and pay their taxes and stand head and shoulder with all other districts in this great state to make it the greatest state of the union. I know that you, Mr. Speaker, have worked diligently and hard and that our leaders of our Party have worked hard and that we must accept this compromise; because, as I have been told, it's the only game in town. So, with that, I must vote 'aye'."

Clerk O'Brien: "Brookins 'aye'. Brummer. Brummer 'no'. Brunsvold. Brunsvold 'no'. Bullock. Bullock 'aye'. Capparelli. Capparelli 'no'. Christensen."

Speaker Madigan: "Mr. Christensen."

Christensen: "Mr. Speaker, Members of the House, I talked to the people of my district, and they didn't indicate they would support a huge tax increase. They also didn't indicate they'd support a small tax increase. What they did tell me

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is they couldn't understand how the state finances could be in great shape in November or October and be in such sad shape in January and February. They said either somebody was not telling the truth then, or they're not telling the truth now. They also indicated they wanted no tax increase, and I vote 'no'."

Clerk O'Brien: "Christensen 'no'. Churchill. Churchill 'no'. Cowlishaw. Cowlishaw 'no'. Cullerton. Cullerton 'aye'. Curran."

Speaker Madigan: "Mr. Curran."

Curran: "Mr. Speaker, Ladies and Gentlemen of the House, I'm well aware that State Government needs more money for our school children, and for our poor and for our retirees. I agree with those principles, but I do not believe that the people of my district, the Springfield area, are well served by this tax increase. I'm afraid this tax increase doesn't really achieve the purposes of helping our schools or our retirees downstate, even in the short run, certainly not in the long run and; therefore, I have to vote 'no'."

Clerk O'Brien: "Curran 'no'. Currie. Currie 'aye'. Daniels. Daniels 'aye'. Davis. Davis 'aye'. DeJaegher. DeJaegher 'no'. Deuchler. Deuchler 'aye'. Didrickson."

Speaker Madigan: "Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, I'm going to vote 'aye', not necessarily because there's a lot in this package for my suburban area, but because I think it's a responsible program and a responsible vote. And I am confident that the people back in the 37th District in the State of Illinois are going to recognize that."

Clerk O'Brien: "Didrickson 'aye'. DiPrima."

Speaker Madigan: "Mr. DiPrima."

DiPrima: "Yes, Sir, Mr. Speaker, Ladies and Gentlemen of the House, I served my country during the war and I serve them

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in peace. I vote 'aye'."

Clerk O'Brien: "DiPrima 'aye'. Domico. Domico 'aye'. Doyle.  
Doyle 'no'. John Dunn."

Speaker Madigan: "Mr. Dunn."

Dunn: "'No'."

Clerk O'Brien: "John Dunn 'no'. Ralph Dunn. Ralph Dunn 'aye'.  
Ebbesen. Ebbesen pass. Ewing. Ewing 'aye'. Farley.  
Farley 'no'. Flinn. Flinn 'aye'. Virginia Frederick.  
Virginia Frederick 'no'. Dwight Friedrich."

Speaker Madigan: "Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I want to take my minute just to talk about 'what if'. In the first place, the Constitution requires that we have a balanced budget. We can't continue the debts of finance, which means that if we can't pay the 500 million dollars, we not only will have to operate with about 800 million dollars less than FY '83 next year, such less money for education, no general assistance, no room to put the prisoners that we in the General Assembly have said need to be locked up and get off the street, and we said get tough on crime. Now, some of you haven't been around here very long, and you may not realize what the real results of this Roll Call will be; but, if this Bill passes, those of you who vote 'no' will still be blamed by those who didn't want any tax. Now, you may not think so, but I'll guarantee you that will be the case, because it will be the General Assembly and you're part of it. If this Bill fails, you will take the responsibility, no matter how you vote, for these things that will happen, for people who will have to be laid off tomorrow, for the institutions that may have to be closed, for those who don't get general assistance and all the things that will happen. This General Assembly is required by the Constitution to provide the necessary revenue to run

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State Government. That's your responsibility. You're an elected state official. I hope that you'll live up to that responsibility. I vote 'aye'."

Clerk O'Brien: "Dwight Friedrich 'aye'."

Speaker Madigan: "Would our guests in the gallery please refrain from any demonstrations? Proceed, Mr. Clerk."

Clerk O'Brien: "Giglio. Giglio 'no'. Giorgi. Giorgi 'aye'. Greiman. Greiman 'aye'. Hallock."

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you. Mr. Speaker and Members of the House, my family has resided in the Rockford community for five generations, and my great-grandfather went to Rockford High School back in 1870, as did my grandfather, my father, myself and my sons will follow behind me. The point of that whole discussion to me is that each of us here today and those in the balcony as well owe an obligation to those who come behind us. There's not a person in this House here today who has not warmed himself by a fire we didn't build or drank from a well we didn't dig. I say to you today, for the people of Illinois, for the future generations to come, we owe them that service. To keep these services going, I vote 'aye'."

Clerk O'Brien: "Hallock 'aye'. Hannig. Hannig 'no'. Harris."

Speaker Madigan: "Mr. Harris."

Harris: "Thank you, Mr. Speaker. The people of the 53rd District sent me here not only to look after their interests, but also to hopefully have some part in the interest of the people of this state. We are going to export far more money from the 53rd District than we're going to receive in benefits. Nonetheless, there are legitimate concerns, legitimate needs and legitimate services which I think need to be addressed and need to be funded. I think this is a responsible program, and I vote 'aye'."

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Clerk O'Brien: "Harris 'aye'. Hastert."

Speaker Madigan: "Mr. Hastert."

Hastert: "Hastert 'aye'."

Clerk O'Brien: "Hastert 'aye'. Hawkinson. Hawkinson 'no'.  
Hensel."

Speaker Madigan: "Mr. Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. As a new  
Legislator, I voted on hundreds of Bills this Session. Not  
all of them have been easy. Today we have to vote on a  
Bill that will affect the State of Illinois not only for  
1984, but in the future. This is not the time to look back  
at why we are in this situation. We must look to the  
future and do what we have to do to ensure a fiscally sound  
state. I've stated many times that government should be  
run like a business. If you take a good look at this Bill,  
you become aware that we are moving in the right direction.  
No one likes paying taxes and, less, having them raised.  
I'm not in favor of everything in this Bill, and I doubt if  
anyone is. One thing it does is to meet our present needs.  
Another thing it does is require the state to tighten up on  
spending and work towards a balanced budget based on  
conservative estimates of future revenue. We, as  
Legislators, must determine which way we must go. If each  
one of us is sincere in doing what is right for the State  
of Illinois, now is the time to show our support. It isn't  
easy to vote for unpopular issues; but, if we want to  
remain a top-ranking state, we must keep working towards  
that end. This is just the start of what I feel will take  
hard, dedicated work to maintain the concept of this Bill.  
There are three lights on each desk - green, red and  
yellow. Those lights will determine which direction the  
state will be moving in the future. I want the state to go  
forward, and I am voting 'aye'."

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Clerk O'Brien: "Hensel 'aye'. Hicks. Hicks 'no'. Hoffman.  
Hoffman 'aye'. Homer. Homer 'no'. Huff."

Speaker Madigan: "Mr. Huff."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. On this issue, I'm going to vote as I will when  
this issue comes before us next Session, and the Session  
after that, and the one after that and the one after that.  
I vote 'aye'."

Clerk O'Brien: "Huff 'aye'. Hutchins. Hutchins 'aye'. Jaffe.  
Jaffe 'aye'. Johnson. Johnson 'no'. Karpiel. Karpiel  
'no'. Keane. Keane 'no'. Kirkland."

Kirkland: "Kirkland 'aye'."

Clerk O'Brien: "Kirkland 'aye'. Klemm. Klemm 'no'. Koehler.  
Koehler 'no'. Krska. Krska 'aye'. Kulas. Kulas 'aye'.  
Laurino. Laurino 'aye'. LeFlore. LeFlore 'aye'.  
Leverenz. Leverenz 'no'. Levin."

Speaker Madigan: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. When last January the education community, the day  
care community, the mental health community and those  
receiving general assistance came to me and said, 'How do  
we lobby for a tax increase?' I said, 'This is not a  
normal type of endeavor where you can simply go to the  
General Assembly and lobby the individual Members. You  
must lobby the constituents, and they, in turn, must lobby  
their Members to tell them it's okay to vote for a tax  
increase.' That has happened. I have received hundreds of  
letters, and I have, in addition, polled my constituents.  
And I have found not only from those who use the services,  
but from those who do not that while they are not excited  
about a tax increase, they're not jumping up and down, they  
see the need. Accordingly, I vote 'aye'."

Clerk O'Brien: "Levin 'aye'. Marzuki."

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Speaker Madigan: "Mr. Marzuki."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, like every Member of this House, realize that there must be revenue enhancement, as we like to say, or a tax increase. I am willing to support that tax increase and have been all along; however, I have said that I would not support a tax increase that I felt was inadequate to provide those services of education, mental health and other human services. I said that I would not support a tax increase that did not contain reform. There are two areas which I think have ignored this report by the Governor's Commission on tax reform and that is the sales tax, which is going to hurt the businessmen and all of the middle and lower income people. The other is the so-called reform that handles property tax. This, again, penalizes those people who are on fixed incomes and retired. So, therefore... and also the farmer and the working poor. I'm joining with Representative Stuffle in trying to send this back to Committee that it came out of and see if we can get the package of taxation changed. I support the tax increase, but I vote 'no' hoping that we can get it back so that we can do justice to the people who need it."

Clerk O'Brien: "Marzuki 'no'. Matijevich. Matijevich 'aye'. Mautino."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it's been a privilege to serve in this Body for five terms and to evaluate those controversial issues, those issues... excuse me, from the ERA, the expulsion of Members of this Body, the remapping proposals, the late Mayor Daley presenting his proposal for an override of Governor Walker's veto, but today is the toughest one. Today is the income tax. I agree in total with Representative Stuffle's



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assessment. Not only is this done with mirrors, it is done with smoke. Today we're presented with a proposal that authorizes an increase in the income tax based upon the increased estimate of incomes that were changed less than 24 hours ago. I submit to you that what will happen, if this income tax is passed, there won't be any reductions in contractual services. There won't be any reductions in the abuses that we have seen, at least I have seen over the last five terms. The only people that will be assessed in this proposal are the middle income and the working class. That middle income and that working class will provide about 750 million dollars of this billion dollar package. Industry and the corporations of this state, by virtue of the sweeteners that were placed in this legislation just today, will provide about 130 million dollars. I don't think that I can support placing the burden of the problems of the State of Illinois on the working poor. I submit to you that what we've done this year by passing an increase in the motor fuel tax, a proposal that's bound to come on mass transportation, the proposals passed by this Body that increase real estate taxes at the local level propounded by the state multiplier placed upon it by the Department of Revenue, does not warrant this vote. I submit to you as well that we in this General Assembly may have been down here for about 15 days too long. As I look around this chamber, all of the special interests lobbyists, department heads and employees of departments are evaluating this proposal. The people on the street have not had input. The people on the street, in all honesty, have not presented an overwhelming support for an increase in taxation. Therefore, those of us that do not live in the metropolitan areas cannot truthfully justify this type of an increase to our constituents. I vote "no'."

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Clerk O'Brien: "Mautino 'no'. Mays. Mays 'aye'. McAuliffe.  
McAuliffe 'no'. McCracken. McCracken 'no'. McGann."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of this Assembly.  
The constituency of the 29th District, which I serve, sent me to Springfield to serve their best interests. To date, I feel as though I have served those interests. I hope this evening I will continue to make the proper decision. Ever since I came to Springfield in January, I have often spoken on this floor in support of human needs. I do so again this evening. When Governor Thompson first presented his doomsday budget this spring, he said the state was in dire need of a nearly two billion dollars in new revenue. Unless we approved his tax plan, Thompson said he would cut the state's budget to the bone with the deepest cuts aimed right at the heart of needed human services. Ironically, that revelation and threat of heartless budget cuts came only a few months after his reelection campaign in which he claimed the state was in excellent fiscal health. This Governor Thompson that traveled around this state for reelection to achieve an office that he trampled over many to achieve told us the story how beautiful everything was in this state. Another man, the Comptroller of the State of Illinois, Roland Burris, traveled throughout the state and told the truth of what was happening and how... problems we had and how we were on the verge of bankruptcy. This tax package, like Thompson's campaign rhetoric, is probably the best example of political hypocrisy that I have seen in my six months in Springfield. It falls far short of the truth and far short of the true financial needs of this state. This package will deliberately play games with the people of the State of Illinois. The Members of this Assembly were deprived of the legislative

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process. If this is the procedure, then we should further cut the number in the House to ten. The people of the State of Illinois were deprived of their input, which they would have had through public hearings. However, as has been stated before, it's the only game in town. Given it does provide 45 million more for mental health, given it does provide additional funds for education, our children, the elderly and, more important, the general human needs of this state, given our Speaker - the Speaker of this House has given much of his time and energy to satisfy the needs of all parties concerned in this Thompson - Daniels income tax package. Furthermore and not lastly, our Speaker, Michael J. Madigan, has been extremely good to the people of the 29th District. I, therefore...I, therefore, vote 'aye' as a good Democrat in support of our Speaker, Michael J. Madigan, and I encourage all good Democrats to support the Democratic Speaker in the passage of this Republican legislation. Thank you."

Clerk O'Brien: "McGann votes 'aye'. McMaster."

Speaker Madigan: "Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. The Gentleman who immediately preceded me proceeded to tell you everything that was wrong with this Bill and then explained to you why he was going to vote for it. I will not do that to the extent that he has. I will merely vote 'no'."

Clerk O'Brien: "McMaster 'no'. McPike. McPike 'aye'. Mulcahey."

Speaker Madigan: "Mr. Mulcahey."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. Very briefly, there has been a lot of debate this afternoon on...on this particular Bill about what is the responsible vote. However, all afternoon there has not been one mention, not one mention as to where, specifically, this

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money is going to be spent and how much and where. There are two very, very important Conference Committees left to be passed yet today, and I invite the people in the gallery to stay around. My constituents, in a few days, will read in the newspapers about those Conference Committee Reports, and then they will understand why my responsible vote was 'no'."

Clerk O'Brien: "Mulcahey 'no'. Nash. Nash 'no'. Neff. Neff 'aye'. Nelson. Nelson 'no'. Oblinger."

Speaker Madigan: "Representative Oblinger."

Oblinger: "Representing an older generation, we learned one lesson. If we dance, we pay the piper. I know during the whole Session, when people were voting on Bills, they'd say, 'But I hope you are going to vote for the income tax.' Alright, I'm going to tell you. The people of my district have asked me for help in school Bills, in collective bargaining, in a number of things, and my answer to them is, 'Will you be willing to pay the price?' Most of them have answered yes. We believe when you dance, you pay for it. I wished all of you would think of that. You have voted, a lot of you, for a lot of spending Bills, but you are not willing to pay for it. And in closing I want to say, I represent the district that is here in the Capitol, too. Who more than this district and the surrounding ones will benefit from this? We have SIU Medical School, Sangamon State University, Lincoln Land Community College, nearby a prison, McFarland Zone Center and most important of all, hundreds, yes, thousands of state employees who want to keep their jobs. We should be voting for this, and I'm proud to vote 'aye'."

Clerk O'Brien: "Oblinger 'aye'. O'Connell. O'Connell 'no'. Olson."

Speaker Madigan: "Mr. Olson."

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Olson: "Mr. Speaker, Ladies and Gentlemen of the House, it is a pleasure to join many of my Democratic colleagues in casting a strong 'aye' vote."

Clerk O'Brien: "Olson 'aye'. Panayotovich."

Speaker Madigan: "Mr. Panayotovich."

Panayotovich: "Mr. Speaker, Ladies and Gentlemen of the House, as a former Chicago public school teacher, a former construction worker in the steel industry and now a corporate businessman up in Chicago, I'm really torn between this tax. My district needs the schools open. My district needs the buses running. My district needs the human services that are provided, but my district really doesn't need an income tax increase. But is there another way at this time? No. Is there another package? No. Is there a better way right now? No. In talking to my constituents and other leaders in my district, they realize the need of a temporary, and I quote, 'temporary', tax to keep these services continuing. My constituents realize they are going to benefit from these programs, and they are going to benefit from the reduction of the final two cents on food and medicine. And they are going to benefit also from the little property tax that they will receive. And I will be back to work on more relief, because there is not enough relief in this package. This plan is not a cure-all. We must make sure the monies and the revenues that we are going to generate are not spent foolishly. I don't like the plan. It's not the best plan; but, for the future leaders of the state, the children, the needy, the helpless, the less fortunate, I vote 'aye'."

Speaker Madigan: "Would the guests in the gallery please refrain from demonstrations?"

Clerk O'Brien: "Panayotovich 'aye'. Pangle. Pangle 'no'. E. Pedersen. B. Pedersen 'no'. W. Peterson. W. Peterson

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'no'. Piel. Piel 'no'. Fierce. Fierce 'aye'. Preston."

Speaker Madigan: "Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Conference Committee Report is a lousy program. It's a bad program. It's a terrible program. It's an unfair program; but, as has been previously said, it's the only program. When I campaigned for office last time I ran, I campaigned on the issue of being in favor of an equitable, fair tax increase, a tax increase to fund our schools, a tax increase to fund mental health and developmental disabilities, and a tax increase to fund human services. We envisioned in that tax increase an income tax increase, because an income tax increase hurts those, yes, but it hurts...it hurts people who are working, hurts people who have an income. When you look at a sales tax, a sales tax hurts everyone. But it's more regressive than an income tax, because it hurts people who are the working poor and people who aren't working at all. This program came down at the 11th hour. I have to admit that this is the better alternative of having no alternative. This is a better program than a zero program. For that reason, I'm going to be voting 'aye' on this program, because good Legislators and good legislative leaders are not the people who come up with the best ideas because all of us here have wonderful ideas. Even members of the press have wonderful ideas, but what is important in a legislative Body is putting together ideas that can pass, putting together ideas that can get enough votes to become law. Regrettably and unfortunately, this is the program that we now have before us. We're two-thirds of the way there. We need seventeen more votes, and I vote 'aye'."

Clerk O'Brien: "Preston 'aye'. Pullen."

Speaker Madigan: "Representative Pullen."

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Pullen: "Because the income tax increase contained herein is a moderate proposal, and because it is clearly the only truly temporary proposal that has been made and because it is offered by a courageous leader as an alternative to an excessive proposal, I vote 'aye'."

Clerk O'Brien: "Fullen 'aye'. Rea."

Speaker Madigan: "Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I really don't know how I follow that, but I will say that this is probably one of the most difficult votes I have made since coming to the General Assembly. I happen to agree with what Representative Stuffle said earlier. I agree with Representative Marzuki that it's still not the only game in town. I've seen things worked out still in the last minutes of the Session. And I guess I agree with the first part of Representative McGann's, but not the last part. I have difficulties with the package. There has not been the input made by the people of this state. We had the time to have the public hearings. We had time to have Committee hearings here, but too few of us, too few of the Members of the General Assembly have made that decision as to what we have here to vote on today. We have not had a chance to have the type of input that we need not only in terms of the needs, but how the money will be spent. I think we should go back and still work this out. There are areas in it that I like. There are some places, some things I dislike. One of the things I dislike is a permanent sales tax; and, in my district, in my area, there are three states bordering southern Illinois that people will travel a great distance, even if it costs them more money, to save that sales tax. I realize there is a need for income. I also realize that regardless of what has been said, that we have been at bare bones, that we really have not

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completely, because there is waste in government. And there are some other areas that can be cut. We have had a hiring freeze but; yet, at the same time, people were hired at 35 and \$40,000 a year with positions that we could do without. At the same time, in the mental health centers or correctional centers where we needed the technicians, those positions were not filled. So, I think tied with this, also, should be a management plan. It's a difficult vote, but I would like, as Representative Marzuki, to see this go back to Committee and work out some of the differences even at this late hour. And I vote 'no'."

Clerk O'Brien: "Rea 'no'. Reilly. Reilly 'aye'. Rhem. Rhem 'aye'. Rice."

Speaker Madigan: "Mr. Rice."

Rice: "Mr...Speaker Madigan, Minority Leader Daniels, my Caucus leader, Braun, to the Representatives of the 83rd General Assembly, we have shared here this afternoon. We have heard concerns on both sides of this aisle. So, before I do or don't, I want to read to you two verses from the great book of Proverbs the strength of professional and business principles that we, as a community, should acknowledge. 'Happy is the man that findeth wisdom and the man that giveth understanding, for the merchandise of it is better than the merchandise of silver and the gain thereof of fine gold.' In summation, let us please acknowledge the self-help programs and organizations and community-based groups that live and thrive and work hard in this great state, state Land of Lincoln. With that, I vote 'aye'."

Clerk O'Brien: "Rice 'aye'. Richmond. Richmond 'aye'. Ronan."

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I...I have a distinction that very few Members in this House have. Three years ago, long before I ran the last time, I said



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that the state needed an income tax increase, and I ran on that. I had a primary opponent, who is a former distinguished Member of this House, who said the state didn't need an income tax increase, and I said it did. And I beat him by an overwhelming margin. I listen to people talk about the people of their district, if they want it, if they don't want it. There's no district in the state where the people want an income tax increase. I'm saddened with this plan. I think this is a horrible plan. This plan is not progressive. What it does, it puts the tax on the people who have the least ability to pay it. As other people said, it's the only game in town. The only thing I know is that next year, when we come back here again, we'll be able to work with Representative Daniels and we'll again be able to do something about the income tax issue in this state, because we haven't solved anything today. But again, I will join with Representative Daniels next year. Hopefully, the next Daniels tax will do something about the fiscal conditions for the people here in the State of Illinois. Today I vote 'aye', and next year I'll vote 'aye' again. Thank you."

