

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

32nd Legislative Day

May 1, 1985

Speaker Greiman: "The hour of 12:30 having arrived, the House will now be in Session. The Chaplain for today will be the Reverend Wayne Rogers, Pastor of the University Baptist Church of Champaign. Reverend Rogers is a guest of Representative Tim Johnson. Will the guests in the gallery please rise and join us for the invocation? Reverend Rogers."

Reverend Rogers: "Let us pray. O God, who has created a world which includes the rich farm land and the rich variety of peoples that we have here in the State of Illinois, we express our gratitude and our thanks. And as the rains have come to settle the dust and to nourish the soils around us here in the central part of the state, we pray that Your presence also would come and settle any dust and nourish all those who serve the people of this state and this General Assembly. O God, who delivered your people from the captivities in Egypt and many other places, deliver us from any bondage to self interest or to special interest groups that would threaten our mandate to serve all the people that we represent. And may we learn daily from Your spirit the manner of esteem and respect, yes, even the unselfish love, with which You have called us to be servants, one of the other. Amen."

Speaker Greiman: "Representative Ropp to lead us in the Pledge to the flag."

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

Speaker Greiman: "Roll Call for Attendance. Mr. Clerk... Mr. Clerk, take the record. 100... 113 Members having answered to the Call of the Quorum, a quorum... there is a quorum."

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Committee Reports."

Clerk O'Brien: "Representative Terzich, Chairman of the Committee on Executive, to which the following Resolution was referred, action taken March 24, 1985, reported the same back with the following recommendation: 'Do pass' House Joint Resolution Constitutional Amendment #3."

Speaker Greiman: "Introduction of Bills and First Reading."

Clerk O'Brien: "House Bill 2527, offered by Representative Wolf, a Bill for an Act to amend Sections of an Act in regard to Attorneys (sic - Attorney) General and State's Attorneys. First Reading of the Bill."

Speaker Greiman: "Yes. The Chair would just note for the Journal that HB 1857 appearing on page four of the Calendar, on Second Reading Short Debate, was apparently reported out of Committee in error, and the Clerk is directed to remove that from the Calendar. Mr... Mr. Piel. Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Would you explain what the error was?"

Speaker Greiman: "Well, I'll ask the... I'll confer with the Clerk, and I'll find out what the error was."

Vinson: "I mean, Mr. Speaker, I don't believe there's any authority for the Speaker to remove a Bill from the Calendar that's on the Calendar."

Speaker Greiman: "If it's in report... If it's on there in error, there is; but I'll be with you in a minute Mr. Vinson. Okay. Mr. Vinson, the Chairman of the Committee or the clerk for the Committee apparently made an error in the numbering of a Bill, and a Bill that was to be reported out was not reported out and the Bill was... and this Bill was by error... in error put on... on the Calendar. Now, the Chair... I'm told that the Chair, by the Clerk, that the Minority side is aware of it and, in fact, I'm told the Bill is posted today for hearing. Mr. Vinson, do you wish

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to comment?"

Vinson: "Yes, Mr. Speaker, I'd like leave of the House to leave the Bill where it is on the Calendar."

Speaker Greiman: "Well, that would be equivalent of a Motion to Discharge, Mr. Vinson. You'll have an opportunity, if the Bill should not have a hearing or an appropriate hearing, to make that Motion later on in the week. So your Motion is out of order at this... Approval of the Journal."

Clerk O'Brien: "Matijevich..."

Speaker Greiman: "Excuse me. Mr. Piel, for what purpose do you seek recognition?"

Piel: "Thank you, Mr. Speaker. Would the record show that Representative Harris is excused today?"

Speaker Greiman: "Yes, let the record show that Mr. Harris has been excused for today. Mr. Matijevich, are there any... Well, we'll find out if there are any Democrats... Approval of the Journal. Mr. Matijevich."

Clerk O'Brien: "The House met pursuant to adjournment, Representative Giglio in the Chair, prayer by John F. O'Brien, Clerk of the House..."

