

STATE OF ILLINOIS  
84th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

104th Legislative Day

April 18, 1986

Clerk O'Brien: "The House will be in Perfunctory Session."

Speaker Walters: "We'll be led in prayer by the Clerk, Jack O'Brien."

Clerk O'Brien: "Let us pray, Lord, bless this House and all those that serve and work here. Amen."

Speaker Walters: "Pledge of Allegiance by Alan Morris."

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

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 3603, Wojcik, a Bill for an Act to amend Sections of an Act to revise the law in relation to clerks of courts. First Reading of the Bill. House Bill 3604, Vinson, a Bill for an Act to establish the Chicago High Technology Stock Exchange. First Reading of the Bill. House Bill 3605, Daniels, a Bill for an Act to amend certain Acts in relation to funds for developmentally disabled. First Reading of the Bill. House Bill 3606, O'Connell, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 3607, Levin, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. House Bill 3608, McCracken, a Bill for an Act in relation to public right-of-way, amend certain Acts herein named. First Reading of the Bill. House Bill 3609, Wojcik, a Bill for an Act in relation to snow removal. First Reading of the Bill. House Bill 3610, Piel, a Bill for an Act in relation to the regulation of electronic fund transfers. First Reading of the Bill. House Bill 3611, Cullerton, a Bill for an Act to amend Sections of an Act to protect the right of tenants to complain of violations of governmental regulations. First Reading of the Bill."

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House Bill 3612, Capparelli - et al, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. House Bill 3613, Capparelli - et al, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. House Bill 3614, Wyvetter Younge, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. House Bill 3615, Daley, a Bill for an Act to amend certain Acts in relation to blood banks. First Reading of the Bill. House Joint Resolution Constitutional Amendment #4. Resolved, by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 2 of Article X of the Constitution to read as follows: Article X. Education. Section 2. Superintendent of Public Instruction. A Superintendent of Public Instruction shall be elected by the electors of the state and shall hold office for four years beginning on the second Monday of January after his election. To be eligible to hold the Office of Superintendent of Public Instruction, a person must be a United States citizen, at least 25 years old and a resident of this state for three years preceding his election. Any vacancy in the office of Superintendent of Public Instruction shall be filled in the manner provided in Section 7 of Article V. The Superintendent of Public Instruction shall be the chief educational officer of the state having general supervisory responsibility in relation to public elementary and secondary schools and shall, except as limited by law, establish goals, determine policies, provide for planning and evaluate education

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programs and recommend financing. The Superintendent shall have such other duties and powers as provided by law. Transition Schedule. If this Amendment is approved by the electors at the general election in 1986, the Superintendent of Public Instruction shall be elected at the general election in 1988 for a term of four years and shall take office on the second Monday of January after his election at which time the State Board of Election shall cease to exist. Thereafter, the Superintendent of Public Instruction shall be elected in 1992 and every four years thereafter for a term four years. Third Reading of the Constitutional Amendment and held on Third Reading. House Joint Resolution Constitutional Amendment #8. Resolved, by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 1 of Article III of the Illinois Constitution to read as follows: Article III. Suffrage and Elections. Section 1. Voting Qualifications. Every United States citizen who has attained the age of 18 or any other voting age required by the United States for voting in state elections and who has been a permanent resident of this state for at least 30 days next preceding any election shall have the right to vote at such election. The General Assembly, by law, may establish regulation requirements and require permanent residence in an election district not to exceed 30 days prior to an election. The General Assembly, by law, may establish shorter residency requirements for voting for President and Vice-President of the United States. Schedule. This Amendment shall take effect immediately

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upon its approval by the electors. Third Reading of the Constitutional Amendment and held on Third Reading. House Joint Resolution Constitutional Amendment #12. Resolved, by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section II of Article IX of the Illinois Constitution the added Sections to read as follows: Article IX. Section 11. Tax Limitations. (a) There is hereby established a limit on the taxes imposed by the General Assembly for deposits in the General Revenue and Common School Funds of the state for any fiscal year. The state shall not impose taxes of any kind which, together with any transfers into the funds, except revenues received from the Federal Government, shall exceed 6.5 percent of the average annual personal income of Illinois for the next to the last full calendar year preceding the calendar year in which the fiscal year begins and the prior two calendar years. 'Personal Income of Illinois' is the total income received by persons in Illinois from all sources, including transfer payments, as defined and officially reported by the United States Department of Commerce and its successor agency. No expenses of State Government from the General Revenue or Common School Funds shall be incurred for any fiscal year which exceed in amount the revenue limit established by this Section. (b) For any fiscal year in the event that revenues to the General Revenue and Common School Funds exceeds the revenue limits established in Subsection (a) of this Section, this excess shall be transferred to the Budget Stabilization Fund in the State Treasury which is