Clerk O'Brien: "Ronan 'aye'. Ropp. Ropp 'aye'. Saltsman. Saltsman 'no'. Satterthwaite."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, by now, in the Roll Call, the people in the gallery have had an opportunity to get a taste of the difficulties that all of us have been laboring under for the past few months, but particularly a glimpse of the difficulties that have faced our leaders in trying to come forth with a viable package to keep the state in a fiscally responsible position for the next fiscal year. You have been told about the problems and the things we are unhappy with, but I think

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that we should compliment our Leaders for sticking through a process that was certainly not easy for them. It would have been much easier for them to say, 'We cannot come to agreement. We cannot put together a package, and we will, therefore, by default have to have the state going in a counter-productive position.' And, in fact, I believe that it would be a counter-productive position for the state not to have the revenue that is generated by this tax package. We would find that unemployment would be even higher. We would find that schools would be able to do their jobs less well. We would find that in higher education fewer students would be able to afford to participate in the programs that have been provided for them in the past, and fewer people of high quality would be there to provide the programs that have given us a good reputation in education in the past. It's not a long-term solution. It is only a solution for the coming year, but I do feel that our Leaders have worked diligently to come up with the best proposal that they could provide for us, and that although it is not in this Conference Committee Report, we have been assured that we will be putting money into the programs that we feel are most worthy of support. And for that reason, I proudly vote 'aye'."

Clerk O'Brien: "Satterthwaite 'aye'. Shaw."

Speaker Madigan: "Mr. Shaw."

Shaw: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, like many other speakers before me, are very unhappy with the...this Conference Report, but as they have said, or some have said that this is the only game in town. And I know for the last three months, I've gotten thousands of letters from my district, not...not all from my district, but all over Illinois about a tax increase, and this one is the only one that is before us this evening. And, as I

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say, I'm unhappy with it, but I might say this and remind the people who put those red dots up on that board, it would seem as though to me with...without this budget, that you would be taking a John Gacy approach to people around this state and especially the young minds that we look forward to sitting right here where we are today. And I might also remind those people that the people that are working now in public service are concerned about unemployment, of being unemployed but, yet, we talk about the money that we spend. And by not voting for this budget, you going to unemploy some more people, and we'll be back here two months from now trying to get some money for unemployment insurance. And I ran a year ago on the idea of a tax increase, and I told the people at that time in my district that I was going to support a tax increase. Therefore, today, I vote 'aye'."

Clerk O'Brien: "Shaw 'aye'. Slape. Slape 'no'. Steczo. Steczo 'no'. Stuffle. Stuffle 'no'. Tate. Tate pass. Taylor."

Speaker Madigan: "Mr. Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. My fellow colleagues, I know that this is a pretty good job that we have, if we didn't have to vote. But I am reminded today of a great President during my lifetime, and that was John Fitzgerald Kennedy, when he said, 'Ask not what your country can do for you, but what you can do for your country.' I believe, this afternoon, that the state, being in the shape it is in and that my district needing the service that it's going to render from this Conference Committee Report, and I'm proudly voting 'aye'."

Clerk O'Brien: "Taylor 'aye'. Terzich."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I have been here thirteen years and every vote I cast I

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cast my vote as a responsible Legislator representing my district. I cast responsible votes for tax relief, and I'm also going to be a man that he who taketh will also giveth. And for that reason, I am proud to cast an 'aye' vote."

Clerk O'Brien: "Terzich 'aye'. Topinka. Topinka 'no'. Tuerk."

Speaker Madigan: "Mr. Tuerk."

Tuerk: "Mr. Speaker, Members of the House, I rise this evening to cast a 'no' vote. I cast that 'no' vote with no aspersions toward the architects of the plan, because I know, when they set about the task of trying to resolve the problem, they did it with sincerity and that I applaud them for. I also rise to explain to you why I am casting the 'no' vote, because a number of weeks ago - and I still feel that way - I said the general public and the business community simply can't afford to pay more taxes. Let me give you an example. In my home community, this year, 52 cents increase in property tax. April 1 the Federal Government increased gasoline tax by five cents. That ended up as an increase in gasoline of 18 to 20 cents. We now are going to increase gasoline taxes by five and a half cents. This Bill calls for a temporary tax on income. It also calls for a tax on sales to the point where it's going to be six percent in parts of the state, seven percent in other parts of the state. The business community has already been saddled with unemployment insurance tax rises. I just feel we have hit the break point. I said then, and I say now that the general public and the business community can't afford to pay more taxes. I'm empathetic with the needy. I am also empathetic with the taxpayer. Therefore, I have to cast a 'no' vote."

Clerk O'Brien: "Tuerk 'no'. Turner."

Speaker Madigan: "Mr. Turner."

Turner: "Mr. Speaker and Members...Members of this great

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Assembly, I rise before you today, not with great pain, not with pleasure either. I've been in this Assembly one term, and there are a few things that I have learned or will learn, and I wish to share those with you today. One is that voting for a tax increase is not the only thing that will guarantee you a short stay in this Body, and I'm one who can truthfully and honestly say that. Some of you may remember last year at this hour we were voting on a very important issue. Secondly, that the problems that we face in government today are not the ones that came about overnight but those that have been creeping upon us for years - one of the reasons that I entered the political arena. Yet, we try to solve them overnight with input from a very few, often referred to as a Conference Committee. Although I do not always agree with the process, I respect the work put into this package by my colleagues. Sometimes I feel like the poor of this state. They are always the last who are taken care of. And I say poor, because, well, my name starts with 'T', and so I'm near the end of the alphabet, the last to cast my vote. As a politician, I thought about the drama of passing, waiting to make my vote the sixtieth vote, but I'm looking forward to the day that the poor is not thought about last but will be thought about first. You've seen here today and heard through the voices of some of my colleagues that there's definitely a need for greater funds for education, not only education for the poor children, but some should be spent on Legislators, educating them to the needs of the poor of this state. We must address them, and we cannot avoid them - my message to the poor. But I tell the poor people of this state today that they should keep the faith that a new day is coming. According to this proposal, it's eighteen months away, maybe further. But regardless to the exact

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date, and I do not care to predict, I look forward to the day that the last will be first, and my commitment to them, for as long as I am in this General Assembly, for as long as I am in government, is to work to that end, the day when government will feel its responsibility is to serve the needs of the people. And for that reason, I vote 'aye'."

Clerk O'Brien: "Turner 'aye'. Van Duyne. Van Duyne 'no'. Vinson. Vinson 'aye'. Vitek. Vitek 'no'. Wait. Wait 'no'. White. White 'aye'. Winchester."

Speaker Madigan: "Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. My political philosophy is that of a conservative. Conservatives don't believe in tax increases, and they don't believe in big spending. I have been a Member of the House Appropriations Committee for nine years, and I am proud of my record of holding the line on big government spending. But some of my colleagues that are voting red now are the notorious big spenders of this House, the ones that want to spend more and more dollars, but now, when the time comes to show the guts and to stand up and to show where the money is going to come from to pay for that big spending, they haven't got the guts to do it. I live in a district that...that is surrounded by three states, three states that have lower sales taxes than what Illinois has, but I also live in a district that has seven...a region, a poor region that has seven correctional institutions, that has one of the largest universities in the State of Illinois, that has two mental health institutions, institutions... Government is the fourth largest industry. It's not fair for me to be on the receiving end of tax increases and not to stand up and vote a moral obligation, even though I know my people will be against it. But I have a moral obligation, because my

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district, a poor district, is on the receiving end of these benefits, and I wished...I wished that I could be the sixtieth vote, but I'll gladly accept the fifty-ninth. I vote 'aye'."

Clerk O'Brien: "Winchester 'aye'. Wojcik. Wojcik 'no'. Wolf."

Speaker Madigan: "Mr. Wolf."

Wolf: "Thank you, Mr. Speaker, Members of the House. To explain my vote, and I will be brief as I usually am, but two weeks ago, when I was contacted by the Leaders on this side of the aisle as to whether or not I could support a tax program for the needs of this state, and more particularly, for education, social programs and necessary services, I didn't have a problem. And I pledged my support based on the information that was available to me at that time and the program that was presented to me at that time. Now, since that time, a provision has been inserted into that program which impacts on the area that I represent to the degree that it makes it almost impossible for me to give my support. An additional sales tax imposed in my area would have the effect of almost eliminating the business area in my community, driving it to Missouri and, in the process, contribute to an already excessive unemployment rate of over 20%. I recognize all of these problems. I recognize the problems of my area, the unemployment rate. I also recognize the needs of the area from the standpoint of the poor. I recognize the needs of the area from the standpoint of education and the funding that it requires. It's difficult for me to determine a responsible vote in this situation. I think that there was an alternative program. I sincerely regret that it wasn't used. I think that the other program that was available would have been a more equitable program and would have made it much easier for me to make a decision at this particular time. Despite

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these concerns and despite the concerns that I have in my area, I am proud to vote the sixtieth 'aye' vote."

Clerk O'Brien: "Wolf 'aye'. Woodyard. Woodyard 'no'. Younge."

Speaker Madigan: "Representative Younge."

Younge: "...And Members of the House, I vote 'aye' on this vote, because I think it is our duty to maintain a solvent State Government. I think we ought to take time to listen to the words and the directions of the Preamble of the State Constitution. Our duty here is to maintain and to provide for the health, safety and welfare of the people, to maintain an orderly and representative government, and to eliminate poverty and inequality and to provide for the fullest development of each individual. In order to do that, we have to have additional state revenues. And for those reasons, I vote 'aye'."

Clerk O'Brien: "Younge 'aye'. Yourell."

Speaker Madigan: "Mr. Yourell."

Yourell: "Yes, to measure this... The worth of this measure, I guess, can best be measured by the count on that board. This is a Republican tax increase presented by the Minority Leader, and there are less than half of their Members voting on this issue. Count up the red votes, count up the green votes, and you'll see where the worth of this measure really is. Half of the Republican Members are not voting for this measure. I vote 'no'."

Clerk O'Brien: "Yourell 'no'. Zwick. Zwick 'no'. Mr. Speaker."

Speaker Madigan: "Mr. Daniels, it appears as if we have enough votes for your Bill. Speaker votes 'aye'."

Clerk O'Brien: "Mr. Speaker 'aye'."

Speaker Madigan: "Have all voted who wish? Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I was unavoidably off the floor when my name was called and, Ladies and Gentlemen of the House, I'd just like to say that some of my remarks are addressed



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to my real good friend, Representative McGann. Andy is...He's going to be an institution. In fact, he is already in this Chamber, but this is not a Daniels tax increase. And it's not a Thompson increase. It's certainly not a Republican increase. And you know, in my travels, I think the Democrats' Party has been known more philosophically, and basically and realistically as that spend, spend, spend Party, and I have always looked upon this as a Democratic Party induced special assessment on the taxpayers. But, Andy, really, if the Governor knew about that, as you say, during the campaign, of a deepening recession, and I really don't believe that he did, I think he handled it like probably a Democratic candidate would under the same circumstances. And I would say that he has been a good leader through good times and bad. In fact, I think he's been an outstanding leader for seven years. Some of you will disagree; but, in casting my vote, I'm casting it out of a...I think for a great service on the part of the Governor, an 'aye' vote. I think he has done a tremendous job, and I cast mine on behalf of the Governor. I vote 'aye'."

Clerk O'Brien: "Ebbesen 'aye'."

Speaker Madigan: "Mr. Tate."

Tate: "I'd like to be recorded as 'no'."

Clerk O'Brien: "Tate 'no'."

Speaker Madigan: "Mr. Clerk, take the record. Mr. Clerk, do you have the record? On this question, there are 63 'ayes', 55 'nos'. This Conference Committee has been adopted, and House Bill 1470, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrence, on page two of the Calendar, there appears House Bill 1092, Representative Braun."

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

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House. In order to..."

Speaker Madigan: "Would the Membership please give Representative Braun their attention? This is a very important Bill. We are still in Session. We are still in Session. Would the Members please remain on the floor? Representative Braun."

Braun: "Mr. Speaker, I'll take that Roll Call if it's alright. We can just change the number, be fine. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill will allow for the Chicago public schools to remain open. It restores 50 cents of the educational tax levy that was removed with the creation of the...of the Finance Authority. I solicit your 'aye' vote on behalf of the children. You have the wrong Bill number."

Speaker Madigan: "Mr. Clerk, would you change the Bill number on the score board? Thank you. Representative Braun, have you moved to concur?"

Braun: "Yes, Sir. I move to concur in Senate Amendments 2 and 3 on House Bill 1092."

Speaker Madigan: "Representative Braun moves to concur in Senate Amendment 1, 2 and 3 to House Bill 1092. On that question, the Chair recognizes Mr. Yourell."

Yourell: "Yes, would the Lady yield to a question or two?"

Speaker Madigan: "Lady indicates that she will yield."

Yourell: "Representative, did you indicate that if this Bill receives a favorable vote on concurrence that the Chicago public schools would open in September?"

Braun: "Yes, Sir, I did."

Yourell: "And what is that based on?"

Braun: "Well, Representative, based on a combination of figures that allow for sufficient revenues to meet the \$200,000,000 deficit projected by the Chicago public school system."

Yourell: "Representative, have we heard for many, many years that the Chicago schools would not open on time if we did not

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appropriate millions of dollars for that purpose?"

Braun: "Representative Yourell, I would have much preferred that we had passed an adequate income tax out of this General Assembly and restored...taken care of the needs in education, health care, higher education and the like. The fact of the matter is, we don't have revenues from that source, and we don't yet have a tax policy to meet that need. This Bill is necessary to provide the funds to keep this system...to keep the schools open so that we may educate our children in the City of Chicago."

Yourell: "Contained in this legislation, is there a provision for a referendum?"

Braun: "No, Sir."

Yourell: "You're asking for us to pass a Bill that would increase the property tax in the City of Chicago without a referendum. Is that right?"

Braun: "Representative Yourell, there is no large city in this state..."

Yourell: "I would ask everybody to vote against this Bill, because I have heard on the other side of the aisle and this side of the aisle for many, many months that if we don't have a referendum, we shouldn't be passing tax increases. I would ask that you all vote 'no' on 1072...1092."

Speaker Madigan: "Would...would the Membership please give their attention to this Bill and would all unauthorized personnel please leave the floor? Mr. Doorkeeper, clear the floor. On this question, the Chair recognizes Mr. Hoffman. Mr. Hoffman."

Hoffman: "Thank you very...thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The last Bill took a lot of our attention but to many problems a variety of solutions must be applied. One of the ways to approach

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those problems is to find a balanced solution, and, yes, the last Bill will help the Chicago school system. We all knew that when we voted for it, and, yes, those of you who voted against it also knew that that Bill was going to help the Chicago school system. Ladies and Gentlemen, this is another part of the mosaic that all legislative bodies put together to find solutions to problems, and this is part of the mosaic to find a solution to the problems that face the Chicago school system. This is a self-help program. Whereas, the communities around the City of Chicago support their school system with their property tax in excess of 50% of that total tax, Chicago supports theirs on 41% of their total tax bill. Ladies and Gentlemen of the House, the addition of this tax will still keep them far below the degree of support of total taxation as done by the property tax owners in the cities around and adjacent to Chicago. I, for one...I, for one, rise in support of this self-help program. It is justice not only to the boys and girls in the City of Chicago, but it is justice to the taxpayers of the cities surrounding Chicago, and it is certainly equitable. It is certainly equitable for the taxpayers within the City of Chicago. So, I would ask that you join with Representative Braun, myself and others in supporting this legislation."

Speaker Madigan: "Mr. Clerk."

Clerk Leone: "House Calendar Supplemental 3 is now being distributed."

Speaker Madigan: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For me, this vote is a more difficult vote to cast than the last vote. I have a district that is split into two parts. On the one hand, I have uptown that badly needs this 50 cents. On the other hand, I have the lakefront,

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little old ladies in the condominiums who feel that they have been taxed too much as is. Add to this fact that this Speaker of the House offered Superintendent Love a package which would have produced more money for the Chicago Board more painlessly, and I have a real problem with this particular Bill. I had a problem last year, too. I think most of you know that were here that I was the Sponsor of the Bill that ended up being used for the pension pickup, and I got off that Bill. And I voted against it. But, as was said with the last Bill, this is the only game in town. This is the Bill that is going to decide whether or not the schools in Chicago will open. I am, as I said, very troubled with the fact that we are voting on a 50 cent proposal. I think that the proposals that the Speaker put forward were far superior. They included some reforms, badly needed reforms, of the administration of the Chicago Board. I do not think they should have been rejected, but they were. And this is what we are voting on. And so, given the fact that we don't have any choice and it's eight o'clock on June 30th, I urge an "aye" vote."

Speaker Madigan: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would rise in opposition to House Bill 1092. The taxpayers in Chicago are being taxed to death. They absolutely are being taxed to death, and they get nothing in return from the school board for it. It's like pouring money down a great big rat hole. The more money you pour down there, the more it will suck up. They come here every two years...every year, every two years, asking for more money. The more we give them, the less the quality of education is. They got a superintendent that gets \$125,000 a year. Let her take a pay cut. Let some of those big shots downtown take a pay cut. They just got through moving

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everything they have out to Pershing Road. Now, they want to move back downtown to the Grant Building, after they got the building on Pershing Road fixed up. They have absolutely no fiscal sense and no fiscal integrity, and they are going chase all the honest taxpaying people out of Chicago on the northwest and the southwest sides. Taxes at my house went up a thousand dollars in the last six years. How are the senior citizens going to pay for all this? They are entitled to some relief. We can't just keep raising taxes and giving it to that big rat hole in Chicago, because they will suck it all up. Let me urge my Republican colleagues from the suburbs and from downstate, don't vote for this Bill so when I go back home, all the taxpayers in my district will say, "Well, it's the Republicans from downstate and the suburbs that passed this tax. We don't need the tax. Let them economize."

Speaker Madigan: "Mr. Huff. Mr. Huff."

Huff: "Well, thank you, Mr. Speaker. I have the perception that this Bill is going to fail, and I'm being encouraged by my colleagues not to say what I want to say because of that. But, Ladies and Gentlemen, we just got through patting ourselves on the back for passing a income tax increase which I will assure you is an...was an ersatz document, an ersatz proposal. The real proposal is the one that is before us now. I had, as the Chairman of the Chicago School Study Commission, the honor of studying the school situation; and, if we let this package go down, Ladies and Gentlemen, the package that we just passed previous to this will go nowhere. It's my impression that since this Bill will fail, I'd just like to tell you what will be the consequence. If the schools close, Ladies and Gentlemen, for the want of this package, this 50 cents property increase, we will have 100,000 unemployed in Chicago. That

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many people, Ladies and Gentlemen, will undoubtedly bust the trust fund. It will drive businesses out of the state; because, if the taxing...if the unemployment rate go up, the unemployment tax rate to the employer will increase. This will discourage businesses from coming back into the state. And I ask you, Ladies and Gentlemen, in the event that this does happen, what value, what good does the previous tax package that we just voted out here do? I think the proper vote, if you're really interested in this City and the State of Illinois, is to vote 'aye'."

Speaker Madigan: "Mr. Piel."

Piel: "Thank you, Mr. Speaker. Will the Lady yield to some questions?"

Braun: "Yes. She indicates she will."

Speaker Madigan: "Representative Braun."

Braun: "I'm waiting for a question, Mr. Speaker."

Piel: "Well, I wanted to get leave from the Chair first. A couple questions, Representative. First of all, I know when it left the...when it left the House we removed the state aid penalty to the school districts which achieve less than 90% compliance."

Braun: "No, no, no, no, Sir. That related to the original Bill which had to do with immunization as a whole...that's all gone...all gone."

Piel: "Okay, but that...okay, but when that left the House, that was in there. I just wanted to make sure that was out."

Braun: "Yes, all gone."

Piel: "Okay. What is the total figure on what this is going to cost the taxpayers in the City of Chicago?"

Braun: "In the first year, because of a speedup..."

Piel: "I'm sorry, Mr. Speaker, I can't hear her."

Braun: "In the first year, because of a speedup..."

Speaker Madigan: "Would the Membership please give their

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attention to this Bill? It's becoming increasingly difficult to hear the debate. Would the Membership please give their attention to Mr. Piel and Representative Braun? Proceed."

Piel: "I will repeat the question for the Membership."

Braun: "I...I heard the question, Representative Piel. I was about to answer..."

Piel: "Yeah, well, I mean for the Membership. What is the total cost of this Bill to the taxpayers in the City of Chicago?"

Braun: "In the first...in the first year...in the first year, this Bill will generate \$95,000,000 in revenues. Thereafter, about 78 to 74. The cost to the average homeowner is in the neighborhood of 50 to \$60 per 5...\$50,000 home. It only increases 50 cents per hundred dollars of the assessed valuation."

Piel: "Alright. On the Conference Committee Report, does this deal at all with the School Finance Authority?"

Braun: "No, Sir, it doesn't. This is a concurrence."

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

Braun: "This is a concurrence and, no, it has nothing to do with the School Finance Authority."

Piel: "Alright. On the concurrence... Alright, on the concurrence. But it deals nothing at all with the School Finance Authority in the Senate Amendments?"

Braun: "No, Sir."

Piel: "Now, I noticed that it adds acceleration... the acceleration to the Bill."