Speaker Greiman: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move that we dispense with the reading of the Journal and that the following Journals be approved: #20 of April 4th; #21 of April 9th; and #22 of April 10th, 1985."

Speaker Greiman: "The Gentleman from Lake moves that the Journal... that the Journals for... Journal 20 of April 4th, Journal 21 of April 9th and Journal 22 of April 10th that the reading of the Journals be dispensed with. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. Yes, for what purpose does the Lady from Cook, Ms. Alexander, seek recognition?"

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Alexander: "Thank you. I would like to address the Members of the General Assembly and move that the appropriate House Rules be suspended to permit me to post two Bills in the Election Committee, where I am Chairperson. I have spoken with the Minority Spokesperson, and we are in accord on that issue. Two Bills were not posted."

Speaker Greiman: "What are the numbers, Ms. Alexander?"

Alexander: "The Bills are House Bill 814 and House Bill 1547 (sic - 1447)."

Speaker Greiman: "The Lady from Cook, Ms. Alexander, asks leave to waive the posting requirements with respect to House Bill 814 and 1547 (sic - 1447) so these Bills may be heard in the Committee on Elections today. There being no objections, the Lady has leave with the Attendance Roll Call. Yes, Mr. Piel, for what purpose do you seek recognition?"

Piel: "A question of the Chair, Mr. Speaker. I noticed on today's Calendar... excuse me, that on today's Calendar we have the next Bill on page 13, Third Reading Short Debate. It does classify where the next Bill is on the Calendar that we will either be going there or from the beginning; but on Second Reading Short Debate, regular Second Reading and on regular Third Reading, there is no next Bill. Are we dispensing with that practice, or are we just going to be doing it periodically or are we going to be doing it full time from now on? There's only one spot on the Calendar in four areas that we have next Bill recorded."

Speaker Greiman: "I'm advised that it's on the Calendar because that's where we ended. That was the only Order of Business where we didn't go through the entire Order of Business, so that we would not have a next Bill on the other Order... on the other Orders... Mr. Piel."

Piel: "So Short Debate Second, and regular Debate Second and

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regular Third, we are starting at the beginning of the Calendar?"

Speaker Greiman: "That's right."

Piel: "Thank you."

Speaker Greiman: "If we go to those Order of Businesses."

Piel: "Thank you."

Speaker Greiman: "Or don't have a Special Call. Alright, Consent Calendar, Second Reading, Second Day."

Clerk O'Brien: "Consent Calendar, Second Reading, Second Day. House Bill 75, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 257, a Bill for an Act to amend the Illinois Income Tax Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 489, a Bill for an Act relating to Criminal Law. Second Reading of the Bill. House Bill 605, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 853, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. House Bill 1204, a Bill for an Act relating to the Director of Mental Health and Developmental Disabilities, together with Committee Amendment #1. Second Reading of the Bill. House Bill 1212, a Bill for an Act to amend an Act in relation to the Office of Public Defender. Second Reading of the Bill. House Bill 1258, a Bill for an Act to amend an Act to authorize units of government of the State of Illinois to issue full faith and credit tax anticipation notes, together with Committee Amendment #1. Second Reading of the Bill. House Bill 1298, a Bill for an Act in relation to physical therapy. Second Reading of the Bill. House Bill 1303, a Bill for an Act relating to the City of Alton concerning mineral rights. Second Reading of the Bill. House Bill 1346, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1385, a Bill

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for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1488, a Bill for an Act authorizing the Lake County Forest Preserve District to exchange lands in Vernon Township. Second Reading of the Bill. House Bill 1576, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 1860, a Bill for an Act to amend an Act in relation to notaries public. Second Reading of the Bill. House Bill 1937, a Bill for an Act to amend the Vital Records Act. Second Reading of the Bill. House Bill 2088, a Bill for an Act in relation to practices of barbering and cosmetology, together with Committee Amendment #1. Second Reading of the Bill."