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hereby created. Emergency expenditures from the Budget Stabilization Fund may be made only if all the following conditions are met: 1. The Governor requests the General Assembly to declare an emergency; 2. The request is specific as to the nature of the emergency and the dollar amount of the emergency; and 3. The General Assembly hereafter declares an emergency in accordance with the Governor's request by a Joint Resolution adopted by Three-Fifths of the Members elected to each House. A Bill providing for the appropriation of funds for the emergency must be passed by Three-Fifths vote of the Members elected to each House. If it is determined that the amount of the Budget Stabilization Fund is less than the amount needed to meet an emergency situation, taxes in excess of the limit established in Subsection (a) of this Section may be imposed and collected only if all of the following conditions are met: 1. The Governor requests the General Assembly to declare an emergency; 2. The request is specific as to the nature of the emergency, the dollar amount of the emergency and the method by which the emergency will be funded; and 3. Upon receiving the request of the General Assembly declares an emergency in accordance with the specifications of the Governor's request by a Joint Resolution adopted by Two-Thirds of the vote of the Members elected to each House. The Bill is provided for the appropriation of funds for the emergency must be passed by a Two-Thirds vote of the Members elected to each House. The emergency must be declared in accordance with these procedures prior to incurring any in the expense which constitutes this specific emergency request. The revenue limitation may be exceeded only for the fiscal year in which the emergency is declared. In subsequent fiscal years, the revenue limits of Subsection

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(a) of this Section shall again take effect. An emergency shall not be declared in two successive fiscal years without the approval of the majority of the qualified electors of the state voting thereon at any regular scheduled election. Income earned from the funds maintained in the Budget Stabilization Fund shall accrue to the fund. (c) For any fiscal year in the event that the amount in the Budget Stabilization Fund exceeds two percent of the revenue limit established by Subsection (a) of this Section, the General Assembly shall provide for distribution of the excess revenues in any of the following three methods: 1. Distribution to the various State Pension Funds established by law in proportion to the respective actuarial reserve deficiencies in the several funds based on the benefits in effect at the time of the effective date of this Section. Funds distributed under the method shall be used only to reduce the actuarial reserve deficiencies of the various State Pension Funds; 2. Distribution for the retirement of outstanding general obligation bonds of the state. Funds distributed under this method shall not be used to pay current principal and interest charges but shall only be used to retire outstanding general obligation bonds; and 3. Distribution in the form of the reducing or the rebating of state taxes. (d) The General Assembly shall provide, by law, for the implementation of the provisions of this Section. The General Assembly shall, by law, provide for an exclusive or a legislative... executive or a legislative agency of the State Government shall determine each year no later than February 1 the revenues deposited in the General Revenue Fund received from state taxes. The agency shall be required to report its findings to the Comptroller and the General Assembly no later than February 1 of each year.

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(e) For the purpose of this Section, (1) 'General Revenue Fund' means all monies, belonging to or for the use of the state, paid into the State Treasury and not belonging to any special fund in the State Treasury; and (2) 'Common School Fund' means money belonging to or for the use of the state, paid into the State Treasury and expended for financing public education through secondary level. Schedule. This Amendment takes effect upon its adoption by the electors of this state. First Reading of the Constitutional Amendment as amended on Third Reading and held on Third Reading. Introduction and First Reading of Bills. House Bill 3616, Curran, a Bill for an Act to assist minorities in obtaining loans from business enterprises and amending certain Acts therein named. First Reading of the Bill. Committee Report. Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Committee Bill... reported the following Committee Bill for introduction, House Bill 3568, being a Bill for an Act in relation to state employment, action taken April 17, 1986. And the House will stand at ease. ...Introduction of House Bills. House Bill 3617, Anthony Young, a Bill for an Act to amend the title of Article VI of and to add Sections to the Local Governmental and Governmental Employees Tort Immunity Act. First Reading of the Bill. House Bill 3618, Giorgi, a Bill for an Act to amend Sections of the Illinois Bank Holding Company Act of 1957. First Reading of the Bill. There being no further business, the House now stands adjourned."

04/22/86  
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