Braun: "Just with regard to this first fiscal year payment."

Piel: "Okay. Would you explain that for the Members of the House, please?"

Braun: "It will appear on the July... It will be immediate... Essentially, it has the affect of having an immediate effective date."



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Piel: "So, in other words, we're...their taxes are going to be increased immediately. It will not be starting as of January 1 of '84?"

Braun: "That's correct."

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

Speaker Madigan: "Proceed, Mr. Piel."

Piel: "Thank you. I think it's...you know, I heard a little bit...a little while ago that somebody referred to the previous Bill as a little bit of mirror tactics. I'd be very surprised if any of the Representatives from Chicago went home, after voting for this thing, they'll sit here and say, 'Well, we raised your income tax, but we gave you property tax relief.' Then they are going to turn right around on the opposite side and hope that the people don't ask about what happened to their property taxes as far as the schools go. I think it's too bad that we are sitting here one Bill right after another and costing millions of dollars to the taxpayers of the State of Illinois. It's too bad that the City of Chicago, the school district in the City of Chicago, can't take a look at the situation and say, 'Hey, we've got to cut.' What they are doing is saying, 'Hey, we don't want to cut. We want to raise taxes, \$94,000,000 in taxes, one-tenth of the bill that we just assessed to the entire State of Illinois.' Ladies and Gentlemen of the House, I would ask that you would look at this...concurrence very, very closely before you cast an 'aye' vote in favor of House Bill 1092."

Speaker Madigan: "Representative Alexander."

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

Speaker Madigan: "The Lady moves the previous question. Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. Previous question is moved."

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The Chair recognizes Representative Braun to close."

Braun: "Thank you, Mr. Speaker, ladies and gentlemen of the House. The fact of the matter is that we have not had a property tax increase in Chicago for the schools for the last twelve years. We have increased taxes for other purposes. It seems to me that if, indeed, our first priority is education, if, indeed, we are serious about...about providing an educational system that will produce a generation of people who can think and read and write in the next generation, this Bill is necessary. I would point out to those who have doubts that there have been improvements in the Chicago school district. There have been improvements in reading scores, improvements in attendance, improvements in the system overall, and this Bill is a necessary step to keep these schools' doors open. I encourage your 'aye' vote."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 1092?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Pierce to explain his vote."

Pierce: "Mr. Speaker, for years we in the collar counties and downstate have complained that Chicago didn't pay enough schools...enough taxes for its schools. Their real estate tax was lower than ours for schools, even though their overall tax was high due to the...of the municipal duties that had to be carried out in Chicago. Their taxes were high, but their school taxes were lower than ours. We complained about it. We often criticized Chicago for it. Now, here is a Bill where people from Chicago are willing to pay...are willing to pay real estate taxes for their schools to support themselves. They want to support themselves. Let's give them a hand. Here is a case where it won't cost people in Lake County money,

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people in suburban Cook County money, people in downstate money. It will cost the real estate taxpayers of Chicago money. Let's vote 'aye'. Let them support their own schools. They are willing to do it. Representative Braun, the Sponsor, is willing to do it, and I, for one, agree with her and will vote 'aye'."

Speaker Madigan: "Mr. Cullerton to explain his vote."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Because of the redistricting, I was blessed with having a new State Senator. She is the Chairman of the Revenue Committee in the Senate and is...I consider to be very learned in the area of the issue of revenue. I'd like to quote from her speech that she gave in the Senate on this issue. 'I have also been in the position of being asked, virtually intimidated, year after year, at the close of the Legislative Session, to vote for property tax increases or some other form thereof to, quote, keep the Chicago schools open, closed quote. I want the Chicago schools to stay open. They must stay open. I do not believe that this is the only way to do it, and I vote no on this Bill.' That was Senator Dawn Clark Netsch, my Senator. I agree with Senator Netsch. This year we have increased the income tax, the sales tax, the gas tax, the unemployment tax. People are going to have to pay more for license plates. The problem with this Bill is that the so-called deficit of 200,000,000 isn't really that high; and, if we give them this \$95,000,000 tax increase, there will, once again, be no pressure on the Board of Education to make cuts and no pressure on the unions to make cuts. And I, therefore, explain my 'no' vote."

Speaker Madigan: "Mr. Kulas to explain his vote."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have been in this General Assembly long enough to

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know when a deal has been cut. Just by looking on that board, I can see where the deal has been cut. Now, don't come to me next time you want a vote for your farm Bills, for your coal mining interests, for all your other interests, because here you are voting for a Bill that does not affect you at all, but you want to raise the taxes in my district. This is a terrible Bill. The Chicago Board of Education has not been responsive, and you want to raise the taxes. Vote 'no' on this terrible Bill."

Speaker Madigan: "Mr. Berrios to explain his vote."

Berrios: "Mr. Speaker, I agree with Mr. Kulas. There are a lot of people up there that voted 'yes' on this thing that wouldn't vote for a tax increase, but they turn around and stick it to the City of Chicago and force them to pay higher real estate taxes in order to support. But, next time...I agree with Kulas. Let them come to me for another vote. Thank you."

Speaker Madigan: "Mr. Yourell to explain his vote."

Yourell: "Yes, it's...it's really...really humorous to me that I..."

Speaker Madigan: "For what purpose does Representative Braun seek recognition?"

Braun: "Mr. Speaker, the Gentlemen spoke in debate. I believe our rules preclude him from speaking in explanation of vote."

Speaker Madigan: "Mr. Yourell, did you speak in debate?"

Yourell: "Yes, I did."

Speaker Madigan: "Parliamentarian informs me that the rules do provide..."

Yourell: "What I want to do, Mr. Speaker, is verify this Roll Call, because a lot of people over there that wouldn't vote for a...for a school referendum...school increase or a tax without a referendum and some of them are Leaders of the

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Republican Party. I want to put them on the spot. I want a verification of this Roll Call."

Speaker Madigan: "Mr. McAuliffe."

McAuliffe: "Well, I was going to rise and ask for a verification, too, Mr. Speaker."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 'ayes' and 44 'nos', and there has been a request for a verification. For what purpose does Mr. Mays seek recognition? Mr. Clerk, would you record Mr. Mays as 'aye'? Mr. Clerk, proceed to read those voting in the affirmative."

Clerk Leone: "Roll of the Affirmative. Alexander. Barger. Barnes. Bowman. Braun. Freslin. Erockins. Brunner. Brunsvold. Bullock. Christensen. Curran. Currie. Daniels. Davis. DeJaegher. Deuchler. Didrickson. Domico. Doyle. John Dunn. Flinn. Virginia Frederick. Giorgi. Hannig. Hicks. Hoffman. Homer. Huff. Hutchins. Jaffe. Kirkland. Klemm. LeFlores. Levin. Marzuki. Mautino. Mays. McMaster. McPike. Mulcahey. Nelson. Oblinger. Pangle. William Petersen. Pierce. Preston. Pullen. Bea. Ehem. Rice. Richmond. Saltsman. Satterthwaite. Shaw. Steczo. Stuffle. Taylor. Topinka. Turner. Van Dwyne. Vinson. White. Wolf. Woodyard and Younge."

Speaker Madigan: "Mr. Yourell, do you have any questions?"

Yourell: "Yes, what are we starting with, Mr. Clerk?"

Speaker Madigan: "66 'aye' and 44 'no'."

Yourell: "Thank you, Mr. Speaker. Representative Deuchler."

Speaker Madigan: "Representative Deuchler is in the center aisle."

Yourell: "I didn't hear that."

Speaker Madigan: "Representative Deuchler is right in the well."

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Yourell: "Representative Domico."

Speaker Madigan: "Mr. Domico is on the floor."

Yourell: "Representative John Dunn. Representative Ewing."

Speaker Madigan: "Mr. Ewing is in his chair. For what purpose does Mr. Ewing seek recognition?"

Ewing: "Mr. Speaker, which side of the issue is he verifying? If you look up there, my vote is red."

Yourell: "Thank you very much. First time you know what you are doing. Representative Giorgi."

Speaker Madigan: "Mr. Giorgi is in the rear of the chamber."

Yourell: "Representative Ralph Dunn."

Speaker Madigan: "Mr. Dunn is recorded as 'nc'."

Yourell: "Representative Hannig."

Speaker Madigan: "Mr. Hannig is in his chair."

Yourell: "Representative Kirkland."

Speaker Madigan: "Mr. Kirkland is in the center aisle."

Yourell: "Representative Bea."

Speaker Madigan: "Mr. Bea. Is Mr. Bea in the chamber? Remove the Gentleman from the Roll Call."

Yourell: "Representative Richmond."

Speaker Madigan: "Mr. Richmond. Is Mr. Richmond in the chamber? Remove the Gentleman from the Roll Call."

Yourell: "Representative Woodyard."

Speaker Madigan: "Mr. Woodyard. Mr. Woodyard. How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Yourell: "Representative Brunsvold."

Speaker Madigan: "Mr. Brunsvold is in the center aisle."

Yourell: "Representative Fangle."

Speaker Madigan: "Mr. Fangle. Mr. Fangle is in the side of the chamber."

Yourell: "Representative Taylor."

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Speaker Madigan: "Mr. Taylor is in his chair."

Yourell: "Representative Topinka."

Speaker Madigan: "Representative Topinka is in her chair."

Yourell: "No further questions. Representative...Mr. Speaker?"

Speaker Madigan: "Mr. Yourell."

Yourell: "Did I call Representative Fangle? Is he in the chamber? Let the Speaker make that determination."

Speaker Madigan: "Mr...Mr. Fangle was questioned; and, at the time he was questioned, he was in the chamber."

Yourell: "Where is...where is Representative Fangle?"

Speaker Madigan: "The Parliamentarian informs the Chair that once a person is verified, that person cannot thereafter be removed from the Roll Call. Mr. Fangle has returned to the chamber. Mr. Clerk. On this question, there are 63 voting 'aye'... For what purpose does Representative Alexander seek recognition? On this question, there are 63 'aye', 44 'no'. The First Conference Committee Report on House Bill 1092 is adopted, and this Bill, having received...Let us correct the record. There being 63 'ayes' and 44 'nos', the House does concur in Senate Amendments...for what purpose does Mr. Terzich seek recognition?"

Terzich: "Mr. Speaker, does the State Mandate Act apply to this Bill?"

Speaker Madigan: "Mr. Terzich, the Parliamentarian informs me that that request is not timely at this time, because that is a request which is made when a Bill is on the Order of Second Reading. Mr. Terzich."

Terzich: "I still made an inquiry of the Chair, whether or not the State Mandate Act applies to this Bill."

Parliamentarian Getty: "On behalf of the Speaker, the Chair would rule that the State Mandates Act applies when a Bill would cost a unit of local government money, not when it would potentially cause (sic - cost) the taxpayer money. In this

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case, this is a Bill which could permissively cause an increase in taxes. It would not cost an increase to a unit of local government. Accordingly, the States Mandate Act does not apply."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, Judge, however, that is very...very confusing for the poor Creation boy, but I...I really do not understand your ruling. And I'd like to appeal the...the ruling, because it's a mandate on the taxpayers for a educational program. So, if it is a state mandate, I would...I would appreciate the...if the Speaker would concur with this immediately before he changes his mind."

Speaker Madigan: "The Parliamentarian ruled that it does not apply. The Parliamentarian ruled that the State Mandates Act does not apply. The Parliamentarian adequately explained his ruling. There being 63 'ayes' and 44 'nos', the House does concur in Senate Amendments 1, 2 and 3 to House Bill 1092, and the House, having concurred in the Senate Amendments, this Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Representative Alexander seek recognition?"

Alexander: "Thank you, Mr. Speaker. I move to reconsider the vote by which this Bill was passed."

Speaker Madigan: "Representative Braun."

Braun: "I move that that Motion lie on the table."

Speaker Madigan: "Question is, 'Shall the Motion to reconsider the vote lie upon the table?' Those in favor say 'aye', those opposed 'no'. They 'ayes' have it. The Motion is adopted. On page two of the Calendar, on the Order of Concurrence, there appears House Bill 97, Mr. Matijevich. Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,



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I'm going to now concur with Senate Amendment #1 to House Bill 97. The Senate Amendment, actually what it did, the Bill is the probation subsidy Bill and what it did, really, added language to the Bill that if there...the monies could not be provided only if their appropriations made in specific amounts. We already know that funds cannot be reimbursed to local government if the funds are not available. So the Bill...the Amendment really, I don't think, does harm to the Bill as introduced and; therefore, I concur with Senate Amendment #1 to House Bill 97."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the...of the Assembly. The Gentleman's Bill, which he would propose that we concur in and which concurrence would be final action, is a Bill that would provide for a new program with increased spending by the State of Illinois. The legislation that just passed this chamber for increased state revenues makes no provision for that program. A number of people in the course of discussion on the tax Bill talked about the free ride those people get who vote for appropriations and new programs and then refuse to vote for taxes. I would ask Members of the Assembly to search their souls on this. Do you really, want immediately after a tax Bill that does not provide the revenues for a program like this, that, indeed, does not provide the revenues for any new program but is totally directed toward trying to avoid draconian cuts in existing state programs, do you really want, at this time, to go on record as voting for a new program with higher costs? Mr. Speaker, I would urge a 'no' vote on the Gentleman's Motion; and, in the event that it should appear to get the requisite number of votes, I request a verification."

Speaker Madigan: "Mr. Matijevich to close."

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Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Vinson knows that we passed a...a Bill to provide revenue. We did not yet pass the appropriations Bill. By this Bill, I am saying, as many have said, as editorials have said all over the state, that we need a...a system in place to provide a better probation system. I guess Representative Vinson wants to keep building prisons until eternity. I guess he wants our present criminal justice system that is failing. I have said on the floor of the House that a good probation system is the cheapest alternative to incarceration that we have, and we ought to come back to it and have a good one. Representative Vinson doesn't stand for that. And I want to tell you I voted for that increase, but I think we ought to determine what our priorities are and we haven't yet at this late date. And even if a dime isn't in the budget for a probation subsidy, I think that we ought to put it on the books in...in this type of language, and there will be another year and another year. And there will be a time come that people are going to wake up and find out that they have an alternative to incarceration. So I would urge the Members to vote 'aye'. I supported that tax plan of yours, and I think you ought to support a plan whereby we provide some subsidies for a good probation system."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 97?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Ronan to explain his vote."

Ronan: "Thank you, Mr. Speaker, Members of the House. I, too, rise in support of this legislation. As Representative Matijevich has very accurately stated, we haven't even put the appropriations Bill together yet. The appropriation for this program is going to be minimal this fiscal year."

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What we are trying to do is establish a new concept, a new way of funding probation systems, to do something about the tremendously rising prison population we've got here in the State of Illinois. It's ridiculous to see red votes up on the board when what we are trying to do is do something that will eventually save the state some money. I feel that Representative Vinson is as usual irregardless and irresponsible in his comments. I think he is out of line, and what we are trying to do here is do something to save the state not only money this year, but down the road. And I urge every Member on this side of the aisle to put a green vote on there to do something about a very needed social program we've got here in the State of Illinois. We passed the income tax. I voted for it. These are the kind of social programs we need to get this state moving in the right direction, and I urge everyone to cast a green vote. Thank you."

Speaker Madigan: "Mr. Marzuki to explain his vote."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this good piece of legislation. I believe it will cut taxes, not increase taxes. I can't believe that incarceration and reincarceration is the only answer."

Speaker Madigan: "Mr. Hoffman to explain his vote."

Hoffman: "No, no, Mr. Speaker. I just wanted to ask for a verification at the appropriate time."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question, there are 69 'ayes' and 46 'nos', and there has been a request for a verification. Mr. Clerk, proceed to read those voting in the affirmative. Mr. Matijevec, would you come to the podium? Proceed, Mr. Clerk."

Clerk O'Brien: "Poll of the...Poll of the Affirmative.

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Alexander. Berrios. Bowman. Braun. Ereslin. Brookins."

Speaker Matijeovich: "Does the Gentleman withdraw his verification? Sam, does the Gentleman withdraw his verification?"

Clerk O'Brien: "Brummer. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico. Doyle. John Lunn. Farley. Flinn. Giglio. Giorgi. Greiman. Hannig. Hicks. Homer. Hutchins. Jaffe. Keane. Klemm. Kraska. Kulas. Laurinc. LeFlore. Leverenz. Levin. Marzuki. Matijeovich. Mautino. McGann. McPike. Mulcahey. Nash. O'Connell. Panayotovitch. Fangle. Pierce. Preston. Rea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw."

Speaker Matijeovich: "Representative Brookins, for what purpose do you rise?"

Brookins: "Leave to be verified."

Speaker Matijeovich: "Leave to be verified. Leave, and Mr. Brookins is verified."

Clerk O'Brien: "Slape."

Speaker Matijeovich: "Shaw, leave to be verified. Shaw, leave. Leave to be verified."

Clerk O'Brien: "Steczo. Stuffle. Terzich. Turner. Van Duyn. Vitek. White. Wolf. Younge. Yourell. Mr. Speaker."

Speaker Matijeovich: "Questions of the affirmative vote. Representative Klemm."

Klemm: "May I change my vote to 'no'?"

Speaker Matijeovich: "Change Klemm from 'aye' to 'no'."

Vinson: "Mr. Capparelli."

Matijeovich: "Capparelli? He's here in the aisle."

Vinson: "Where? That's...that's Yourell."

Speaker Matijeovich: "No, Capparelli is right near Giorgi's seat."

Vinson: "Mr. Domico."

Speaker Matijeovich: "Domico is over here."

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Vinson: "Mr. Leverenz."

Speaker Matijevich: "Representative Leverenz is... Is Representative Leverenz on the floor? Remove Representative Leverenz."

Vinson: "Mr. McGann."

Speaker Matijevich: "Representative McGann. He's over there. Return Representative Leverenz."

Vinson: "Mr. Nash."

Speaker Matijevich: "Representative Nash. Is Mr. Nash in the chambers? There he is in the middle aisle."

Vinson: "Mr. Taylor."

Speaker Matijevich: "Mr. Taylor, Jim Taylor. I don't see Jim Taylor. Remove Jim Taylor."

Clerk O'Brien: "The Gentleman is recorded as not voting."

Speaker Matijevich: "Not voting. Alright."

Vinson: "Oh, Mr. Fangle."

Speaker Matijevich: "Fangle is in his seat."

Vinson: "Mr. Fierce."

Speaker Matijevich: "Representative Dan Fierce is in his seat."

Vinson: "Mr. Preston."

Speaker Matijevich: "Lee Preston is over here."

Vinson: "Mr. Richmond."

Speaker Matijevich: "Mr. Richmond. Are you back there, Bruce? I don't see Bruce back there. Remove Richmond from the Roll."

Vinson: "Miss... Representative Satterthwaite."

Speaker Matijevich: "Representative Satterthwaite is in her seat."

Vinson: "Representative Slape."

Speaker Matijevich: "Representative Slape is right in front."

Vinson: "Representative Steczo."

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

Vinson: "Mr. Terzich."

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Speaker Matijevich: "Taylor 'aye'. Terzich, did you say? And Christensen 'aye'."

Clerk O'Brien: "Christensen is already 'aye'."

Speaker Matijevich: "Oh, alright. I'm sorry."

Vinson: "Mr. Rice."

Speaker Matijevich: "Yes, Taylor is 'aye'. Mr. Rice is right up in front. Proceed. McGann, McGann."

Vinson: "Mr. Hannig."

Speaker Matijevich: "Did you remove McGann?"

Vinson: "No."

Clerk O'Brien: "No."

Speaker Matijevich: "Alright, he's here. Leave to be verified. Leave to be verified."

Vinson: "Mr. Hannig. Mr. Hannig."

Speaker Matijevich: "Leave for Taylor to be verified. Hannig. Is Hannig in the...Here he is, right here."

Vinson: "Mr. Van Duyn."

Speaker Matijevich: "Van Duyn, Leroy Van Duyn. Is Leroy Van Duyn here? He was here, but he walked out this front door. Leroy Van Duyn. How's Van Duyn recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him. Here he is, right here."

Vinson: "Mr. Brummer."

Speaker Matijevich: "Rich Brummer is in the back."

Vinson: "No further questions."

Speaker Matijevich: "What's the count, Mr. Clerk? 68 'ayes', 47 'nos', and the House does concur with Senate Amendment #1 to House Bill 97. And this Bill, having received a Constitutional Majority, is hereby declared law...is hereby declared passed, I'm sorry. It'll be law when the Governor signs it, and I doubt if he will. Be better. Would Representative Vinson come up here for a moment? House Bill 273. Is the Gentleman from Lake here, Representative

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Churchill? Could you handle that Motion? That's a Motion to concur to Senate Amendment #1 to House Bill 273. Alright. The Gentleman from Lake, Representative Churchill. That's the '83... '85 Sunset, I believe it is."

Churchill: "Thank you, Mr. Speaker. I move we concur in Senate Amendment to 273."

Speaker Matijevich: "The Gentleman from Lake, Representative Churchill moves to concur with Senate Amendment #1 to House Bill 273. There being no discussion... Representative Cullerton. The Gentleman has moved to concur with Senate Amendment #1 to House Bill 273. There being no discussion, all in favor signify... One moment. I'll try it one more time. The Gentleman from Lake, Representative Churchill, has moved to concur with Senate Amendment #1 to House Bill 273. There being no discussion, all in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, there are 103 'ayes', 2 'nays', and the House... Hastert... Hastert 'aye'. And the House does concur with Senate Amendment #1 to House Bill 273, and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 556, Hoffman, the Gentleman from DuPage. Out of the record. House Bill 561, Panayotovich. The Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 561."