Speaker Greiman: "Third Reading. Yes, for what purpose does the Lady from Cook, Ms. Alexander, seek recognition?"

Alexander: "Thank you. I'd like to correct an error I made in the number of a Bill I asked to be post today. I stated the Bill number was 1547. It is 1447. I ask that correction be noted."

Speaker Greiman: "Alright. Leave of the House, we will substitute House Bill 1447 for House Bill 1547 that was previously adopted on that Motion. The... Do we have leave? Leave of the House with the Attendance Roll Call. Alright, Ladies and Gentlemen, on page 23... On page 23 of the Calendar, on the Order of Motions, special subject matter dealing with assignments, appears a Motion with respect to House Bill 317. Mr. Clerk."

Clerk O'Brien: "Motion. 'Pursuant to Rule 33(f), I move to reassign House Bill 317 to the Committee on Personnel and Pensions,' offered by Representative Jack Davis."

Speaker Greiman: "The Gentleman from Will, Mr. Davis, on the Motion."

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

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to addressing the Motion, I would like to inquire of the Chair as to the posture of House Bill 317 and 330 at this point in time."

Speaker Greiman: "Mr. Davis, I'm advised that the... that House Bill 317 has been presently assigned to the Committee on Urban Redevelopment."

Davis: "Well, Mr. Speaker, a further inquiry of the Chair. And to preface that inquiry, I suggest to you that these Bills... and may I have some order, please, Mr. Speaker?"

Speaker Greiman: "This is a rather important Motion. I suspect we will have an extended debate on this Motion. I'd appreciate the House giving the Gentleman their attention."

Davis: "Mr. Speaker, to preface my inquiry, you will recall that last Thursday, on April 25th, we raised an inquiry about the reassignment of House Bill 317 in apparent violation of Rule 33(f). The Chair acknowledged that violation, and a very rare violation indeed, for the usually judicious Chairman of the Committee on Assignments. And the Bills then were reassigned back to the Pension Committee on April the 25th. Later that afternoon after adjournment, the Committee on Assignment met, and on Motion by Representative McPike, seconded by Representative Greiman, the Bills were then offered to be reassigned to Urban Development, once again with my presence as the... as the Minority Member of the Assignment Committee there voting 'no' on the Motion. That then satisfied the violation of Rule 33(f), and what transpired then is... is a mystery to me. There were many options open to the Sponsors and to the Chairman of the Committee on Urban Redevelopment, but apparently a further violation of the House Rules was made then by a posting on Friday morning, April 26th, at 10 o'clock. And I have the posting notice with the date stamp right here that indicated that the Bill would be posted for

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a further Committee hearing of that Committee, not on Tuesday or yesterday, but of Thursday, this week, at 8 o'clock. Now, Rule 20(b) indicates that a Bill must be posted six-and-one-half days prior to hearing in a Committee. And there is no way, Sir, and this is my inquiry, I believe that that posting notice was deficient, as the Members on this side do, and that the six-and-one-half day rule was not met and that consequently that posting is deficient, and I now ask the Chair to rule that... that Rule 20(b) was violated and that five days and 22 hours is not six-and-one-half days and that these Bills are now deficient in posting and require a waiver of the posting rule for hearing tomorrow under Rule 20(b). That is my inquiry, Mr. Speaker, and I ask the Chair for a ruling."

Speaker Greiman: "Mr. Davis, that is not... presently that issue is not presently before this House. The Chair will, of course, have to rule on that in due time and at the appropriate time will. However, at this time, we are hearing your Motion on House Bill 317 to return it to the... to the Committee on Personnel and Pension. That is what is before the House, and that is what the... this Chair is prepared to hear."