Speaker Matijevich: "The Gentleman has moved to concur with Senate Amendment #1 to House Bill 561. Gentleman from Peor... The Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, would you explain what the underlying

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Bill and what the Senate Amendments did?"

Panayotovich: "The Senate Amendment #1 was a construction contract that it would be the responsibility of the architect or engineer to identify, prior to bid letting, the products which may be used in the performance of that contract."

Vinson: "The... The products that would be used in the performance of the contract?"

Panayotovich: "Yes, Sir."

Vinson: "And what's the purpose of that?"

Panayotovich: "Well, hopefully, to get more buy-American products."

Vinson: "Now, what's the underlying Bill?"

Panayotovich: "The underlying... The Bill itself, Sir?"

Vinson: "Yes."

Panayotovich: "The Bill itself is a Bill that when we are using taxpayers' dollars, that we will use... we will... whenever possible, to buy American products with few exceptions."

Vinson: "What is the real... How does the Senate Amendment facilitate that aspect of the Bill?"

Panayotovich: "Well, the Senate Amendment would give the person who is ever giving out the contract, the agency giving out the contract, the right to look at the sheet and see if the products are being made, if they are available in America or if they are not available in America. If they are not available in America, maybe they might want to change the specifications of that product, change the size of that door, change the size of that desk, whatever they might have to to make sure that they want, if they would like to buy all American."

Vinson: "Are they in any way required to make those changes?"

Panayotovich: "I don't believe so."

Vinson: "Why not?"



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Panayotovich: "Because it would fall under the other Amendment...

I mean, of the other exemption, I believe, if it's under 500 dollars, the 15% or not in quantity."

Vinson: "Well... couldn't some of those... some of those changes be very substantial in nature and very expensive in cost?"

Panayotovich: "I imagine they could."

Vinson: "So, if we required, in those particular kinds of changes like that, the use of American products, that would... wouldn't that facilitate the purpose of the Bill?"

Panayotovich: "No, we have... We have the... If it's not produced in America and the specifications call for a product that is not produced here, we would then have to buy it somewhere else."

Vinson: "Well, my point is, why don't we change the specifications? Couldn't you require that?"

Panayotovich: "I don't know."

Vinson: "Would you like to take this out of the record and think about it?"

Panayotovich: "I took it out of the record for you before, Mr. Minority Leader, and I think that we should move right along being the hour is late, and we all do have other things to do."

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

Speaker Matijevich: "Proceed."

Vinson: "Mr. Speaker, this is a Bill that will raise the costs of local government. It is a Bill that will discourage our ability to sell farm products and manufactured products overseas. It is a Bill that will put people out of work in Decatur, in Peoria and Joliet and, yes, in fact, in Chicago. And, Mr. Speaker, it's a Bill that will raise the price of goods that people buy, working people buy, all over this state. You know, it used to be that the worst thing you could do, if you really cared about working

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people, was to vote to erect tariffs, because what you were doing when you did that, people understood, was that you were just taking money out of their pockets. And now somehow the Sponsors of this Bill, the people who support this Bill have decided to turn their backs on working people and, instead, to try to quote these issues in demagoguery and, in fact, to hurt working people. So, I would urge a 'no' vote on this Bill."

Speaker Matijevich: "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. Gentleman from Cook, Representative Panayotovich, to close."

Panayotovich: "Thank you, Mr. Speaker. I'm glad to see that the Minority Leader re... his voice is back on the talkings part; because, during the tax increase, we did not hear him speak at all. I'm glad to see that his throat is better and that he's talking again, but he is wrong. We are not trying to put people out of work. We are trying to put people back to work. We are trying to make sure that the people of this state, the people of this country are going to go out, and they're going to have jobs available; because, when government spends money, they're going to buy American-made products. It's not going to affect the average person as he said, and it will be... will not cost more money to buy products. And I urge an 'aye' vote from everybody so we can put people back to work."

Speaker Matijevich: "Representative Panayotovich has moved that the House concur to Senate Amendment #1 to House Bill 561. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have

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all voted who wish? The Clerk will take the record. I'm sorry. It's still open, Sam. It's still open. Get your votes up there. Have all voted? Representative Ropp, for what purpose do you seek..."

Ropp: "Well, Mr. Speaker, I'd like to explain my vote and also request that if this gets a sufficient number of votes, I'd like to verify it, please."

Speaker Matijevich: "We got the same votes up there that we had last time. But, have all voted?"

Ropp: "Okay, now. Wait. I wanted to explain my vote. Mr. Speaker, in explaining my vote..."

Speaker Matijevich: "Matijevich 'aye'."

Ropp: "Mr. Speaker, am I still explaining my..."

Speaker Matijevich: "Giorgi 'aye'. Well, wait a minute. Giorgi 'aye'. We'll let you explain your vote. Go ahead, Ropp... Representative Ropp. I thought you were asking for a verification. And you can't ask for a veri... Okay. Go ahead."

Ropp: "I thought you had that right to ask for a verification."

Speaker Matijevich: "I thought you were explaining your vote."

Ropp: "I'm doing both, please."

Speaker Matijevich: "Oh, you can do both. Go ahead."

Ropp: "Thank you. In explaining my vote, I would like to once again recall, for the Sponsor of this Bill, that for every billion dollars of lost international sales, that we lose between 40 and 50,000 jobs in the State of Illinois. Just in exporting to the country of Canada, just to our northern neighbor, we are going to lose as a result of this. Should they begin to say, 'No more goods from Illinois', we're going to lose something like 140,000 jobs. These are your voters. These are your constituents that you're trying to help; and, if you call helping by putting them out of work, then I don't understand the meaning of putting people back

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to work. I urge a 'no' vote."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 69 'ayes', 47 'nays', and Representative Ropp is asking for a verification. One moment. Representative Slape. Are you persisting in your verification, Representative Ropp? I just asked you a question. Are you persisting in your verification?"

Ropp: "Sure. Wasn't that my request?"

Speaker Matijeich: "Alright. I just asked. Representative Slape asks leave to be verification... leave to be verified. Proceed with the Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Huff and McAuliffe."

Speaker Matijeich: "Proceed with the affirmative vote. When your name is called..."

Clerk O'Brien: "Alexander."

Speaker Matijeich: "... sit down and raise your arm."

Clerk O'Brien: "Berrios. Braun. Breslin. Brockins. Brummer. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Davis. DeJaegher. Didrickson. DiPrima. Domico. Doyle. John Dunn. Farley. Flinn. Giglio. Giorgi. Hannig. Hicks. Homer. Hutchins. Johnson. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Marzuki. Matijeich. Mautinc. McGann. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Fangle. Piel. Rea. Rhem. Rice. Richmond. Ecnan. Saltsman. Satterthwaite. Shaw. Slape. Steczko. Stuffle. Tate. Taylor. Terzich. Topinka. Turner. Van Duyn. Vitek. White. Wolf. Younge. Yourell and Mr. Speaker."

Speaker Matijeich: "Questions of the Affirmative."

Ropp: "Mr. Speaker, Representative White."

Speaker Matijeich: "Representative White in the chamber? Leave for Richmond to be verified. Leave. Representative White."

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I don't see him. Hemo..."

Ropp: "Representative Taylor."

Speaker Matijeich: "One moment. Not too quick. Leave for Steczo to be verified. Steczo and Richmond have leave to be verified. And White was removed. Proceed."

Ropp: "Representative Levin."

Speaker Matijeich: "Levin. Is Representative Ellis Levin on the floor? I don't see him. Remove Ellis Levin."

Ropp: "Representative Giglio."

Speaker Matijeich: "Representative Giglio. He's in his seat."

Ropp: "Representative Farley."

Speaker Matijeich: "Representative Farley is in the back. Representative Tate, for what purpose do you seek recognition?"

Tate: "Speaker, how am I recorded? I'd like to be recorded 'no'."

Speaker Matijeich: "Change Tate from 'aye' to 'no'. Proceed."

Ropp: "Representative Fangle."

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

Ropp: "Representative Davis."

Speaker Matijeich: "Return Jesse White to the Roll Call. He's up front here. What was that last one?"

Ropp: "Representative Davis."

Speaker Matijeich: "What did he... Jack Davis. Is Representative Davis here? Remove him and leave for Brookins to be verified. Leave. Proceed."

Ropp: "Representative Berrios."

Speaker Matijeich: "Representative Berrios is in his seat."

Ropp: "Representative Piel."

Speaker Matijeich: "Representative Piel is over on your side."

Ropp: "One quest... Is Representative Breslin in the hospital yet or not?"

Speaker Matijeich: "Well, she's in her seat."

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Ropp: "Oh, okay. Representative Hicks."

Speaker Matijevich: "Representative Hicks. Is Representative Hicks in the chamber? He's way in the back."

Ropp: "That's all, Mr. Speaker."

Speaker Matijevich: "James Taylor 'aye', and Jack Davis 'aye'. Doug Huff 'aye'. We've completed the verification. The Clerk will give the Chair the count. 67 'ayes', 48 'nos', and the House does concur with Senate Amendment 1 to House Bill 561. House Bill 722, Levin. Oh, and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Vinson, for what purpose do you rise?"

Vinson: "There was no vote on Mr. Levin's Bill. The Clerk read Mr. Levin's Bill, and then you declared it was passed."

Speaker Matijevich: "No. No, we hadn't called that Bill yet."

Vinson: "Well, what Bill was declared passed?"

Speaker Matijevich: "House Bill 561, Panayotovich."

Vinson: "I think there's a cloud on the record of that Bill."

Speaker Matijevich: "Alright. Well, as long as there's a cloud. House Bill 561, the House has concurred with Senate Amendment #1, and this Bill, having received the Constitutional Majority, is hereby declared passed. 695, Representative Dunn. We took that out earlier. Is that still out? Out of the record. 722... 722, Levin. Is Representative Levin ready? There he comes running down the aisle. Who said he's slow? Hurry, Ellis. Gentleman from Cook, Representative Ellis Levin, on House Bill 722."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 722 provides a mechanism for self-insurance for the school districts in the State of Illinois. Amendment #... Senate Amendment #1, in which I move we concur, limits the applicability of this Bill to the Chicago Board of Education. I would move to concur in

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Senate Amendment #1."

Speaker Matijevich: "Representative Levin moves to concur with Senate Amendment #1 to House Bill 722. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen. Would the Gentleman yield for a question?"

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

Vinson: "Representative, would you explain what your Bill does, and how was it amended in the Senate?"

Speaker Matijevich: "Representative Levin."

Levin: "The underlying Bill allowed local tax funds raised for workers' compensation, unemployment compensation and occupational disease purposes to be expanded to include liabilities incurred by a local school board for the operation and administrative cost of workers in unemployment compensation. In other words, under the existing law, school districts may levy to pay insurance premiums for workers' compensation, unemployment compensation, occupational diseases. There is an economy self-insurance which larger school districts are able to enjoy by administering their own program. Under the scope of the current levy, you can only spend it for insurance, even if there is a savings through self-insurance. This simply permits the economy of self-insurance."

Vinson: "You're saying this only permits... The only change this would make would be to permit the payment of this fund already for self-insurance?"

Levin: "That's correct."

Vinson: "You can't currently, under this particular levy, pay for insurance premiums?"

Levin: "Under the current levy, you can only pay for insurance premiums for the three categories I mentioned: workers' compensation, unemployment compensation and occupational

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diseases. As I said, the experience in... particularly in the City of Chicago is that they're given the large volume of this. They are able to actually incur savings by administering the program themselves. This Bill, the underlying Bill, would, you know, allow them, rather than having to go through and just levy for insurance, to have the savings that come about through self-insurance. The Bill, when it was initially introduced in the House, applied only to the Chicago Board of Education. In Committee, some of the downstate Members felt that they would like to see it expanded and applied statewide, which we did; but, when the Bill went to the Senate, Senator Maitland's Motion put it back in its original form, so it just applied to the Chicago Board of Education."

Vinson: "Representative, how are workers' compensation and unemployment insurance taxes now paid? What fund are they levied from?"

Levin: "In the City of Chicago, since there is a savings, they take it out of the... They go... They're currently administering their own program. They do not buy insurance. The result is, they take it out of the Educational Fund."

Vinson: "Oh, so currently the costs of this program are borne under the Education Fund?"

Levin: "It's my understanding, because it is... there is a savings, a substantial savings, by self-insurance. By their..."

Vinson: "But let me understand this. Currently, these... these services would be paid for out of the Educational Fund?"

Levin: "That's my understanding."

Vinson: "Is there a maximum rate on the Education Fund, that you can't... that you cannot exceed without a referendum?"

Levin: "Yes, there is."



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Vinson: "There is?"

Levin: "Yes, there is."

Vinson: "Is there a maximum rate on this particular fund?"

Levin: "I really can't answer that question."

Vinson: "But, Mr. Speaker, to the Bill, and just so every Member of the General Assembly knows this, I don't... I don't know whether this is the right thing to do or the wrong thing to do, but I do think the Members are entitled to a clear explanation of a Bill. And the Gentleman has attempted to suggest that what this issue simply is is whether you're going to pay for these out of the Educational Fund and have... have to buy outside insurance or whether you're going to pay for them out of this fund and be able to self-insure. In fact, what the issue is, if you move these over to this particular fund, there is no maximum tax levy on this particular fund. So, what you are doing, if you choose to do this as a Legislature, and again, I don't care to speak to whether we should do that or not, I just want the Members to understand what you're doing is, in effect, providing a non-referendum tax increase in the Educational Tax Fund by shifting this to another fund. Members can choose to do that or not choose to do that, but that's their choice, obviously. The Assembly ought to have the benefit of that explanation, though."

Speaker Matijevich: "Representative Levin to close."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would simply point out in closing that when I spoke with respect to the fifty cent increase the Chicago Board of Education was asking, I stood as somebody who was very critical of the administration of the Chicago Board. I felt that they needed reform, and I felt that the Speaker's program and the proposal he had made to Superintendent Love would help bring that about. This

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particular proposal, I think, is in line with what I suggested in my earlier speech. This is something which will save money for the Board. There is a savings to them given their... the large volume of their workers' compensation, unemployment compensation, occupational diseases in self-insurance. Anybody who's a businessman knows the economy of scale in this area when you get sufficiently large. With respect to the inquiry of the Gentleman from DeWitt, I would point out that workmen's compensation, unemployment compensation and occupational disease claims are not voluntary. They're not ones that the Board of Education budgets for itself, says, 'We're going to spend... We're going to have so many claims this year.' These are claims that are made from the outside. They're made from... by employees and others. So, it is not a voluntary type of thing. So that, all we are doing here is we are taking a very small step in allowing the Board of Education to reform itself, to save some money for the taxpayers of the City of Chicago. I urge an 'aye' vote."

Speaker Matijevich: "Representative Ellis Levin has moved to concur with Senate Amendment #1 to House Bill 722. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted? The Clerk will take the record. On this question, there are 64 'ayes', 47 'nays', 1 answering 'present'. The House does concur with... The Gentleman from DeWitt, Representative Vinson."

Vinson: "I think that one's close enough to verify."

Speaker Matijevich: "Representative Cullerton, for what purpose do you rise?"

Cullerton: "If Representative Vinson wants to stall, he could have given a speech during the income tax debate."

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Speaker Matijevich: "That's right. It's getting... It's getting close to where the Chair's going to rule some of these tactics dilatory, it looks like. But, the Gentleman has asked for a verification, and he's in... within his rights, even though everybody knows that we have a full attendance, here. Full of the Absentees."

Clerk O'Brien: "Barger. Brockins. Doyle. Laurino. McAuliffe and Yourell."

Speaker Matijevich: "The Clerk will call out the Affirmative Roll Call. When your name is called, stay in your seat and raise your arms."

Clerk O'Brien: "Alexander."

Speaker Matijevich: "Alexander. Leave to be verified for Alexander. She has to go."

Clerk O'Brien: "Berrios. Bowman. Braun. Ereslin. Brummer. Brunsvold. Fullock."

Speaker Matijevich: "Doyle 'aye'. Wyvetter Younge asks leave to be verified. Marzuki asks leave to be verified."

Clerk O'Brien: "Capparelli. Christensen. Cullerton. Curran. Currie. DiPrima. Domico. Doyle. John Dunn. Farley. Flinn. Giglio. Giorgi."

Speaker Matijevich: "Leave for Jim Keane to be verified. Leave."

Clerk O'Brien: "Greiman. Hannig. Hicks. Homer. Huff. Hutchins. Jaffe. Keane. Krska. Kulas. LeFlore. Leverenz. Levin. Marzuki. Matijevich. Mautino. McGann. McPike. Mulcahey. Nash. O'Connell. Fanayotovitch. Pangle. Pierce. Preston. Rea. Rhein. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Taylor. Terzich. Turner. Van Dyne. White. Wolf. Younge and Mr. Speaker."

Speaker Matijevich: "Questions of the affirmative vote. Representative O'Connell, for what purpose do you rise?"

O'Connell: "May I have leave to be verified?"

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Speaker Matijeich: "Leave to be verified. You may leave.  
Proceed, Representative Vinson."

Vinson: "Mr. Berrios."

Speaker Matijeich: "Representative Berrios is by his seat."

Vinson: "Mr. Capparelli."

Speaker Matijeich: "Mr. Capparelli here? Remove Capparelli for  
the moment."

Vinson: "Mr. DiFrma."

Speaker Matijeich: "Representative DiFrma is in his red shirt  
over there."

Vinson: "Mr. Domico."

Speaker Matijeich: "Domico? Is Representative Domico... I don't  
see him there, though. Oh, he's in the back. There he  
is."

Vinson: "Mr. Farley."

Speaker Matijeich: "Farley? Is Representative Farley here? No.  
Remove Representative Farley."

Vinson: "Mr. Flinn."

Speaker Matijeich: "Representative Klemm? There he is, right  
near you."

Vinson: "Mr. Hannig."

Speaker Matijeich: "Representative Hannig is in his seat."

Vinson: "Mr. Hutchins."

Speaker Matijeich: "Ozie Hutchins is in his seat."

Vinson: "Mr. Marzuki."

Speaker Matijeich: "Did we take Domico off? Oh, no, we didn't.  
Okay. Marzuki had leave to be verified. Mautino, leave to  
be verified. leave."

Vinson: "Mr. McGann."

Speaker Matijeich: "McGann? He's reading his speech, yet.  
There he is."

Vinson: "Mr. Fanayotovich."

Speaker Matijeich: "Fanayotovich is in his seat."

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Vinson: "Mr. Nash."

Speaker Matijevich: "Representative Nash? Is Representative Nash in the Assembly? I don't see him. Remove Representative Nash."

Vinson: "Mr... Mr. Fierce."

Speaker Matijevich: "Representative Fierce? I thought I... He's in his seat."

Vinson: "Mr. Slape."

Speaker Matijevich: "Representative Slape is in his seat. Brookins, leave to be verified. Leave, Brockins. James Taylor, leave to be verified."

Vinson: "Mr. Shaw."

Speaker Matijevich: "Wait a minute. Brockins wants to be recorded 'aye', and leave. Shaw? Is Shaw back there? I don't... Yes, he is. There he is."

Vinson: "Mr. Terzich."

Speaker Matijevich: "Terzich is over here by Cullerton."

Vinson: "Mr. Van Dwyne."

Speaker Matijevich: "Van Dwyne is over here on the right."

Vinson: "Does he have a new seat?"

Speaker Matijevich: "What's that?"

Vinson: "Does he have a new seat?"

Speaker Matijevich: "Leave, Preston. Leave to be verified? Leave. Ronan, leave to be verified. Leave."

Vinson: "Mr. Wolf."

Speaker Matijevich: "Representative Wolf. Is Sam Wolf... I don't see Sam Wolf around. Remove Sam Wolf."

Vinson: "Mr. Bhem."

Speaker Matijevich: "Mr. Bhem? He's in the back."

Vinson: "Mr. Brummer."

Speaker Matijevich: "Mr. Brummer is... Dick Brummer? Here he is, right up in front."

Vinson: "Where?"

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Speaker Matijevich: "Eight in front, here."

Vinson: "Oh."

Speaker Matijevich: "Proceed."

Vinson: "Mr. Giorgi."

Speaker Matijevich: "Representative Giorgi. Representative Giorgi here? I don't see Representative Giorgi. Leave for Woods Bowman to be verified, and remove Giorgi from the Roll Call."

Vinson: "Mr. Greiman."

Speaker Matijevich: "Representative Greiman? I don't see Representative Greiman here. Remove Greiman from the Roll Call. Leave for Jesse White to be verified. Leave. Return Greiman? Return Greiman to the Roll Call."

Vinson: "Mrs. Younger."

Speaker Matijevich: "Mrs. Wyvetter Younger here? Oh, that's right. She did have leave. Here she is, right here. Yeah."

Vinson: "Mr.... Mr. Leverenz."

Speaker Matijevich: "Representative Leverenz? Ted Leverenz here? I don't see him. Remove him from the Roll Call."

Vinson: "Mr. Mautino."

Speaker Matijevich: "Mautino had leave."

Vinson: "Okay. No further questions."