Davis: "Mr. Speaker, let me respectfully disagree with you. If my inquiry is correct, and the Chair will rule correctly in support of the rules of this House, and this Speaker and the temporary Speaker in the Chair has been consistent at long with other temporary Speakers to scrupulously uphold the rights of Members to the... access to the rules of this House in... in support of Speaker Madigan's zealous regard for the individual Members of this House, and I suggest to you, Mr. Speaker, that if the ruling is favorable on my inquiry, which I believe it should be, and that the posting



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notices were deficient, my Motions on 317 and 330 are mute."

Speaker Greiman: "Well, Mr. Davis, I appreciate your being concerned with the Order of the House. I have... The Chair has suggested to you that your inquiry as to the effect of the posting is premature. At the appropriate time, the Chair will rule in an appropriate fashion on that posting; but at this point, the only business before this House... now if you want to shortcut the process, and I understand that, but let's address the... the Motion for which I recognized you which is House Bill... which is a Motion on House Bill 317 pursuant to Rule 33(f). The Chair is prepared to hear your debate on that subject. The Chair is not prepared to rule prematurely on that other issue."

Davis: "Well, fine, Mr. Speaker. You have the Majority. You've demonstrated the ability... the ability of the Majority to manipulate the process. We will await that decision because you are not going to give it to us otherwise and hold perhaps our tirades on Members' rights until that particular point in time. Alright, then, Mr. Speaker, to the Motion on House Bill 317 to recommit the Bill by a vote of 60 Members of this House to the Pensions Committee, let me say to you, and Mr. Speaker, I'd like some order. This is an issue of some magnitude. Now it has quieted down. Mr. Speaker, House Bill 317 is commonly known... known as the disinvestment Bills. These Bills, and you'll note by the number, and House Bill 317 was introduced early on, has been setting in the Pensions Committee now for weeks, and weeks and weeks where it properly belongs, because it affects every pension system in this state from the Teachers, to the General Assembly, and IMRF and has the potential devastating effect on those pension systems, has a potential devastating effect on the banking structure in

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this state and will indeed wound significantly the pension systems that... that currently are investing in securities unbeknownst to them and sometime beknownst to them in... in the disinvestment procedures that seek to be avoided here. I suggest to you the Pension Committee is exactly where these Bills should be. That's where the experts, the actuarials, that's where the expertise is and has been. These Bills were summarily jerked from that Committee when it was surmised by the Sponsor, I assume, that not one single vote in that Committee was ready to cast the vote to wound the teachers of this state, to wound the other pension systems of this state with the potential devastation that could occur if these Bills were heard. They were then jerked from the Committee and sent to a more friendly confines, apparently at the Sponsor's request. I submit to you, Mr. Speaker, this is law day. The rules are rules, and we should follow them. And these Bills, by a vote of this House, should be sent back to the Pensions Committee."

Speaker Greiman: "The Gentleman from Will has moved to reassign House Bill 317 to the Committee on Personnel and Pension, pursuant to Rule 33(f). And on that, is there any discussion? The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Motion. The Gentleman is attempting to rescind an action of one of the Committees of the House which has met, pursuant to the rules and in compliance with the rules, and has rendered a decision on a request for reassignment of a Bill from one Committee to a second Committee. Our rules provide that assignment of Bills to Committee can be changed by the Committee on Assignment. That is precisely what happened in this case, and I don't see any need for the full Body to

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overrule the decision of the Committee in this case. And therefore, I would rise in opposition to the Gentleman's Motion."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker. First of all, a question of the Chair. Might we have some idea when you are going to make a ruling on the posting notice?"

Speaker Greiman: "I'm sorry, Mr. Piel. Would you repeat your question?"

Piel: "May... That's the problem. The noise level is getting higher and higher. Can we have some... some order here, Mr. Speaker?"

Speaker Greiman: "Proceed, Mr. Piel."

Piel: "Question of the Chair. May we have some time frame on when you are going to... You said that you would be getting back to us on the question as far as the posting provisions of this Bill. Could you give us... First... My first question is, can you give us some idea of when you are going to rule on that?"

Speaker Greiman: "Mr. Piel, I said when it was a justiciable issue before this Body. For example, if this Motion carries, it is not a justiciable issue; therefore, when it is not premature, then it will... then the Chair will rule. Proceed, Sir, now."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope that everybody in the House, besides walking around and talking to your friends, are paying attention to what is..."

Speaker Greiman: "Excuse me, Mr. Piel. Excuse me, Mr. Piel. Ladies and Gentlemen of the House, this is a matter of some concern, and I'd appreciate your giving the Gentleman attention. The noise level is difficult for speakers to

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respond to. Mr. Piel, proceed."

Piel: "Going back. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hope that the Ladies and Gentlemen of this Chamber are paying attention into what is going on right now. We have a Bill that amends the general provisions of the Pension Code, quote, unquote, 'The Pension Code', and it should be heard in the Pensions Committee. After weeks of trying to get votes, the Sponsor has realized the votes aren't there, so she appeals to the Leadership and gets it into a more favorable Committee. Ladies and Gentlemen, this Bill... the reason the votes weren't there was basically because we're talking about a cost of millions of dollars to the State of Illinois and the taxpayers of Illinois. Quote, unquote, that's it. Now, it's supposed to be going to another Committee where they're violating the posting rules, where they're violating the rules of the House. Today, it's this individual. Tomorrow, you're rights might be trampled upon. And so what I'm saying to you, Ladies and Gentlemen of the House, what's fair for one is fair for all. This is not fair for anybody in the House. I could not believe the previous Speaker standing up and... opposing this Motion. All this Motion is for is to keep the rules the way they're supposed to be. We've got rules to govern this House of Representatives. If the rules are going to be trampled on today by one individual, tomorrow it might be you. And so I would ask for a favorable Roll Call on... on the Motion on House Bill 317."

Speaker Greiman: "Further discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I respectfully submit that the Gentleman's Motion should carry, because I think this... this Body, if it

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wishes to follow the rules it has adopted for itself, has no choice but to recommit to Personnel and Pensions. What was done here was that the Bills were reassigned to Urban Development and posted for hearing Thursday, May 2nd; however, they were posted not in conformance or conformity with the rules and the rule in particular being 20 (b) that we have adopted for governance of ourselves. Rule 20 (b) provides that not later than 12 o'clock on noon of the day following the regularly scheduled meeting but not less than six-and-one-half days prior to the next meeting, these Bills must be posted as further provided."

Speaker Greiman: "Mr. McCracken, confine your remarks to the Motion."

McCracken: "The... Well... I... I submit that they are in response to the Motion, because the fact of the matter is what... what you will seek to do if you defeat this Motion by having it heard in Urban Redevelopment is act in disregard of our rules. You have no choice but to recommit this for reassignment. Maybe not Personnel and Pension, but where else? Urban Redevelopment clearly is not appropriate. It ought to go back to Personnel and Pension, and you have no choice but to recommit. Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I believe the Committee on Assignment acted properly in making this reassignment. I believe that there's probably not a person on this floor who, in looking at the legislation, would consider it to be simply a pension matter. The issues dealt with in this legislation are major, truly major, going beyond the issue of mere pension fund management, and that is why the Bills were reassigned. The subject matter is clearly much broader than the

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Committee to which it was originally assigned. And I rise in opposition to the Motion to recommit."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, the issue here is whether the Committee on Assignment was proper in this assignment. And under the rules, they were within their rights to reassign it to this Committee. Now I'm going to make this appeal to this side of the aisle. I realize that in some of your districts this may be a touchy issue. But this issue goes farther than that to this side of the aisle, because I served in this Legislature, in this House, when the other side of the aisle did make reassignments of Committees that I didn't like. So I would urge the Members on this side of the aisle, if... if it's uncomfortable for you, just don't vote on this issue; because it's this issue today, but it can be some other issue tomorrow. I don't think that side of the aisle should dictate to us whether... whether a Bill ought to be able to reassign... be assigned to a particular Committee or not; because, although, today it may... may not hurt you, tomorrow it could. So I would urge the Members of this side of the aisle either to vote 'no' or to just not vote. That you can do very easily, and when... if the Bill does come to the floor, then vote your conscience. That you can do. Anybody can do that. But as to this issue, vote 'no', or don't vote or vote 'present'."