Speaker Matijevich: "The Clerk will give us the count. 60 'ayes', 47 'nos', 1 'present', and the House does concur with Senate Amendment #1 to House Bill 722. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 740 is... Flinn wants that out of the record, again? Out of the record. 775. The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members of the House, I would move to concur in the Senate... in the Amendment from the Senate with regard to House Bill 775. The Bill basically deals

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with the issue that we've already dealt with in this Session of sick leave. It provides an incentive for a state employee to continue to work in state service rather than taking sick leave which causes disruption to the system of state employees working for the state. Currently, 25 states have gone to a system of partial reimbursement for persons who do not choose to use up their sick leave. We discussed this same issue with regard to the teacher system. This Bill would allow a person to continue to work, rather... to continue to utilize lump sums available to them which the law already does, taking a lump sum payment of accrued vacation, overtime and personal leave days when they leave service and buying that time in the pension system. As well and importantly, it would provide that a person who does not utilize accumulated sick leave for purposes simply of taking up the time will be able to get back a lump sum of one half of the time they do not utilize. The purpose of that is very simply to do this, to put in place a situation where people work rather than simply eating up the time and forcing overtime to be paid to short-staffed agencies or otherwise forcing other people to come on board. The State of Illinois has a tremendous problem with the misuse of sick days. The State of Illinois averages over 11... 11 days used each year per employee out of 12, 11.38 are used. This Bill would provide an incentive to continue to work, rather than utilizing the sick leave. Compare Illinois' 11.38 days used each year to 5.93 in the State of Michigan which already has this type of partial reimbursement, and you can see that the cost to the State of Illinois based upon average salary for the use of sick leave is some 46,000,000 dollars a year. I think it's important that we recognize this concept because of the reasons cited and the studies

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from other states that have adopted this that show that the misuse of sick leave causes tremendous unnecessary overtime payments, inefficiency in departments and also causes increases in compensation due to absenteeism making up wasted time and making up for the lack of employees on duty. For those reasons, I would ask that the House consider the Senate Amendment and concur in Senate Amendment #1 to House Bill 775."

Speaker Matijevich: "Representative Stuffle moves to concur with Senate Amendment #1 to House Bill 775. The Gentleman from DuPage, Representative Hoffman."

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

Speaker Matijevich: "Indicates he will. Proceed."

Hoffman: "How many... How many days of sick leave did you say is part of the contract now?"

Stuffle: "The average situation in Illinois, Representative, is that we use sick days in Illinois. The average state employee uses over 11 of his sick days now, 11.38."

Hoffman: "And he has 12."

Stuffle: "I believe so."

Hoffman: "Or the person has... the person has 12. What's... What's the purpose, or what was the purpose of putting this provision in the law in the beginning?"

Stuffle: "Well, I don't know what the purpose was in the first place. The law now, as you know, allows you to take lump sum payments if you don't utilize the time or to continue to effectively - say you've got... accumulated 50, 60, 100 days at the end - to stay on the payroll. Frankly, what people do is stay on the payroll until they're about to retire and come back for a couple of days and work at that time. All they do in state service then is wipe out, utilize the time. They have to fill in for them in between with someone else or pay someone overtime."



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Hoffman: "All right. Fine. Thank you very much. Very quickly...Very quickly to the Bill. Of course, the original purpose for sick leave for state employees, as it was for school teachers and others, is to provide a way to protect people when they're sick. Unfortunately, because those days are available, people use the sick leave days for purposes for which it was not intended. Other words, they violate the trust of their employers, and call in sick and go shopping. And that's the point that I think he is making. So in order to address this immorality, we provide that we will pay them for it. And now, we're going to provide that we are going to put it in their pension system, and the reason for this is that we want them to come to work. And so, in effect, what happens is for these days that they have sick leave, which was set aside for a particular purpose, they're going to get paid twice. They get paid because it's in their salary, and then we pay them for... again the second time for not taking the day. I know that... I know the purpose that this is trying to address. I appreciate the problem. I see it happen in my own place of employment, but I just think it's a sad, sad state of affairs that we have to get involved in this kind of legislation. And I suppose more out of principle than anything else, I will oppose it."

Speaker Matijevich: "Representative Stuffle to close."

Stuffle: "Simply, Mr. Speaker, to dispel that last statement. The point of it is that now we pay twice. Now the person utilizes the day simply because it's there, whether they're sick or not and we pay for that day. Also, we normally pay for someone to take his place, particularly if that person, he or she, is in an under-staffed agency with a large caseload. And that's certainly the fact, as we see it now, in state agencies with under staffing and with the problems

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that we face in State Government with money. This Bill would address that by giving a partial incentive to stay on the job with a half time lump sum payment. I would ask that we concur in the Senate Amendment."

Speaker Matijevich: "Representative Stuffle has moved that the House concur with Senate Amendment #1 to House Bill 775. 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 73 'ayes', 37 'nays', 2 answering 'present', and the House does concur with Senate Amendment 1 to House Bill 775. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1024, Representative Rice. Wait. Representative Bowman, for what purpose do you rise?"

Bowman: "Yes, Mr. Speaker, both...on my console here, both the green 'yes' light and the yellow 'present' light are on. I want to make sure that it's being recorded accurately on the electronic Roll."

Speaker Matijevich: "Please, please record Bowman as, I don't know... I think 'yes', but maybe not."

Bowman: "Yeah, I'm supposed to be... I'm voting 'yes', and it appears that way on the board. I just want to make sure the computer gets it that way, and I'd like to have someone check it for me."

Speaker Matijevich: "You're recorded 'yes'. Representative Rice on House Bill 1024."

Rice: "Mr. Speaker... Mr. Speaker, I request the House to concur... concur with 1024. The Bill, at this... It's the insurance brokers Bill that would allow an insurance broker to renew his license after he volunteered... did not renew them at a particular time. Yesterday, the Bill was spoken to; and, at this point, I'd ask for a vote of concurrence."

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Speaker Matijevich: "Representative Rice has moved to concur with Senate Amendment 1 to House Bill 1024. 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 67 'ayes', 39 'nays', 4 answering 'present'. The House does concur with Senate Amendment #1 to House Bill 1024. This Bill, having received the Constitutional Majority, is hereby declared passed. Brother Rice 'aye'. Harris 'no'. Alright. Alright. Rice, leave to be recorded 'aye'. Alright. Supplemental Calendar #4, on the Order of Conference Committee Reports appears House Bill 406, Representative Greiman. Is Representative Greiman on the floor? Is Representative Greiman here on House Bill 406? I'm calling it out a few times so he can come out. The Gentleman from Cook, Representative Greiman, on House Bill 406 on Conference Committee Reports."

Greiman: "Yes, thank you, Mr. Speaker. I move that the... that the House adopt Conference Committee 1 for... on House Bill 406. The Conference Committee, the original nonconcurrency was based on the notion that perhaps this Bill might be somehow used in another way, and this is the Bill as it passed the Senate and with slight modification from when it passed the House. It is... The Senate Amendment is an Amendment which was suggested by the insurance industry and which has been put on at the insurance industry's wish. And only that way did it get out of the Senate. I ask that you adopt it."

Speaker Matijevich: "Representative Greiman has moved that the House do adopt Conference Committee Report #1 on House Bill 406. There being no discussion, all those in favor of the adoption of Committee... House... First Conference

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Committee Report of House Bill 406 shall vote 'aye', those opposed vote 'no'. This is final passage. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 111 'ayes', 3 'nays', 1 answering 'present', and the House does adopt the First Conference Committee Report on House Bill 406. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 772. The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I move that we concur in the First Conference Committee on House Bill 772. It has been signed by all of the Members, all the Conferees. What it does is continue the language that was left out in the Senate Amendment as it pertains to taxidermy. It also includes in this legislation the Open Space Land Development Authority that was Representative Steczo's Bill, which allows for the capital development of recreational areas by local governments. It, as well... That's it."

Speaker Matijevich: "Representative Mautino moves that the House do adopt the First Conference Committee Report on House Bill 772. The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Mautino?"

Speaker Matijevich: "Yes, he'll yield."

Johnson: "I see that Senate Amendment #1 provides that there is a prohibition on persons releasing, holding, possessing or raising finnraccoons."

Mautino: "Right. Finnraccoons... That was the Amendment presented by the Department of Conservation. There were some individuals that were raising finnraccoons. It's like a raccoon dog, but they carry highly contagious diseases. No state in the union allows them to be breed and raised,

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and Illinois wants to conform with that."

Johnson: "Is... Is it a kind of dog?"

Mautino: "It's a raccoon that looks like a dog, and they're called fannraccoons."

Johnson: "Oh, I see. Okay. I wasn't giving you a hard time. I just had never heard of that."

Mautino: "Yes, it's the Department of Conservation's Amendment to protect themselves as it pertains... at the recommendation of the biologist in conservation."

Speaker Matijevich: "Representative Mautino has moved to do adopt on House Bill 772 on the First Conference Committee Report. 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 103 'ayes', 6 'nays', and the House does adopt the First Conference Committee Report on House Bill 772. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Klemm 'aye'. Would Representative Mautino come up here for a moment? Alright. Representative Piel 'aye'. The Gentleman from Cook, Representative Piel."

Piel: "Mr. Speaker, I'm not sure how it affects the Roll Call, but the board has it as a nonconcurrency. I'm not sure if it comes out that way on the Roll Call or not? Did you say the First Conference Committee Report?"

Speaker Matijevich: "I sure did. House Bill 921. The Gentleman from Cook, Representative Keane. Representative Keane on House Bill 921. Out of the record. The House... In error... One moment. In error, when Representative Rice had his own Bill, 1024, he voted 'present'. I heard somebody else ask leave for him to be recorded 'aye'. He did want to vote 'present' on the Bill, even though it was his own Bill, and we ask... And it wasn't he that requested

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that change. So, leave that he do be recorded 'present'. No, this is an error of the Chair, and there's no doubt about it. He did not ask for that change. I just heard a voice over there, and I thought it was his. So that is an error of the Chair, and I would hope that everybody will understand that it was that error. Representative Johnson, you know, you're free to speak on this, but let me tell you, it was a real error."

Johnson: "I'm not questioning anybody's motivations. What I am is questioning whether that complies with the rules or not. I'd like to... I don't think the rules permit us to change our votes after they're recorded. I recall that... that, and I didn't see Representative Rice object when you said you wanted him recorded as 'yes'."

Speaker Matijevich: "Representative Johnson, you're right as far as whether we can do it. We can't, but all I'm saying is it was an error of the Chair. The electronic vote shows him 'present', and that's the way it should be shown. That's..."

Johnson: "Okay. I'm not... I'm not going to object, and I'm doing that because I think you've conducted yourself fairly and so has Representative Rice, but I think we ought to at least know what we're doing before we just try to slide things through."

Speaker Matijevich: "Alright. Thank you. We will next return to the Regular Calendar on page three, on Conference Committee Reports, House Bill 573. Mautino just ran over to the Senate. So, let's take that out of the record for a moment. Leave to return. I think Mautino's still in the Senate. Yes. House Bill 1470. I think we've done that. Senate Bill 440, Representative McCracken. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I move that this House adopt

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Conference Committee Report #1. That Conference Committee Report was drafted to take care of a concern raised by the Cook County state's attorney after this Bill had passed out of the Judiciary Committee. Essentially, the Conference Committee Report amends the Bill to require the Department of Children and Family Services to report suspected abuse based on the existence of a venereal disease in a child under 12 to the state's attorney for purposes of follow up on criminal investigation. I move we concur in the Conference Committee Report to Senate Bill 440."

Speaker Matijevich: "Representative McCracken has moved that we do... the House do adopt the First Conference Committee Report on Senate Bill 440. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just wanted to state for the record, Mr. Speaker, that I did sign this particular Conference Committee Report. And it was explained to me that the Cook County state's attorney was in favor and had signed off on the Bill. Subsequent to that, I did receive a memo from them that I would say expresses concerns about the public policy questions raised by the Bill. It doesn't say that they are for or against the Bill, but it does indicate that they do have some public policy concerns. I just wanted to clarify that for the record."

Speaker Matijevich: "Representative Dunn, John Dunn."

John Dunn: "Question of the Sponsor?"

McCracken: "Yes."

Speaker Matijevich: "Proceed."

John Dunn: "It's been a long day, and I can't remember where I heard this today, but someone raised the question in a conversation while I was present that seemed to me to indicate that if a situation arises covered by the subject matter to which this Bill addresses itself and a child is

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treated by a private physician, the Child Abuse Act will apply, and there is no real problem about addressing any criminal issues which may come out of that. But if the same child cannot afford a private physician and is treated by someone through the Department of Public Health, that curtain of confidentiality drops down, and the child abuse... if there's a child abuse issue the evidence cannot be disclosed to obtain a conviction. Do I understand things correctly or not?"

McCracken: "I don't believe so, Representative. There's a distinction here between child abuse and a medical report which reveals a communicable disease in a child under 12. Medical reports are required to be kept confidential. That prohibition extends both to the private and public sector. Child abuse, on the other hand, requires the transmittal of the report by whomever it is discovered, whether in the private or public sector. This Bill brings under the... the child abuse reporting requirements venereal disease; however, it does not have the same open requirement of transmission of that information. There is a limitation, and that limitation has been accepted in the case where the Department of Children and Family Services follows up in the investigation, which according to this Bill would be all instances where it comes to its attention."

John Dunn: "Well, I don't think that's necessarily the problem. It was my understanding that DCFS could probably conduct an investigation; but, if there... if the facts disclose the commission of a crime, there was concern that the confidentiality requirements would then be a 'Catch-22' and prevent the presentation of the evidence at a trial and result in its suppression as evidence."

McCracken: "The medical report, itself, would be confidential and not discoverable. And there's a Supreme Court case ruling,



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which is the current state of the law, which has denied those records when subpoenaed by the Cook County State's Attorney's Office. Those records are currently not available by law; however, what would be available would be the secondary evidence. DCFS would be receiving the original report. DCFS would... would transmit the information under the finding of probable child abuse as opposed to the disease, give that information to the State's Attorneys Office. The investigation would be conducted."

John Dunn: "Thank you very much. I..."

Speaker Matijevich: "Representative McCracken has moved that the House... the House adopt the First Conference Committee Report on Senate Bill 440. There being no further discussion, those in favor signify by voting 'aye', those opposed by voting 'no'. The Clerk will take the record. On this question there are... 108 'ayes', 2 'nays', 3 answering 'present'. The House does adopt the First Conference Committee Report on Senate Bill 440. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 573, Mautino, Gentleman from Bureau."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move that we do concur, we do support and we do vote out... vote affirmatively for Conference Committee Report #1 to 573. The only change in the legislation was a technical change in the original legislation as it pertains to dosage. It was listed as cc's... cc's, and it should be milligrams. CC's are, of course, a larger dosage than what we originally agreed to and what the veterinarians have accepted. It has been signed by all six Members, and that's the only change in the legislation. It addresses the question of..."

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Speaker Matijevich: "Representative Mautinc has moved that the House do adopt the First Conference Committee Report on House Bill 573. There being no discussion, those 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 95 'ayes', 10 'nays', 4 answering 'present', and the House does adopt the First Conference Committee... Brunsvold 'aye'. The House does adopt the First Conference Committee Report on House Bill 573. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 702, Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, I'm going to move to concur in the First Conference Committee Report on Senate Bill 702. Basically, the First Conference Committee Report leaves the Bill as it came out of the House and adds one thing. It talks about forum nonconvenience which was a Bill that we had passed out of the House previously but got caught in the Senate in their deadline. And for those who don't recall it, it says that, 'Where an Act of Congress creates a cause of action and confers concurrent jurisdiction upon federal and state courts an action brought thereunder and the court having venue under this Article, whether arising in this or another state or whether instituted by a resident or nonresident, shall not be subject to dismissal, transfer or injunction on the grounds that there is more appropriate or convenient forum in another state unless the action imposes a substantial burden on such courts.' I think it's a good Amendment. We had passed it out beforehand, and I would move its adoption."

Speaker Matijevich: "Representative Jaffe moves that the House do adopt the First Conference Committee Report on Senate Bill

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702. On that, the Gentleman from Kane, Representative Kirkland."

Kirkland: "Yes, just a couple of comments. Number one, I put an Amendment on this very simple Bill, and low and behold, without any clearance with me, and maybe that's the way it works around here, this Bill became a vehicle Bill for... for a... what used to be a Bill that did not make it out of the Senate and, after a full hearing, would not have gone to the Governor. I think it's inappropriate that this... that this proposal, which has already failed under a condition of having a full hearing in both the House and the Senate, should now come up on a Committee Report of a Bill that was... had a... was fairly innocuous in its original form, had an Amendment that meant something to me in the... when I added it and now is being used for an entirely different purpose. And I would reluctantly urge that there be a vote against this Conference Committee Report."

Speaker Matijevich: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. This is the identical Bill as House Bill 1082. That did pass out of this House, but it's failed twice in the Senate. House Bill 1082 has received some... some notoriety in downstate press. This was called by one newspaper article the 'Plane of Paradise' Bill. This would allow accidents arising under the Federal Employers' Liability Act or the Jones Act occurring anywhere in the United States to be tried in Madison County, Illinois. The purpose of this Bill is to allow venue where an accident arises anywhere else in the country and move it to Madison County. It does it under the guise of modifying the Doctrine of Forum Nonconvenience, but it does away with that Doctrine. It

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holds that the only time the venue can be transferred after the plaintiff has lodged it in Madison County is, in effect, only if the courts cannot handle the caseload. That does violence to the Doctrine. The Doctrine has been an equitable Doctrine. It's been... It's been used both for the benefit of plaintiff and defendant in the past. The argument you hear that we need to codify the Doctrine is a specious argument. I say we codify the Doctrine, but we codify the Doctrine in accordance with case law. This does violence to that. The Federal Employers' Liability Act, as tried in Madison County, has brought judgments that, by most commentators' account, are grossly excessive, millions and millions of dollars. Not only can they bring cases in Madison County, they could bring them in any county throughout the country. If an accident occurred in Louisiana, witnesses in Louisiana, it could still be tried in Madison County. Now, this does not... this is not for the purpose of codifying forum nonconvenience. It's not for the purpose of doing justice. It's so that we can get cases tried in Madison County, the county that has the reputation throughout the county for being the plaintiff's venue, the plaintiff's forum. This Bill is not in the interest of anybody other than plaintiffs, and I move that we defeat it."

Speaker Matijevich: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Conference Committee, in addition to containing Representative Kirkland's Bill, which was, I thought, very polite since he objects to the concept of a vehicle, contains that which was in House Bill 1082 for which I was the original Sponsor, which passed out the Judiciary Committee 11 to 3 and which passed out of this House with 74 votes. Now, I think it's been one of the

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most misconstrued concepts, certainly in the Senate, fortunately not in the House. What we're talking about is a situation where a defendant makes a motion for the case to be transferred to a more convenient forum. The court has ruled, in most cases, rules that the forum that the plaintiff chose is proper. Now, we have rules with regard to venue, and those rules must be met before the plaintiff can even file. So venue does exist. The defendant moves for a more convenient forum. The trial court denies that motion. Then the parties proceed on to trial. Two, or three or four years later a Appellate or Supreme Court using eight or nine widely varying ideas about what or what is not convenient says, 'No, your trial court, you were wrong. This case should be transferred to some other location, and we should have a new trial', when the witnesses and the witnesses' memory is two, or three or four years faded. Now, I think if we're going to talk about specific counties, specific instances, if we're going to label it that manner, let's talk about the fact that the railroads have been sued. It has been found that dioxane had been exposed... people had been exposed to dioxane. The railroads were in fault. They were negligent and awards were given. And so now the railroads are trying to kill this Bill. The people who have been injured by the railroads are the ones that, perhaps, would benefit. And that's what the issue is. I think that we should vote to support this Conference Committee just as we support it in Committee and just as we supported it on the House floor. It passed the House when we had plenty of time to debate it and to explain the ramifications."

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

Johnson: "With all do respect to some opposition that's been

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raised to this Bill, this Bill is not a Bill that mandates trial in Madison County anywhere... any more than it does to mandate trial in Champaign, or DuPage or McHenry County. This Bill simply says this, that if Illinois courts have been granted jurisdiction by an act of Congress and also, under the appropriate venue laws of the State of Illinois, have venue because of business, whether it's a railroad or otherwise is doing business in that particular county, that unless it's a burden on the court, and there is that language in the Bill, unless it's a burden on the court, that a business ought to be held accountable in the county where it's doing business. If that happens to be Madison County, if it happens to be Champaign or Douglas County, that's part of the process of doing business. Now, I think you can certainly argue, as some have done and probably will, that this is going to be a forum shopping Bill. That's not true, but quite to the contrary. What about a railroad worker who travels all over the United States and just happens to be unlucky enough to have incurred severe injuries in Michigan, or in Maine or in New York; and, because the court here exercises this discretionary Doctrine of Forum Nonconvenience, then that same worker has got to take all the witnesses, all the medical evidence, all the discovery and everything else and try it in Michigan, or Maine or New York. That's not fair either. The Republican state's attorney of Madison County, as well as others, testified in favor of this Bill in Committee. It's a home rule-oriented Bill. It's something that allows the courts of this state where businesses are doing business in this state to exercise jurisdiction over a cause of action. And I think to sacrifice that, to give up jurisdiction based on this flimsy and unfair concept of forum nonconvenience doesn't serve anybody. I think it's a

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good Bill. I think Representative Cullerton and Jaffe are to be commended for a modest approach. Quite frankly, Representative Braun had a Bill that, in my judgment, went too far, didn't have the same saving language with respect to the convenience of the court, and I really think this Bill is a modest, moderate approach to a serious inequity. I think it's a good Bill, and I urge a 'yes' vote."

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

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

Speaker Matijevich: "The Gentleman moves the previous question. All in favor say 'aye', opposed 'nay', and the previous question is put. Representative Jaffe to close."