Speaker Greiman: "Further discussion? There being none, Mr. Davis to close."

Davis: "Well, Mr. Speaker, I've listened to the arguments from the other side. They are hollow. Let me just suggest to you, Mr. Speaker, and with all due respect to the real Speaker, the rules, by your own admission, Mr. Temporary Speaker, were violated in reassignment last week, and you

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so ruled from the Chair on the reassignment of these Bills, who were summarily lifted out of a Committee at the 11th hour because the votes weren't apparently there to pass it. The Bill was setting in Pensions Committee for months. You violated the rule. In our opinion, you violated the posting rule, and you are the Majority. And when the Majority chooses to manipulate the system for an individual or a group of individuals, every Members rights are violated in this General Assembly. But let me just close in saying one thing. These Bills have a potential devastating affect on the pension systems of this state. The IEA opposes these Bills and supports this Motion. The IFT supports it. The Retired Teachers Association supports it. The banking industry supports it, and every member of your constituency supports the notion that these Bills should be returned to the Committee on Pensions because they were illegally posted and illegally assigned originally to the Committee on Urban Redevelopment. And they could have been, Ladies and Gentlemen, by the way, legally posted to the Committee on Urban Development (sic - Redevelopment). So the manipulation of your rights didn't go as far as it could have gone; but your rights have been violated, and these Bills belong in Pensions. That's where they should be, and I urge an 'aye' vote."

Speaker Greiman: "The question is, 'Shall House Bill 317 be reassigned to the Committee on Personnel and Pensions?' This takes 60 votes. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Friedrich to explain his vote."

Friedrich: "Mr. Speaker, Members of the House, after Speaker Madigan was elected Speaker, he had a couple meetings in Rules Committee, and I happen to be the Republican Spokesman. We had public hearings. And actually, the

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Resolution that we adopted was drafted by Speaker Madigan. There were some changes in it. We didn't object to those changes, so they basically are Speaker Madigan's rules. There is a definite procedure for going around the rules and suspending the rules which could have been taken. That's also a part of the rules, but it was never done. So I think if we're going to have Speaker Madigan's rules, Speaker Madigan ought to abide by them."

Speaker Greiman: "Okay. The Gentleman from Will, Mr. Davis, one minute to explain your vote."

Davis: "Well, Mr. Speaker, in explanation of my vote, those of you voting 'present' and not voting can't hide behind the 'present' or the 'no' vote. This issue is being watched very closely by the pension systems, by all the people that have their hard earned money, and their time and their hopes and dreams involved in those pension systems. So I suggest you get off the dime on the 'presents'. Those of you not voting, for God's sake vote 'no' if you have to, but vote on the issue because an absent vote doesn't look very good on the board for anybody."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 voting 'aye', 45 voting 'no', 16 voting 'present', and the Motion fails. On the Order of House Bills... I'm sorry. On the Order of Motions, dealing with assignment, appears House Bill 330. Mr. Clerk read the Motion with respect to House Bill 330."

Clerk O'Brien: "Motion. 'Pursuant to Rule 33(f), I move to reassign House Bill 330 to Personnel and Pensions Committee,' offered by Representative Jack Davis."

Speaker Greiman: "The Gentleman from Will, Mr. Davis, on... on a Motion with respect to House Bill 330."

Davis: "Mr. Speaker, the Motion is the same subject. The debate



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would be the same. I suspect the result might be the same; although in retrospect, those voting 'present' and not voting last time on the other side of the aisle may want to reconsider. So I simply will ask for a Roll Call vote on an identical Motion to 317. The subject matter and the debate in the issue is the same."

Speaker Greiman: "The Gentleman from Will, Mr. Davis, has moved for... has moved that House Bill 330 be reassigned to the Committee on Personnel and Pensions. And on that, is there any discussion? There... The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Only to urge, Mr. Speaker and Ladies and Gentlemen on the side... Speaker, Ladies and Gentlemen of the House, on this side of the aisle, to urge the Members that the way you voted on the last Bill is okay. Just keep it up on this Bill. Thank you."

Speaker Greiman: "Further discussion? Mr. Davis, do you wish to close?"

Davis: "No."

Speaker Greiman: "The question is, 'Shall House Bill 333 (sic - 330) be reassigned to the Committee on Personnel and Pensions?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. It requires 60 votes to carry this Amendment... this Motion. The Gentleman from DuPage, Mr. McCracken, to explain his vote. One minute, Sir."

McCracken: "I renew my argument on the insufficiency of the posting, and I'm going to make a Motion to that effect at the appropriate time."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 51 voting 'aye', 42 voting 'no', 12 voting 'present', and the Motion fails. On the Order of... On page... Page

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13 of the Calendar... Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "For the purpose of a Motion to strike from the following list the Bills to be considered by the Urban Redevelopment Committee on May 2nd, House Bill 317 and 330. It's previously been filed in writing. I so move, before we move any... to any other order of business."

Speaker Greiman: "Well, Mr. McCracken, the Chair still retains a small prerogative to go from... to go to different Orders of Business. We'll, be with you in a minute. Mr. McCracken, rather than have this as a cloud over us for the rest of the afternoon, the Chair believes that the Motion itself is not in order under our rules; because the rules provide that the Clerk is to do certain postings at the instance of the Membership or of the Committee chairs. So that the... it's just beyond the jurisdiction of the House to strike a Bill from a posting list. The list... The posting has been done, and the list has, in fact, been put in the proper place. So that the Chair will rule your Motion out of order. Alright. That... Now... That does not mean, however, that you cannot make a parliamentary inquiry with respect to posting; and, indeed, that would be appropriate. And so I recognize you, Mr. McCracken, for such an inquiry if you care to make one."

McCracken: "Will I get a vote on my inquiry?"

Speaker Greiman: "On your inquiry? Mr. McCracken, we don't normally give votes on inquiries, but you certainly may... make inquiry."

McCracken: "Well, first, let me address the procedure. The Motion is made upon a... an alleged violation of our own rules with respect to posting. Posting is a jurisdictional requirement to the consideration by a Committee of any particular Bill. I make the Motion to strike from the

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jurisdiction or the consideration of Urban Redevelopment those two Bills which have been the subject matter of the last few minutes debate. Rule..."

Speaker Greiman: "Mr... Mr. McCracken..."

McCracken: "Hold on. I'm not done.

Speaker Greiman: "Excuse me, Mr. McCracken. The Chair has ruled your Motion out of order. You have... There is a remedy if you are unsatisfied with the Chair's ruling. The Chair recognized you for a parliamentary inquiry. The Chair recognizes you still for that inquiry, Sir. Now, if you wish to proceed on the inquiry, the Chair continues to recognize you."

McCracken: "My inquiry is whether, in fact, the Bills have been properly posted in accordance with Rule 20(b) to the Committee on Urban Redevelopment, those Bills being HB 317 and HB 330. The basis of my inquiry being my understanding that they were posted not in accord with Rule 20(b) in that they were posted less than six-and-one-half days prior to the next subsequent meeting of that Committee. My understanding further is that the next meeting of that Committee is May 2nd, at 9 a.m., and that these Bills were posted on April 26th, at 10 a.m., being less than six-and-one-half days. If the rule... Strike that. That is my inquiry, and I wish you would address that issue."