Jaffe: "Yes, Mr. Speaker and Members, I think this Bill has been debated many times on this floor, and we've approved it each time. I think the truth of the matter is that the railroad companies have the staff and the resources to move around cases; but, if you are a poor plaintiff, you really don't. So if it's anything, it says the opposite of what the opponents of this Bill say. I think it's rather ironic for Representative Kirkland to say, well, look at this terrible vehicle Bill when, in fact I accommodated him by taking a Bill and putting his vehicle on it. I mean just because he doesn't like certain other things, I think he has no right to call it names. So, I would urge an 'aye' vote on this Bill. I think it's a good Bill, and we should pass it."

Speaker Matijevich: "Representative Jaffe has moved that the House adopt the First Conference Committee Report on Senate Bill 702. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final passage. Representative Dwight Friedrich, one minute to explain his vote."

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Friedrich: "Mr. Speaker, this Bill has been beaten twice in the Senate in this Session. How many lives has it got? They say a cat has nine lives, apparently this has as many with the trial lawyers wanting to get all the cases down in Madison County where they can get the high awards. Now, if that's what you want, go right ahead and vote for it."

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

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Except for the previous speaker, I think I'm the only non-lawyer to refer to this Bill. You've heard talks of plaintiffs, and venues and what have you, and I'm not all that familiar with all of those terms. But I refer you to an article in the Globe Democrat that was described as political clout could change rules on venue. Madison County has become something of a scandal across the country. I would remind the man who's sitting in the Chair right now that he castigated the Illinois Trial Lawyers' Association in what they were trying to do with the Exam Shop Act and the effect on your family and various jobs."

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

Birkinbine: "This seems to be the same kind of Bill, and, frankly, anybody who votes for this is going to have an embarrassing Bill to have to explain."

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

Hawkinson: "Thank you, Mr. Speaker. I rise in opposition to this Bill. Contrary to what has been said about venue and the sacredness of venue, all venue means in a case like this is that the railroad tracks run through Madison County. It's a bad Bill, and it ought to be defeated."

Speaker Matijevich: "Have all voted who wish? Have all voted? The Clerk will take the record. On this question, there



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are 69 'ayes', 49 'nays', and the House does adopt Conference Committee Report on Senate Bill... First Conference Committee on Senate Bill 702. And this Bill, having received the Constitutional Majority, is hereby declared passed. Zwick 'aye'. Zwick 'aye'. Representative Kirkland, for what purpose do you..."

Kirkland: "Reluctantly rise for a verification."

Speaker Matijevich: "House Bill... I've already declared it passed. Senate Bill 1030, Representative Hicks. Yes. Yes, the Gentleman from Winnebago."

Hallock: "Well, Mr. Speaker, the Gentleman asked for a verification. You and I know he's entitled to that verification. We do it time and time again here, and he has a right to have that Bill called and verified."

Speaker Matijevich: "Well, House... Senate Bill 1030, the Gentleman... Representative Hicks. Representative Hicks."

Hicks: "Yes, Mr. Chairman, Ladies and Gentlemen of the Assembly, I wish to concur... I move to concur with the Conference Committee Report."

Speaker Matijevich: "Representative Hicks moved that the House does concur with the First Conference Committee Report on Senate Bill 1030. Representative Hawkinson."

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

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

Hawkinson: "Representative, what does the Bill do in its present form?"

Hicks: "Yes, Sir, Senate Bill 1030 was originally part of the Prairie 2000. What it does, it creates a Small Town Commercial Zone Improvement Act. And what it actually does is, all your towns that currently are having Downtown Redevelopment Authorities hereby is going to be a grant process making available to each one that has that Authority a 10,000 dollar grant through a federal program,

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all federal money, no state money involved."

Hawkinson: "Thank you."

Speaker Matijevich: "Representative Braun."

Braun: "Question of the Sponsor?"

Speaker Matijevich: "Proceed."

Braun: "Where are you? Sorry. Alright. Based on my analysis of this Bill, will... the first year cost of this Bill will be 12,580,000 dollars, right? Is that all federal money?"

Hicks: "Representative Braun, that's all federal money. Yes, Ma'am."

Braun: "Okay. And does that... It comes out of a block grant, right?"

Hicks: "I'm not sure exactly where it comes from."

Braun: "Does the block that you are taking this money out of, does it apply to anything else? Are there other uses for which this dollars may be expended?"

Hicks: "No, Ma'am, I do not understand that there's anything else it's used for. It's strictly a federal grant. It's based upon populations of 50,000 population or less, and it's for the older downtown parts of the small communities, anyone that has a Downtown Redevelopment Authority. And that's strictly what it's for. It's for nothing else. The monies, as far as I know, can be used for nothing else."

Braun: "Well, Representative, I think... I think this is good Bill. I think Representative Younge might want to take a look at this Bill, because it sounds like something she's been working on for a number of years down here as the mother of economic development. I would encourage an 'aye' vote."

Speaker Matijevich: "Representative Karpel."

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

Speaker Matijevich: "Proceed."

Karpel: "Representative Hicks, I'd like to sort of follow up on

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the previous speaker's questions. She said is this block... Is this grant coming from the Federal Government? Could you tell me under what block grant this is going to be funded?"

Hicks: "Yes, Ma'am, from the Federal Community Development Small Cities Block Grant Fund."

Karpiel: "Alright. Could you tell me a little bit more about how a small municipality can become eligible for these funds? It says for... 'to fund local commercial property restoration projects'. Do you know what the criteria are on the... on getting one of these grants?"

Hicks: "The criteria is being set forth through DCCA. They're the ones..."

Speaker Matijevich: "One moment. The Gentleman from Cook, Representative Piel, for what purpose do you rise?"

Piel: "Question of the Clerk, Mr. Speaker. Has this Report been... passed out?"

Speaker Matijevich: "One moment, we're checking. No, you're right. Out of the record. Senate Bill 1269, Representative Wojcik. Is Representative Wojcik here? She's in the restroom? Steczo. It sounds like you said... Alright. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would urge the House to adopt Conference Committee Report #1 on Senate Bill 1269. Simply, when this legislation passed through the House and the Senate, we found out that certain reference in the legislation had been misnumbered, and so all the Conference Committee Report does is include the same language of the Bill as passed the House and Senate and just changes the number 161 to 616. And I would urge the adoption of Conference Committee Report #1 to Senate Bill 1269."

Speaker Matijevich: "Representative Steczo has moved that the

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House do adopt the Conference Committee Report... First Conference Committee Report on Senate Bill 1269. There being no discussion, all 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 113 'ayes', 1 'nay', and the House does adopt the First Conference Committee Report on Senate Bill 1269. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 921 on Supplemental 4. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 921 is part of the Audit Commission's package. The Conference Committee Report recommends concurrence in Senate Amendment #1 which simply renumbers the Sections of the Bill pursuant to a request by the Legislative Reference Bureau. The Report also recommends that, and I mentioned this when we were asking to send it back for a Conference Committee, that we put in a clarification that if another statute requires the deposits of indirect cost reimbursement into a particular fund, that the reimbursements will be placed into the fund as required by that statute. At the present time, the Department of Commerce and Community Affairs is the only agency that would... that has specific deposit requirements, and for this... it's for this reason that we've had the Conference Committee. And I would ask adoption of the Conference Committee Report #1."

Speaker Matijevich: "Representative Keane moves that the House do adopt the First Conference Committee Report on House Bill 921. 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

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are 115 'ayes', no 'nays', and the House does adopt the First Conference Committee Report on House Bill 921. This Bill, having received the Constitutional Majority, is hereby declared passed. Be at ease for a moment. Be at ease. We're distributing some Conference Committee Reports out. House Calendar Supplemental #3, House Bill 28, Cullerton. The Gentleman from Cook, Representative Cullerton. Yes, Representative Vinson."

Vinson: "What Calendar are we on?"

Speaker Matijevich: "Supplemental 3. House Bill 28 on the top of House Supplemental 3."

Cullerton: "Yes, thank you, Mr. Speaker and ladies and gentlemen of the House. House Bill 28 had to do with the preliminary hearing. It, first of all, changed the name to a preliminary hearing from a preliminary examination, and it said that the defendant has the right to testify at a preliminary hearing and the right to call witnesses, which, of course, the House passed. The Senate changed the name back to preliminary examination, and I nonconcurring. We had a Conference Committee, and the Senate realized their error and put preliminary hearing back in. The... It also amends the Code of... There was an addition, two additions. It amends the Code of Criminal Procedure's bail eligibility Section to conform to the recent Amendment to the Illinois Constitution. Persons charged with capital offenses or life sentence offenses shall not be eligible for bail where the proof is evident or the presumption is great that the person is guilty of the offense. And the last thing that the Bill does is to make residential burglary a probationable offense. Now, residential burglary, right now, is a Class 1 felony. Burglary is a Class 2 felony. A couple years ago we increased... created the offense of residential burglary and increased the penalty from a Class

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2 to a Class 1, but also took the, well, I would call it an unusual step of making it nonprobationable. The... It resulted in some... It has resulted, as predicted, in some very unrealistic sentences. I serve as a Member of the Governor's Task Force on Prison Crowding, and there's about 872 prisoners who are in jail now as a result of being charged and found guilty of residential burglary. Now, I'm not suggesting that all of them don't belong there. Some of them right. Many of them might, but it's possible that many also do not. And I am under the understanding that the Department of Corrections realizes that in this particular case of residential burglary, we should have... we should give back to the Judge the discretion as to whether or not he would want to give probation to an offender. Some of the examples that I should just point out, and I pointed these out when we first passed the Bill, you can have... Well, I really better explain this Larry. This is important. You can have a situation where a... and this has happened in Chicago, where a young man lent a bike to a friend of his. He was seventeen years old, and the guy didn't bring it... didn't give his bike back. So, he thought he'd go get it back himself. So he went into the garage, to the fellow he lent it to, he went to his garage and went and got his bike. A police officer was there, saw the kid coming out with the bike. Told the kid to stop. Charged him with burglary. They handcuffed him, and the kid got nervous. He's only 17. He started to run away. Police officer shot him and killed him. Now that was a situation of a burglary because we hadn't created this new offense. But it points out the problem we have with residential burglary. You can have a really first offender, 17 year old kid, be a look out for somebody who's breaking into somebody's basement. I'm not justifying

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that, saying it shouldn't be an offense, but to say that there's absolutely no discretion on the part of the Judge that if the person is found guilty that they have to go to jail, is really absurd. And what's happening, of course, is... was also predicted, that state's attorneys are doing gymnastics to try to give somebody probation. Even though it was a residence, they strike the word residence and just charge them with burglary. And it really is resulting in some, as I pointed out, absurd situations. Senator Sangmeister has signed this Report. Roger Scummer has signed this Report. They recognize that this is a change which is necessary. I can assure you that we... we should, at this time, correct the mistake that we made a couple years ago and support me in this Conference Committee in accepting Conference Committee on House Bill 28. I'd be happy to answer any questions, by the way, if anybody has any questions about what's included in the Bill."

Speaker Matijevich: "Representative Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. I rise in strong opposition to this Bill. To give you some idea of how strong the opposition is, the... the window dressing that is the first part of this Bill was a Bill that I carried in this House for Senator Schuneman and was not allowed to have called before the deadline last Friday. Immediately thereafter, one Sponsor decided to put it on this Bill so he could have something a little bit pro law enforcement so they could try and sneak through this repeal and make residential burglary probationable. Now, the Legislature did the correct thing when it made residential burglary, not every burglary, non-probationable. We have a prison overcrowding problem, but the answer is not to put residential burglars back on the street. Representative...the Sponsor gave an example of a case that doesn't even apply to this

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situation. It was an unfortunate situation, perhaps, an officer error from the description that he gave, but certainly not one where there was ever a charge filed or a conviction in a sentence under residential burglary. If the boy involved in that case was taking his own bicycle, there would of been no charge filed. There would have been no sentence. The example is inappropriate. I think every Member ought to realize what he's doing, he or she is doing, if they vote for this Bill. The first part of the Bill simply is not important enough or necessary enough at this time to make this change in the law, and I would strongly urge a 'no' vote."

Speaker Matijevich: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was told as a freshman that when we got to the point of Conference Committee that there would be some red herrings. If ever there were a red herring in a Conference Committee Report, you're looking at it. And everyone should be aware of what they're about to be asked to vote on, because I think it's going to have a substantial impact on the constituents that you represent. Now the... Representative Cullerton had asked us to nonconcur in a Senate Amendment, and we agreed to nonconcur. That was then sent back to the Senate, and there was a refusal to recede. Now, we're being asked to concur with that Senate Amendment. In fact, that Senate Amendment did nothing but was just simply a vehicle to get this into Conference Committee to deal with a subject that should have been presented to this Body in the form of an initial and original Bill so that there could have been a public hearing, a fair hearing and a fair consideration of the consequences. Now, there's a provision in here dealing with the bail bond. That's nothing. That's illusory."



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That's nothing but substituting the language of a capital offense for murder. It does nothing. It's already in the law. It's simply a language change. But the real meat of this thing is to make residential burglary probationary. Now, there may be those who, after a fair hearing, would consider that that's the proper way to go, and Representative Cullerton indicated he serves on a Task Force, Peter 'Bensinger's' Task Force, that's going to be holding a meeting, a public hearing in Chicago a week from Monday to consider the problem of overcrowding so that a comprehensive proposal can be put before the Governor and the General Assembly. But I submit to you, it should not be done in this form in the late hours, in the 12th hour of a Conference Committee Report. This is a very serious matter. We're talking about protecting peoples' homes from invasion. The last refuge of people who have to go out on the streets and fight for their security against criminals are to be protected in their homes. And that's why the 82nd General Assembly adopted this residential burglary provision. This is not the place, Ladies and Gentlemen, to be considering such a drastic revision in our criminal laws. We should do it in a methodical and an intelligent fashion, a studied way. I would urge you to oppose this Conference Report."

Speaker Matijevich: "Representative Jaffe. Representative Cullerton, for what purpose do you seek..."

Cullerton: "Mr. Speaker, I... I think you could call it a point of personal privilege. I really kind of resent the implication that I was trying to hide this change in this Conference Committee. I gave short explanations of the other things in the Bill, and I spent most of my time explaining what this Bill does. And with respect to the comment made by the Sponsor of this Bill concerning bail,

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Representative Vinson asked me the other day if I would call...if we could get to that Bill on the night of the deadline, and I said, I didn't think we could, but I would be happy to offer it as a... in a Conference Committee. And as to fulfill that commitment to Representative Vinson, I put it in this Conference Committee. Now, I don't want to have to... I don't know how my colleagues over here want to vote, and many people are over listening to the debate on the income tax. I don't want to go around and try to guess how they want to vote. I want this to be debated and to have people vote their conscience, but I do want a vote on this Conference Committee tonight. So, I would ask to take this Bill out of the record right now. If we have time to get back to it we will, and I will be happy to, once again, explain the merits and have the opponents, once again, give their opposition."

Speaker Matijevich: "Representative Fiel. Representative McCracken, for what..."

McCracken: "Mr. Speaker."

Speaker Matijevich: "Yes. Proceed."

McCracken: "Thank you. I don't... I don't think we have to take it from the record. No one... No one accused Representative Cullerton of anything untoward. He's... He's honorable. We all know that. We're having a fair hearing here. We're ready to debate the issue. Why don't we... Why don't we get back to it. I'd like to talk about the merits of the Bill myself."

Speaker Matijevich: "Well, before you do, is it out of the record? Did you want it out of the record? Alright. The Sponsor wants it out of the record. It's going to be out of the record. On Supplemental Calendar #1 on the Order of Nonconcurrences appears Senate Bill 1135, Representative Deuchler. Representative Deuchler."

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Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I... I move to refuse to recede from House Amendment 1 to Senate Bill 1135 and ask that a Conference Committee be appointed."

Speaker Matijevich: "Representative Deuchler moves that the House refuse to recede from House Amendment #1 to Senate Bill 1176 (sic - 1135) and requests a Conference Committee. I mean 1135. I'm sorry. 1135, House Amendment #1. There being no discussion, all those... all those in favor say 'aye', opposed 'nay', and the Motion prevails. And the House refuses to recede from House Amendment #1 to Senate Bill 1135. House Bill 646, Saltsman, on Supplemental Calendar #3."

Saltsman: "Yes, Mr. Speaker, I recommend the First Conference Committee Report be adopted on House Bill 646. The Committee Report recommends that the Senate recede from Senate Amendment #1. This puts House Bill 646 back in its original form."

Speaker Matijevich: "Representative Saltsman moves that the House adopt the First Conference Committee Report on House Bill 646. The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Could the... I don't, would you mind explaining just a little bit? You said it put it back in the original form. Would you mind explaining the way it was when it passed out of the House, please?"

Saltsman: "It was amended in the Senate to take the benefit away on the survival benefit from 1,000 to \$3,000. It eliminated it. This puts it back in. I think this was planned to be used as a vehicle, which we're not going to."

Piel: "This deals with the downstate teachers. Am I correct?"

Saltsman: "Yes. This Bill, in its originality, passed Committee 15 to nothing and got 85 votes on the floor."

Piel: "Thank you."

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Speaker Matijevich: "Representative Saltsman moves that the House do adopt the First Conference Committee Report on House Bill 646. 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... Alright. I'll do that next time. I'm sorry. House... The record is 104 'ayes', 12 'nays', and the House does adopt the First Conference Committee Report on House Bill 646. House Bill 1045, Breslin. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This First Conference Committee Report does exactly what we said it would do when we asked to nonconcur in the first Amendment in the first place. The agreement in the Senate was that detassellers and bean walkers could be excluded from the necessity for field sanitation requirements, and that is the only change that has been made. The language that I read into the record when we discussed the nonconcurrence in the first place is exactly the language that is being adopted by this Conference Committee Report. I move that we accept Conference Committee Report #1."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin, has moved that the House do adopt the First Conference Committee Report on House Bill 1045. The Gentleman from Cook, Representative Piel."

Piel: "Will the Lady yield to a question?"

Speaker Matijevich: "She will. Proceed."

Piel: "Peg, you said that this... the Senate didn't... you know, the Conference Committee didn't make that many changes in the thing, but can you tell me what the big problem was in Conference Committee? I happened to notice, of the 10 Members on there, none of the Republicans had signed the Conference Committee Report, and I was wondering what the

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problem seemed to be there."

Breslin: "The two... As I understand it, the two Republican Members from the Senate did not sign the Bill and did not vote for the Bill in the first place. However, Senator Maitland and Senator Rupp and Senator Jerome Joyce, who is the Chairman of the Ag Committee, who previously had not signed the... previously had not voted for the Bill, are in agreement with the Bill in this language and voted for it in the Senate with the agreement that we would... we would correct this problem in a Conference Committee."

Piel: "Mr. Speaker, question of the Parliamentarian."

Speaker Matijevich: "Proceed."

Piel: "Maybe I'm wrong, but I would ask the Parliamentarian to take a look at this Conference Committee Report. I was under the assumption that on all Conference Committee Reports, the names of all the people that... were on that Conference Committee Report whether they'd signed or not, had to be typed underneath their names, and I noticed the two Republican Members in the House did not sign or it was not typed. So, I have no idea who the Republican Members were supposed to be. Could I have a clarification on that, please? Because if... they did not... if it was not typed on there, I would think that it takes 71 votes to have that adopted."

Speaker Matijevich: "The Parliamentarian will rule on the point of order."

Parliamentarian Getty: "On behalf of the Speaker, the Chair would rule that where all five had been named, that the House rule would require that the signatures appear... or rather, that the typed names appear, and if that did not occur, it could be suspended in accordance with the provisions of 79 (a) by an affirmative vote of 71 Members. If, however, the... either... If, however, one side refused to make an

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appointment, and the appointment was made, or the Members refused to sign, that would not prohibit the calling of the Bill."

Speaker Matijevich: "Representative Piel?"

Piel: "A question of the Chair. Had all Members been assigned to this Committee, because no names were typed on there?"

Speaker Matijevich: "I'll have to check. Representative Piel?"

Piel: "I have been notified that it was Representative Ropp and Representative Tuerk, and if Representative Ropp and Representative Tuerk were appointed to that Conference Committee, then their names should be typed on the Report."

Speaker Matijevich: "Did... Did you want that out of the record? Is that it?"

Breslin: "I would like to know the posture of the Bill at the moment."

Speaker Matijevich: "The posture of the Bill is, you would need to move to suspend the provisions of Rule 79 (a), and you need 71 votes. 79 (a). Representative Vinson, for what purpose do you rise? Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Motion."

Speaker Matijevich: "Whose Motion? We haven't made a Motion yet."

Vinson: "I thought it was Representative Cullerton's Motion."

Speaker Matijevich: "Did you make a Motion, Representative Cullerton? I hadn't heard it yet."

Vinson: "Mr. Speaker, would you recognize Mr. Tuerk, please?"

Speaker Matijevich: "Representative Tuerk, for what purpose do you rise?"

Tuerk: "Well, Mr. Speaker and Members of the House, I can clarify this whole picture, because Representative Ropp and I were appointed to the Conference Committee. However, the Conference Committee apparently never met, because we were

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never notified, and as a result, apparently the Democrat Members didn't know who the Republican Members on the Conference were. That's an unfortunate practice. I don't think it's one that should be tolerated in the House. I have no problem with the changes that are made in the Conference Committee, but frankly, what should happen here is it should be taken out of the record, file another Conference Report and act on it later."

Speaker Matijevich: "Well, since nobody has moved to suspend that rule, evidently... Representative Breslin, for what purpose do you rise?"

Breslin: "The problem, Mr. Speaker, is that we have no verification from the Clerk that, in fact, Members were appointed by the Republican side of the aisle. In light of the Parliamentarian's ruling on the issue, if they were never appointed, there is no need for a Motion, and the Bill can be heard immediately. I have been advised that those Members were never appointed, and as a consequence, names could not be printed in. It is obviously a subversion of the process, if we allow one party or another to kill Bills just by refusing to appoint Members to Conference Committee."

Speaker Matijevich: "Representative Breslin, would you come here and talk to us at the podium, because I'm not sure all of what you're saying is correct? Representative Piel, for what purpose do you rise?"

Piel: "In answer to her question, Mr. Speaker, I'm sitting here with a copy of the notice right here."

Speaker Matijevich: "No, you don't... You don't need an answer to that."

Piel: "Okay."

Speaker Matijevich: "Senate Bill 811, Representative Pedersen. Representative Pedersen on Senate Bill 811."

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Pedersen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, this Bill originally is one that apparently they... we have every... every year. It's the type of Bill where you take easements that have been taken over by the Department of Transportation for highway purposes, and then when they no longer need the land, they sell them back to the previous owners, that type of thing. The reason for the Conference Committee had to do with transferring some property in Vienna. It was just an add-on. We kept the thing open as long as we can. We kept adding things, and I just move that the Conference Committee Report #1 be approved."

Speaker Matijevich: "Representative Pedersen, you are moving to adopt the Conference Committee Report?"

Pedersen: "Yes."

Speaker Matijevich: "Moving to adopt the First Conference Committee Report on Senate Bill 811. There being no discussion, those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 109 'ayes', no 'nays', 1 answering 'present', and the House does adopt the First Conference Committee Report on Senate Bill 811. The Gentleman from Cook, Representative Fiel."

Fiel: "Thank you, Mr. Speaker. At the present time, I would like to move that we waive the rules... the provisions of Rule 79 (a) for immediate consideration of Conference Committee Report on House Bill 1045."

Speaker Matijevich: "The Gentleman... Representative Fiel has asked leave to to suspend Rule 79 (a) so we can hear House Bill 1045, the First Conference Committee Report. Leave, and leave is granted. The lady from LaSalle, Representative Ereslin."



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Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. The only change in the Conference Committee Report is one that the Senate agreed to, and that is that bean walkers as well as corn detassellers shall be excluded from the requirements of field sanitation. That is the only change made in the Conference Committee Report from the Senate's Amendments to this Bill in the first place. I'd be happy to answer any questions."

Speaker Matijevich: "The Lady has moved that the House do adopt the First Conference Committee Report on House Bill 1045. On that, the Gentleman from Pecunia, Representative Tuerk."

Tuerk: "Would the Sponsor yield for a question?"

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

Tuerk: "Extensively, then, what this does is cover the migrant workers. Is that about right?"

Breslin: "That is correct. Please note that the language is very general. It doesn't specifically single out... "

Tuerk: "I can't hear you."

Breslin: "Please note that the language is very general. It doesn't specifically single out seed corn detassellers or bean walkers. What it says is, 'The term agricultural worker under this Act 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.' The practical application of that language is that it applies only to the migrant worker."

Tuerk: "Thank you."

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

Ewing: "Yes, the Sponsor yield for a question?"

Speaker Matijevich: "She indicates she will."

Ewing: "Representative Breslin, do you mean that my children are

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not going to have pecties available when they're out detasseling?"

Breslin: "That's exactly right, Representative, and that's what the Senate is doing to your children."

Ewing: "I think that's terrible."

Breslin: "I agree. This was a horrible Bill before. It's still a bad Bill. We ought to vote 'no'."

Speaker Matijevich: "Representative Ropp."

Ropp: "Yes, Mr. Speaker and Members of the House, in reaction to the Conference Committee Report, regrettably, my name as one of the Members was totally left off this sheet. But, in spite of that, I think that the Sponsor has attempted to take care of the problems that those of us who are actual, legitimate, hard working farmers in Illinois, face every day of the year when we're out in the fields, when we're walking the beans, cutting out weeds, when we're roquing corn, when we're detasseling corn; and that she has attempted, through this Amendment and Conference Committee Report, though somewhat unclear as it is, I think her intent is that it only deal with migratory workers, and that everyone else who does actually, legitimately do part-time summer seasonal work is excluded from this unless they are overnight residents on the job, which certainly, in my judgment, she has attempted to do her job well and has taken care of the practical side of the situation in Illinois and has done it reasonably well. And I'm going to support her effort."

Speaker Matijevich: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. In response to Conference Committee 1, I did not support the original Bill in its original form. But if, in fact, this legislation is going to pass, it must have this Amendment on it. If this Conference Committee were to go to a Second Conference

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Committee, I would then like to ask the Sponsor what her intentions would be. If your intentions were to be to take this Amendment off and then run with the Bill again and pass as it did before, I would agree with the Membership that we should just kill it right now. I think this is an important provision - Representative Roff's original proviso - because, in fact, if this legislation passes without the Amendment, there will not be any corn detasseling for the youths of this state this summer. And I think that would be a catastrophe."

Speaker Matijevich: "Representative Birkinbine."

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

Speaker Matijevich: "She indicates she will."

Birkinbine: "Just for the education and information of a suburbanite, could you tell me what detasseling is?"

Breslin: "Detassling is when you take the tassels off of the seed corn, and it's a process usually employing many, many students, high school students and some college students in our communities during the... during the summer months. It's a major source of income for many of our young students during the detasseling season."

Birkinbine: "And it's a normal part of the agricultural process?"

Breslin: "In the seed corn process, yes."

Birkinbine: "Thank you."

Speaker Matijevich: "Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. This Bill in this form is not what I originally introduced. It is a compromise with the people of this state that are affected by it. I think it is an appropriate compromise to meet many different people's varied interests. I would appreciate acceptance of this Conference Committee Report."

Speaker Matijevich: "Representative Breslin has moved that the

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House do adopt Conference Committee Report #1 on House Bill 1045. 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 93 'ayes', 17 'nays', 1 answering 'present'. The House does adopt the First Conference Committee Report on Senate Bill 811. This Bill, having received a Constitutional Majority, is hereby declared passed. 1045. I'm sorry. The Conference Committee Report on House Bill 1045 has been adopted, and that Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental 4, House Bill 921, Representative Jim Keane. Jim Keane on House Bill 921. Oh, we did that. Alright. On Supplemental Calendar #3, Conference Committee Reports, appears House Bill 28. The Gentleman from Cook, Representative Cullerton."

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

Speaker Matijevich: "One moment. Calendar announcement."

Clerk O'Brien: "Supplemental #6 is being distributed."

Speaker Matijevich: "Proceed, Representative Cullerton."

Cullerton: "Mr. Speaker, this was taken out of the record the last time it was called, because many Members were over in the Senate watching the debate on the income tax. This Bill in the Conference Committee has the effect of making the offense of residential burglary probationable. As I indicated before, it's been recommended by the Department of Corrections. They point out there's 878 people in jail that, of course, are being released early by the Director. We have a problem, of course, with the crowding of the prisons. The opponents of the Bill accurately point out that the other parts of this Conference Committee are, although good ideas, relatively insignificant. I'm

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certainly not trying to hide what this Conference Committee does. I'm just pointing out that it's an inconsistency in the criminal law. It's more... You can get probation for burning down a house, but you can't get probation for stealing a bike out of an attached garage. You can get probation for attempt rape. You can get probation for burglary... for voluntary manslaughter, you can get probation, but you can't for trying to take a bike out of an attached garage. The three people who spoke against this Bill, for their own reasons, voted against the income tax, which is fine. That just means they're not willing to raise enough money to build new prisons. I don't think we should build new prisons either. I think we should take the non-violent offenders who are being forced, because of this silly law that we passed to help somebody get re-elected, which incidently didn't. It's just absolutely absurd, and Senator Sangmeister is going to get up in the Senate shortly and make the same speech. I'd be happy to answer any questions, and I ask for your support."

Speaker Matijevich: "I wonder if we couldn't have leave to go to a Roll Call on this. We had seven people talk on it before, when it was taken out of the record. Could we have leave? Leave to go to the Roll Call. On this question, Representative Cullerton has moved that the House adopt the First Conference Committee Report on House Bill 28. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Representative McAuliffe, one minute to explain his vote."

McAuliffe: "Well, if I could briefly explain my vote, I would be happy to sponsor a Bill next year with Representative Cullerton to do away with probation for the crime that he outlined. But residential burglary is not... it's just not a matter of a little kid going in a garage and stealing

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somebody's bicycle. There was a burglar in Chicago last week - I think it was Saturday - who was surprised by the father, and he stabbed the father to death. And when the son came to the aid of the father, he stabbed the son to death. So all these burglars are not just going into garages and stealing bicycles and wagons. A lot of them are going into people's houses, and when they get caught, they assault the people. Many people in Chicago in many areas of Chicago are afraid to go out on the street, and now they'd even be afraid to stay in their houses, because we're going to give probation to residential burglars. And I ask for a 'no' vote."

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

Dunn, J.: "The previous speaker highlighted the reasons why we need this Bill. We need discretion. In the case he outlined, you should throw the book at those people, if you catch them. But, as the Sponsor of the Conference Committee Report has indicated, if a youngster - a family is gone away on vacation - cracks a window in the garage, he goes in and does something he shouldn't have, there should be the chance for discretion and probation, and I would recommend more 'aye' votes on this good Bill."

Speaker Matijevich: "Representative Cullerton to explain his vote."

Cullerton: "I'm obviously disappointed that people are beating or marching to the drums of the law and order people. I predict that when the Governor's Task Force on Prison Overcrowding comes out with this report, we'll have a big, long report and a big, long legislative program, and a big, long legislative package, and somewhere hidden in there will be this residential burglary being repealed altogether, and then you all can vote for it, and it can be

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118 votes, and everybody can say that they've saved some money. Apparently, we can't just make the arguments obvious and hope people to use their good judgment. We have to hide things. And so, next year... two years from now, you'll see this again. As a matter of fact, two years from now, you won't see this again, but the Bill will pass."

Speaker Matijevich: "Have all voted who wish? Have all voted who wish? Representative Johnson, one minute to explain his vote. I think you spoke in the first debate, but we'll go ahead."

Johnson: "No. No, I didn't."

Speaker Matijevich: "Oh, didn't you? Alright. Okay. Proceed."

Johnson: "Obviously, this isn't going to change the result, except that all the proposals, all the various proposals we had at all the different ways we're going to raise people's taxes, the Department of Corrections budget was foremost in increases and in the necessity for taking tax dollars through a tax increase to fund Corrections. Now, I believe violent criminals and serious criminals and repeat criminals ought to be in prison as well as anybody else, but as Representative Cullerton has pointed out, he can give you 35 examples of the most ridiculous, little, picayune things that amount to residential burglary, and we might as well just open two or three new penitentiaries around the state and add two or three categories so we can make them all non-probationable. Then we can come back here next year and double our income taxes so we can support the Corrections... Corrections budget. I've been as consistent a supporter in this chamber of law and order, I think, as just about anybody."

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

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Johnson: "But it's ridiculous to continue to make this non-probationable. They did it for a campaign gambit for Senator Davidson to begin with. It didn't make sense then, and it sure as hell doesn't make sense now."

Speaker Matijevich: "Take the record. On this question there are 42 'ayes', 46 'nays', and on this... 65 'nays'. I'm sorry. And the Gentleman's Motion to adopt the First Conference Committee Report fails. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Mr. Speaker, I think I would like to ask for a Second Conference Committee and after... maybe after everybody realizes the impact of this fiscally, we can get 71 votes on this thing. I'm asking for a Second Conference Committee."

Speaker Matijevich: "The Gentleman asks for a Second Conference Committee Report, and the Second Conference Committee will be appointed. House Bill 1978. Out of the record. The Sponsor's not here. On Supplemental Calendar #4, Senate Bill 530, Representative Nash. On Supplemental Calendar #4, the Gentleman from Cook, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept Conference Committee Report #1. It's the same as the Bill left the House and went to the Senate."

Speaker Matijevich: "Representative Nash moves that the House do adopt the First Conference Committee Report on Senate Bill 530. Representative Birkinbine."

Birkinbine: "I apologize, Mr. Speaker. I was... I hit my light because the Sponsor didn't describe the Bill, and if you could ask everybody who you recognize to describe the Bill and the possible changes made, it would be appreciated by everybody here."

Speaker Matijevich: "Describe the Conference Committee Report."

Nash: "There were... Thank you, Mr. Speaker. There were no



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changes made. I said the Bill is the same as it left the House. There were no changes made."

Speaker Matijevich: "The Lady from DuPage and Cook, Representative Karpel."

Karpel: "Yes. What Order of Business are we on, Mr. Speaker?"

Speaker Matijevich: "I couldn't hear you."

Karpel: "What Order of Business are we on?"

Speaker Matijevich: "Supplemental Calendar #4, Senate Bill 530."

Karpel: "Alright. Thank you."

Speaker Matijevich: "The Gentleman has moved to accept... adopt the First Conference Committee Report on Senate Bill 530. There being no discussion, all in favor say 'aye'... signify by voting 'aye', all 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', no 'nays', 4 answering 'present', and the House does adopt the First Conference Committee Report on Senate Bill 530. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1199, Klemm. The Gentleman from McHenry, Representative Klemm. Is he here? Out of the record. Senate Bill 1218, Yourell. Is Representative Yourell here? Representative Yourell on 1218. Out of the record. One moment. Representative Klemm on Senate Bill 1199, on Supplemental 4. Proceed."

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Conference Committee #1 recommended that the Senate concur in the Amendment #1 which defined the term 'waterways'. It also added to the Bill the definition of the exact legal boundaries of the jurisdiction, and I do move that the House do adopt the First Conference Committee Report to Senate Bill 1199."

Speaker Matijevich: "Representative Klemm has moved that the

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House adopt the First Conference Committee Report on Senate Bill 1199. There being no discussion, all those in favor signi... Representative Birkinbine?"

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

Speaker Matijevich: "Proceed."

Birkinbine: "As it presently stands, this still calls for a referendum for approval by the voters of the member counties for this to take effect. Is that not correct?"

Speaker Matijevich: "Representative Klemm."

Klemm: "I only heard the first part of your question. It does require a referendum."

Birkinbine: "Thank you very much."

Speaker Matijevich: "Representative Klemm has moved that the House adopt the First Conference Committee Report on Senate Bill 1199. 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 109 'ayes', 6 'nays', 2 answering 'present'. The House does adopt the First Conference Committee Report on Senate Bill 1199. On the Regular Calendar, on page two, on the Order of Concurrence is House Bill 556. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, ladies and gentlemen of the House. House Bill 556 amends the definition of travel to include travel expenses of commission members. This was recommended by the Comptroller in reaction... or not... or, recommended by the Auditor General in reaction to a decision by the Comptroller that the line item travel in the commission could only be used for legislative members as opposed to public members. That had been the practice in the past. The effect of Senate Amendment #1

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provided for an immediate effective date, and I would move that we concur in Senate Amendment #1 to House Bill 556."

Speaker Matijevich: "Representative Hoffman has moved to concur with Senate Amendment #1 to House Bill 556. The Gentleman from Macon? No. There being no discussion... Oh. John Cullerton. I'm sorry."

Cullerton: "Thank you. Thank you, Mr. Speaker. I knew there was a reason why we hadn't called this one, because we had a problem with it. I forgot to tell Representative Hoffman, because I just forgot to. Representative Hoffman, when we debated this Bill, there was a question as to whether or not it applied to the General Assembly, and it was the legislative intent and the understanding when it passed, that it did not apply to the General Assembly. Then, the Senate put some Amendments on that had an immediate effective date, and it went to a Conference Committee. And so now, the question is, what is the effect of the Conference Committee with respect to that issue? Does it or does it not apply to the... to the General Assembly? We don't have line items for legal services, and we're wondering what the effect of this Conference Committee would be on the General Assembly, I guess, if you could answer it in that fashion."

Speaker Matijevich: "Representative Hoffman has moved to concur with Senate Amendment #1 to House Bill... Oh, I'm sorry. I was speaking up here. Representative Hoffman."

Hoffman: "Well, I'm going to... I'll go over and talk to the Gentleman, but this Bill went out of the House. There has been no Conference Committee. All the Senate did was provide for an immediate effective date upon signature so it could begin to apply. This has to do with commission travel, but if the Gentleman doesn't understand it, I'll be happy to come over and talk to him about it. Take it out."

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Cullerton: "Thank you."

Speaker Matijevich: "Out of the record. Supplemental #4, Senate Bill 1218, Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move the adoption of Conference Committee #1... Report #1 to Senate Bill 1218. The Senate concurred with the House Amendment #1, which raised the nominating petition signature requirements, and the Senate concurred with House Amendment #2 to provide that nominating petitions may not be circulated within a certain length of time before the filing deadline, and the House receded from House Amendment #3. I move the adoption of Conference Committee #1... Report #1 to Senate Bill 1218."

Speaker Matijevich: "Representative Yourell moves the adoption of House... of the First Conference Committee Report on Senate Bill 1218. There being no discussion, all in favor signify by voting 'aye', opposed by voting 'no'. Final action. Have all voted? Have all voted who wish? Take the record. Mulcahey 'aye'. On this question... Mulcahey 'no'. On this question, there are... Mulcahey was 'no'. 'No'. 98 'ayes', 15 'nos', 1 answering 'present', and the House does adopt Conference Committee Report #1 on Senate Bill 1218. This Bill, having received a Constitutional Majority, is hereby declared passed. On the... page two of the Order of Concurrence, House Bill 556. The Gentleman from DuPage, Representative Hoffman, moves to nonconcur with Senate Amendment #1 to House Bill 556. All in favor say 'aye', opposed 'nay', and the House does nonconcur with Senate Amendment #1 to House Bill 556. Leave, Kay Wojcik from 'no' to 'aye' on 1218. Leave. Supplemental Calendar #5, House Bill 514, Steczo. The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would

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ask the House to adopt Conference Committee Report #1 to House Bill 514. Conference Committee Report #1 contains Senate Amendments 1 and 2, which were technically incorrect when this Bill was approved by the Senate and contains no more than those two Amendments. What the Conference Committee Report does and what those two Amendments do are, number one, require that employees in Cook County become participants in the retirement fund from the first date of employment, and employees withdrawing from service on or after January 1, 1984, will receive refunds in contributions from the fund 30 days after they've been removed from the payroll. And any person receiving a survivor's annuity on January 1, 1984, from the retirement fund, shall have the annuity increased by 10 percent, and the maximum annuity payable will be \$500 per month. A deputy sheriff who qualifies for the alternative retirement form... "

Speaker Matijevich: "One moment. The Gentleman from Cook, Representative Piel, for what purpose do you rise?"

Piel: "A question of the Clerk. Has this Conference Committee Report been distributed?"

Speaker Matijevich: "Has it been distributed? Democrats... "

Piel: "We just got it. It was distributed at 11:20. It's got to be on our desks for one hour, Mr. Speaker."

Speaker Matijevich: "Democrats had it. Proceed, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I should also add, a deputy sheriff who qualifies for the alternative retirement formula may receive regular retirement allowance for periods of county service in other capacities, and the Sheriff of Cook County may elect to participate in the alternative retirement formula if the Sheriff pays the required contributions. At the Senate's request, there was

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a provision placed to exempt this from the State Mandate's Act. This Bill had passed the Senate originally in the same... in the same form by a vote of 56 to 1, and I would ask the House to adopt Conference Committee Report #1 to House Bill 514."

Speaker Matijevich: "Representative Steczo has moved to adopt the First Conference Committee Report on Senate... on House Bill 514. There being no discussion, 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 Clerk will take the record. On this question, there are 88 'ayes', 24 'nays', 2 answering present. The House does adopt the First Conference Committee Report on House Bill 514. House Bill 714, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, the Conference Committee on this particular Bill merely provides that the petitioning process in the Bill with regard to those limited few - and there are only three - school districts in the state, at this time, that are partially in and partially out of a community college district that are now paying both tuition and taxes, that those three particular districts could, by petition to Circuit Court in the county where they reside, be taken out of both the payment of taxes and the payment of tuition for community college purposes. This situation arose in particular in the case of one district, because they were inadvertently, in fact, illegally placed in a petition that annexed them to a community college district when that was not, in fact, the wish of their constituents and taxpayers. All the Conference Committee Report does is place on a January 1, 1984 date that the petition must be filed by these three particular districts in order for them to end what amounts to double taxation."

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Speaker Matijevich: "Representative Stuffle has... "

Stuffle: "The Conference Committee is approved by the Republicans and the Democrats affected in those districts, and I would ask for an affirmative vote."

Speaker Matijevich: "Representative Stuffle has moved to adopt the First Conference Committee Report on House Bill 714. Representative... For what purpose do you rise, Representative Brummer?"

Brummer: "Yes. Will the Sponsor yield?"

Speaker Matijevich: "Proceed."

Brummer: "For the purpose of asking the Sponsor a question, if he will yield to a question."

Speaker Matijevich: "Proceed."

Brummer: "Yes. What is the applicability of this with regard to Illinois Eastern Community College District, if you're acquainted with the Lawrenceville and St. Francisville situation?"

Stuffle: "If you adopt the Report, it applies to that particular situation. It applies to Paris, and it applies to Charga."

Brummer: "Okay. And... And would you then, again - it was kind of noisy here - go through the... briefly, the provisions as it would be applicable to the Lawrenceville situation?"

Stuffle: "If a school district's partly in and partly out of a community college district, and because of whatever application or situation they're paying both tuition and taxes, they could act by January 1, 1984 to petition out, in there... so that the whole district would be out. Then they'd be in a petit... in a situation where they'd be paying tuition, as do all other districts that are out."

Brummer: "Okay. There... There is no way, under this, that they would be forced into the district?"

Stuffle: "Absolutely not."

Brummer: "Okay. Thank you."

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

Piel: "Yes, Mr. Speaker. I could... I would like to ask the Chair if we could go to another Order of Business. None of these Bills on Supplemental 5... None of the Conference Committee Reports on Supplemental 5 have been distributed at this time, and according to the House Rules, they have to be on our desks for one hour."

Speaker Matijevich: "Well, 514 was, but... "

Piel: "No, they have not. We do not have it on this side of the aisle. Maybe they have it over there, but we do not have it over here, and I think the rules state that both sides have to have it."

Speaker Matijevich: "We'll take it out of the record for a moment. I understand House Bill 714 has been distributed. So, let's get back to that. House Bill 714, Representative Stuffle. Let's continue with that. Representative Stuffle."

Stuffle: "Well, I answered Representative Erummer's question. Representative Piel had an inquiry. Now, that's been answered. I don't know if there are other questions, or do you want me to close?"

Speaker Matijevich: "Representative Piel?"

Piel: "Mr. Speaker, the Conference Committee Report on House Bill 714 was distributed at 11:25. So, we can act on that in about one hour. According to the House Rules, they have to be on our desk for one hour."

Speaker Matijevich: "Representative Piel, I might say that according to the Clerk, they were given to the Pages - the Republican Pages - over an hour ago, and so I don't think we ought to hold up the Bill. The Gentleman can move to suspend that rule. Representative Johnson?"

Johnson: "Well, I think we can work this out amicably, but I do



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think that there is a rule, and I think the rule is as Representative Piel has recited it. Maybe, you know, after some conversation, we will agree to waive that."

Speaker Matijevich: "Alright. Representative Stuffle. Representative Stuffle moves to suspend the rule whereby the... the... And the reason he's doing it, because it should have been... they've been over on this side of the aisle for almost an hour, I believe. More than an hour, I'm told. Representative Johnson, for what purpose do you rise?"

Johnson: "I would support Representative Stuffle's Motion. At this stage of the Session it's difficult, and I understand that. Just as long as we know, and I think you are complying with the rules as best you can."

Speaker Matijevich: "I'm doing the best I can."

Johnson: "I would support Representative Stuffle's Motion."

Speaker Matijevich: "Alright. Representative Piel, proceed. Representative Piel?"

Piel: "On this Bill. Not on the rest of Calendar, but on this Bill, I withdraw my objection."

Speaker Matijevich: "Oh, alright. Thank you. Continue, Representative Stuffle."

Stuffle: "I think we've debated it, and I'd ask for... is he withdrawing the whole request...?"

Speaker Matijevich: "Representative Hoffman, now. On the Bill, I believe."

Hoffman: "I'm sorry, Representative Stuffle. Were you... Is this... Is this dealing with the situation over around Paris?"

Stuffle: "In part."

Hoffman: "Is that... Is that what this is addressed to?"

Stuffle: "In part, yes. Principally, yes. Also possibly two others."

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Hoffman: "Possibly two others?"

Stuffle: "Possibly two others. The issue arose, the Bill was introduced because of the situation affecting Paris, District 95, which, basically is in my district. It also has effect with regard to Representative Woodyard. Possibly, there are two other areas that would be affected with the Conference Committee. That would be Onarga, in Representative Fangle's area, and the Lawrence County situation Representative Brummer referred to in his remarks."

Hoffman: "Alright. In the... In the first... In the Conference Committee Report, it provides that school districts which petition before January 1st of '84 may withdraw from a community college district if it is also in a school district which pays tuition. Would you explain...I don't understand that."

Stuffle: "Here's the situation. You have a situation where a territory is in the community college district, but the overall school district is not all in the community college district. In Paris, they were put in by petition when they shouldn't have been. The legalities of the petition included them when they were not, in fact, in the school district that was annexed in 1974."

Hoffman: "The legal... Alright. The legal boundary was at... line was actually drawn wrong when then did the petition."

Stuffle: "They forgot to exclude. When they drew the boundary lines, they included two political precincts in the City of Paris that weren't even in the school district being annexed, and the petition was approved, which it shouldn't have been. And there was no way out."

Hoffman: "Okay. Now, let's look at the Conference Committee Report. Does that Conference Committee Report limit any withdrawals to a similar situation where there was an

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incorrectly drawn boundary line? Because, I don't want school districts petitioning out of community college districts."

Stuffle: "No. No, no. Not necessarily. They would have to have virtually similar situations, though. They'd have to meet all the criteria in the Bill, which would be they're part in and part out of the community college district. Part of the district territory of the school district would have to be part in and part of it would be out. The problem is, in the three cases, they're paying both taxes, because their school district's in, and they're paying tuition because part of it is out. They pay both."

Hoffman: "Okay, so then... So, what you're saying, they're, in effect, paying taxes to... "

Stuffle: "They are paying both."

Hoffman: "Okay. They're paying taxes to the junior college district, and then... and then the chargeback also comes into the chargeback... "

Stuffle: "The tuition."

Hoffman: "The tuition also comes out of the high school district or out of the unit district... "

Stuffle: "You are right."

Hoffman: "Whichever the case may be and goes to the junior college. Thank you very much. I understand the situation."

Speaker Matijevich: "Representative Stuffle has moved the House do adopt Conference Committee Report #1 to House Bill 714. Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action. Yes, I said this is final action. Call for the vote. Yes. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 105 'ayes', no 'nays', 1 answering 'present'. The House does adopt the First Conference

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Committee Report on House Bill 714. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1371. The Gentleman from Cook, Representative Woods Exman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1371 in its original form attempted to clarify the process for filing of purchasing rules and to provide the Department of Central Management Services purchasing... excuse me... to provide that the Department of Central Management Services purchasing rules would govern unless an agency filed additional rules and eliminate the requirement that the Secretary of State certify every year that an agency has purchasing rules on file. Senate Amendment #1 added an Amendment to the Prompt Payments Act to increase the percentage that statements pay on delinquent accounts from one percent one and a half percent and add to those accounts the penalty that must be paid lease agreements. Conference Committee Report adds, as the starting date of the 30 day period, the date the appropriation Bill becomes effective, so that the 30 day period would start from the date the lease specified or the date the appropriation Bill becomes law, whichever is later. The Conference Committee Report also adds an immediate effective date. Both the Department of Central Management Services and the Governor's Office are neutral on this provision, but this provision is supported by the Realtors' Association. The cost estimate for this provision is zero. Under the present one percent provision, no penalty has been paid. It is estimated that with this provision, the state agencies will pay their bills on time to avoid the penalty. I urge the adoption of Conference Committee Report #1 to House Bill 1371."

Speaker Matijevich: "Representative Bowman moves that the House

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do adopt the First Conference Committee Report on House Bill 1371. Representative Eullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just stand in support of this Conference Committee Report. Representative Bowman has explained the Bill adequately. I would just add one additional caveat, and that is that this Bill is necessary. It should implement the tax package we just passed out of this House as it relates to making certain that people are paid on time, particularly vendors in our state. It's a policy that we've long endorsed in this state, and I would respectfully urge a green vote for Conference Committee Report #1."

Speaker Matijevich: "Representative Birkinbine."

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

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

Birkinbine: "Did I hear you say that a portion of this Bill is approved by the realtors?"

Speaker Matijevich: "Representative Woods Bowman."

Bowman: "Yes, Representative Birkinbine, you are very accurate in that. It comes as something of a surprise to me, too, but I'm very happy to do this for the realtors. It's a good provision, and I think we all ought to support it."

Birkinbine: "Well, I'd always heard that politics make strange bedfellows, and I guess this proves it once again."

Bowman: "Right."

Speaker Matijevich: "Representative Bowman moves that the House do concur in House Conference Committee Report #1 in House Bill 1371. 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 111 'ayes' and no

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'nays'. The House does adopt First Conference Committee Report on House Bill 1371. Calendar announcement."

Clerk O'Brien: "Supplemental #7 is being distributed."

Speaker Matijeich: "Supplemental Calendar #6, House Bill 26, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill very similar to Senator Kustra's Bill dealing with the Cook County Board of tax Bills where it passed the Senate, but we were unable to get to it because of our deadline. The Conference Committee becomes the Bill, makes provisions relating to the Cook County Board of Appeals, establishes a three member board, all three elected at large for six year terms. One member will be elected to a six year term in 1984. One will be elected to a six year term in '86, and one will be elected in a two year term in 1986."

Speaker Matijeich: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Motion to concur with Conference Committee Report #26... First Conference Committee Report on House Bill 26. What the Gentleman in the Conference Committee are doing here is going against the will of the Cook County Board, which just a week or two ago passed a, I guess it would be a resolution or a new order for them, in which they called for three members, but one of which would be elected at large, one of which would be from the suburban area and one from the City of Chicago. And, Mr. Speaker, if I could ask a question of the Chair. Once again, I find that looking on the back of this Conference Committee Report, we see that, again, two Members' names are not typed in and are not signed. This is the same problem we ran across before. I would like to know who the two Republican Members of the House were

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supposed to be and why their names do not appear typed in, let alone not signed. I understand that this takes 71 votes to change. 71 was the ruling of the Chair just shortly ago."

Speaker Matijevich: "Representative Cullerton on this point."

Cullerton: "Yes, Mr. Speaker, on this particular Bill, the Republican... the Republican... House Republicans never appointed two Members. Absolutely never reported."

Speaker Matijevich: "Representative Piel, for what purpose do you rise?"

Piel: "Two points to the Chair, Mr. Speaker. One, the previous speaker was wrong, because... "

Cullerton: "When did they report? When were they appointed?"

Piel: "They were appointed today, and it was Representative Vinson and Representative Earnes."

Cullerton: "What time?"

Piel: "Second thing... "

Cullerton: "What time, Representative?"

Piel: "Mr. Speaker? I'm speaking to the Chair, Mr. Speaker. This was passed out, was put on our desks at 11:35. It has not been on our desks for an hour, Mr. Speaker."

Speaker Matijevich: "Representative Hastert, for what purpose do you rise?"

Hastert: "Well, Mr. Speaker, I've just been appointed as one of the Republican House Members on House Bill 26. Just now received it, just this minute."

Speaker Matijevich: "That's the point that Representative Cullerton was making, that there was a refusal to make appointments. You... You have a problem with your Leadership, not with Representative Cullerton, and that's exactly the point he was making. In other words, the Majority Party had no... no choice because of the refusal to make appointments. Representative Kulas."

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

Speaker Matijevich: "Representative Kulas has... has... Well, I can put through the previous question. All you have to do is vote against it. The Gentleman has moved the previous question. Those in favor say 'aye', those opposed say... and the Motion fails. Out of the record. For the record, so that everybody knows, that appointment was just made. So, for the record, as long as you're making so many points of order, that appointment was made just now. It has just been time stamped, so that you might turn around and tell Representative Fiel, as long as he's taking time of everything, that there has... there's a little problem there, too. We've gotten along real well, up to now. The Bill is out of the record. Be at ease. I said, the House will be at ease. On Supplemental #5, House Calendar #5, House Bill 1805. The Gentleman from Will, Representative Davis. Representative Davis here? Let's go. We're running out of time. I heard a whistle. Representative Yourell, for what purpose do you seek recognition?"

Yourell: "Yes, Mr. Speaker, the First Conference Committee Report on House Bill 1805 was just laid on our desks. Is it proper to consider this at this time?"

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

Davis: "Well, Mr. Speaker, I'd move to suspend that appropriate rule so this could be considered at the present time."

Speaker Matijevich: "Gentleman moves to suspend the rule. Does he have leave? Leave is granted. The Gentleman... The Gentleman moves to suspend the rule, and those in favor will vote 'aye', those opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. This is 66 'ayes', 35 'nays' and 1 answering



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'present', and the Motion prevails. Gentleman from Will, Representative Davis."

Davis: "Mr. Speaker..."

Speaker Matijevich: "Representative Davis."

Davis: "Mr. Speaker and Members of the House, this Bill is the work product of about four months in intense negotiations in the Summit Conference to reconstruct and reform the Regional Transportation Authority, which we all know has been a nettlesome problem for us for the last ten years. This Bill abolishes the RTA Board, puts in place an Interim Transition Board that will govern the RTA authority until new appointments are made to it. This Bill contains a division of the three entities operating in the Regional Transportation Authority and creates a Commuter Rail Board, a Suburban Bus Board, and the CTA is left exactly as it is now with a few exceptions. I will hurry through this explanation. The Transition Board would be appointed as follows: four members by the legislative Leaders in each chamber of the Legislature and one appointment by the Governor of this state. There are... The labor language contained in this Bill, for those on our side of the aisle who are interested in that subject, would prohibit the COLA, or cost of living adjustment, in the future contracts beyond the current contract that's in place. There are substantial concessions for labor written into the Bill so that the system can be ridden (sic - ridden). All debts are washed off that are currently existing for all of the public agencies involved. There are budgetary processes written for the new RTA Board that absolutely guarantee the cost-effective integrity of the CTA, the Commuter Rail Board and the CTA... the Chicago... There's a fare box recovery ratio of 50% that I think everybody's looking for to guarantee the equity in the system. There's an

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allocation formula for the suburban areas of Cook County that protects the Commuter Rails, and Suburban Bus Board and the suburban buses and protects the CTA with its own 100% of the sales tax plus 30% of the region sales tax. The debt capital is involved in this. There is a subsidy for 75 million dollars to the RTA to be allocated by two-thirds majority of the Board. The allocation has... By supermajority with veto power from either the CTA or the RTA on the allocation. That subsidy itself will be provided by formula in this Bill that will come from the... the Road Fund portion of the motor fuel... or of the gas tax on motor fuel and will be replaced, for you downstaters, dollar for dollar on every dollar of the 75 million dollars with Series A Transportation Bonds. We are at the crossroads of a new start on this Bill. ... believe that this will effectively reform the RTA. It's the work product, again, of a negotiation from all sides of the political spectrum, and I move for the passage of Conference Committee Report on 1805."

Speaker Matijevich: "Representative Davis has moved to adopt the First Conference Committee Report on House Bill 1805. Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't know what's going on, but I think we ran it pretty good up until now, Mr. Speaker, and I think it's evident what's trying to be done here. This Report has just been put on our desks five minutes ago. This RTA, when I was here back in '74, took over a year to try to put together, and it's been in business for nine years. We took a lot of kinks out of it. We did a lot of good, and we're still far away from being perfect. But we've tried, and what we've tried to do, especially in my area in the south-southeast quadrant of the county, has done a great

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deal of improvement. And I think, if this Conference Committee was adopted as is, we take a step backward instead of a step forward. There's no agency I see that's going to coordinate all three of these departments. From what I've just seen in the first few pages where the rails are going to be separate, the buses are going to be separate and the CTA is going to be separate, no coordinating agency that's going to put this coordinating three units together, and I'd see nothing but chaos where these people are going to go back to what it was before the RTA was created. Three independent agencies, and it's not going to work. I don't agree with it. I don't agree what's going on, and I would ask that you either pull it out or you defeat this Amendment."

Speaker Matijevich: "The Speaker of the House, Michael Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, the previous speaker referred to the fact that it is now seven minutes to the hour. In seven minutes time, any Bill will require an Extraordinary Majority for immediate effectiveness. I don't wish to be harsh or inconsiderate of other Members, but I do take exception to Members rising on the floor and saying they don't know what's going on. I haven't been told what's going on. This particular issue has been the subject of a Governor's Summit for months. Reports have been issued. People working on my staff have been available for weeks, and days and months to answer any questions that might be asked about this. I've been available to answer questions about it, and let me tell you what I know about this Bill. This Bill provides for coordination of service. There will be an RTA Board of 13 members. There will be more than adequate representation of the suburban areas, because the suburban areas will have a clear majority on this Board, and the City of Chicago

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will only have a veto position on major questions, such as; the adoption of a budget, the adoption of a capital plan or the selection of a successor chairperson so that the suburban areas are more than adequately treated well by this particular Bill. The Bill responds to complaints that we've heard for years, because we've been told by suburban areas that they don't get representation on the RTA Board, that they want an agency closer to them to regulate the suburban buses and the commuter trains. So, in response to plans which have been brought to this Legislature over the years by the CATS Council of Mayors, this Bill provides for one Board to regulate the commuter bus systems, another Board to regulate the commuter trains. The CTA is left as is. The RTA remains as a coordinating agency. If there is a dispute between these Boards, it will be mediated by the RTA Board. This Bill is taken together with an appropriation that will provide a subsidy at the beginning of 75 million dollars. That subsidy will be pegged through the RTA sales tax so that if there are inflationary pressures, the subsidy will rise with inflation. It's a fair provision. On the other side of the issue, there is mandated major labor concessions by the unions which represent CTA employees. The mandate in the Bill requires that the CTA management negotiate these concessions with these unions in order to provide for a stable, financially-sound system that will provide adequate mass transportation for northeastern Illinois, with a subsidy and with an automatic trigger mechanism in the future to require that there will be fair increases so that we can remove political decision making from the question of raising fares in order to maintain the fiscal integrity of the system. I would highly recommend this Bill for your consideration and request an 'aye' vote."

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Speaker Matijevich: "Gentleman from Morgan, Representative Reilly."

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

Speaker Matijevich: "Representative Reilly 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 Davis to close."

Davis: "Well, I think the Speaker explained it more than I ever could. I simply move for the passage of Conference Committee Report #1 on House Bill 1805."

Speaker Matijevich: "Representative Davis moves the adoption of the First Conference Committee Report on House Bill 1805. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 70 'ayes', 31 'nays', 7 voting... 68 'ayes', 31 'nays', 7 voting 'present', and the House does adopt the First Conference Committee Report on House Bill 1805. Senate Bill 219. Out of the record. Supplemental Calendar #6. Be at ease. The Chair did declare that House Bill 1805, having received the Constitutional Majority, is hereby declared passed. Didn't I say that? I thought I did."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, let me have your attention. Let me thank you for your outstanding work in the last two days. I realize that these long Sessions become extremely difficult. I think we've accomplished a great deal, but it's now 12:00. The next Bill would require an Extraordinary Majority for immediate effectiveness. We will need at least one more day, at least more day to draft a budget for Fiscal Year 1984 and; therefore, it is the plan of the Chair to adjourn at this time and to return at 10:00 a.m. in the morning."

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We will attempt to set times for Conference Committees to meet. Now, let me have your attention. Our biggest logistical problem concerns the establishment of the Conference Committees, the appointments of the Members of the Committee and then convening those Committees in order to move to a consideration of the subject matter in the Conference. It would help the process if you've been appointed to a Conference Committee, seek out the location and the time and make sure you're there so that we can proceed ahead with the Conferences, get those Reports filed and then consider them in due course. It's my intent to try to finish our work tomorrow, but we can't leave until we complete the budget for Fiscal Year '84. So, please bear with me, continue your outstanding work and your diligence, and... Mr. Yourell, for what purpose do you seek recognition?"

Yourell: "Thank you, Mr. Speaker. Just an inquiry. I... It's my understanding that the time and place of a Conference Committee was to be placed on our desks so that we would have that knowledge. Now, you're suggesting that we seek out that information. Where do we do that seeking out, Sir?"

Speaker Madigan: "Mr. Gary LaPaille. Thank you."

Yourell: "So the information will no longer be on our desks?"

Speaker Madigan: "There's a bulletin board outside of his office which contains the information, also."

Yourell: "Thank you."

Speaker Madigan: "Mr. Terzich, are you seeking recognition? Representative Terzich? Mr. Terzich."

Terzich: "Yeah, Mr. Speaker, I believe there is a Senate Joint Resolution that came over that should be read so that we may have an Executive Committee meeting five minutes before Session tomorrow."

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Speaker Madigan: "Mr. Clerk? Mr. Clerk, did you hear Mr. Terzich? Mr. Clerk, read the Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolutions #61, 24, 34, 54, 58 and 60, adopted by the Senate June 30, 1983. Kenneth Wright, Secretary.'"

Speaker Madigan: "The Chair recognizes Representative Giorgi, who moves for the adoption of an Agreed Resolution. Mr. Clerk, read the Resolution. Short title, Mr. Clerk."

Clerk O'Brien: "House Resolution 457, McGann - et al."

Speaker Madigan: "Representative Giorgi."

Giorgi: "House Resolution 457, by Madigan, McGann, Giglio, Capparelli, honor the appointment of John J. Beatty as Associate Judge of the Circuit Court of Cook County. I move for the adoption of the Agreed Resolution."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion carries. The Resolution is adopted. The Chair recognizes Mr. McPike for the Adjournment Motion."

McPike: "Mr. Speaker, Ladies and Gentlemen of the House, I move the House stand adjourned until tomorrow at the hour of 10:00 a.m."

Speaker Madigan: "Before we accept the Motion, the Chair recognizes Mr. Terzich for the purpose of an announcement."

Terzich: "Yes, Mr. Speaker, the Executive Committee will meet five minutes before we come into Session behind the chamber, here, to hear Senate Joint Resolution 61. I'd like to have leave."

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Speaker Madigan: "The Gentleman has announced a meeting of the Executive Committee for tomorrow morning. Those in favor of the Motion say 'aye', those opposed say 'no'. The Adjournment Resolution is adopted. We shall return at 10:00 a.m. tomorrow morning. Thank you."



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