Speaker Greiman: "Thank you. And the Chair will, indeed, make a ruling on that if you'll just stand by for a few moments. Mr. McCracken has made a parliamentary inquiry as to whether the posting notice made at 10 o'clock on April the 26th, 1985, posting House Bills 317 and 330 for an 9 a.m. hearing on May the 2nd, fulfills the requirements of Section 20 of the Rules of the 84th General Assembly. It is of the ruling of this Chair that by both the letter of the rule, the spirit of the rule, as well as the customs of

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this House, that the rule... that the posting requirements have, indeed, been fulfilled. It being the general procedure and custom of this House to consider one-half day if it is filed prior to the... to 12 o'clock on the day of posting and including the day of... of the hearing as a... as a full day. Accordingly, the provisions of Section... of Section 20 of our rules have been fulfilled, and the Chair rules that the posting was proper and appropriate. Yes, Mr. Piel, for what purpose do you seek recognition?"

Piel: "Thank you, Mr. Speaker. On that inquiry, I... I definitely concur with Representative McCracken. As you know, when you figure it out, you're sitting here at five days 22 hours. It's talking about six-and-one-half days. So you're talking about six days 12 hours. There is a disparity there. What you're trying to tell us, Mr. Speaker, is that 8 a.m. in the morning constitutes a full day. Is this what the Speaker is saying?"

Speaker Greiman: "Pardon."

Piel: "What you're... What... What you're trying to tell this Body is that with that 8 a.m. posting on Thursday, that is constitute as a full day according to the way you're interpreting 20(b). I'm just basically stating what you just said that..."

Speaker Greiman: "The Chair has ruled that the posting was appropriate and gave a rather lengthy explanation of the ruling, Mr. Piel. And you can certainly comment. The Chair..."

Piel: "I was just asking a question of the Chair."

Speaker Greiman: "The Chair wishes to give everyone an opportunity to comment on this ruling."

Piel: "I'm asking a question of the Chair."

Speaker Greiman: "You may comment, Sir."

Piel: "You're classifying that..."

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Speaker Greiman: "The Chair has ruled."

Piel: "...8 a.m. on Thursday morning is classified as a full day according to posting rules? You don't want to answer my question?"

Speaker Greiman: "Mr. Piel, the Chair ruled. The Chair is being... is certainly interested in hearing comments with respect to that ruling..."

Piel: "Mr. Speaker..."

Speaker Greiman: "But if you wish to comment on the ruling, proceed; otherwise, Mr. Piel, several other Members are asking for recognition. Proceed, Sir."

Piel: "All I'm doing is asking for a clarification from the Chair. Are you classifying a full day being 8 o'clock in the morning? The last time I checked my watch a full day was 24 hours, but I'm asking you. Are you classifying a full day being 8 o'clock in the morning on Thursday morning? I mean, Mr. Speaker, it's basically a 'yes' or a 'no'."

Speaker Greiman: "Mr... Mr. Piel, I assume that's a rhetorical question, and you'll finish then. Unless you wish to proceed, I'm going to call on Mr. Davis. Now, do you wish to proceed, Sir? Mr... The Gentleman from Will, Mr. Davis."

Davis: "Well, Mr. Speaker, I respectfully disagree with the ruling. It seems to me that this is kind of a sad day because the manipulation of the process at the expense of every Member here is very apparent. I guess my frustration and mystification, Mr. Speaker, is simply to ask the temporary Speaker a question. Mr. Speaker, why? Why did you do this? You admittedly... and you admittedly violated the rules yourself last Thursday in reassignment, corrected your deficiency when we pointed out that deficiency, could have posted on Thursday afternoon and been within the

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rights or could have changed the Committee hearing to Friday. It seems to me as you manipulated the process, Mr. Speaker, you weren't very good at it, as you're not very good in this ruling that violates every Members' rights in this House. And you know it, and I know it. And Speaker Madigan has been religious in following the rules of this House. But you, Mr. Speaker, temporary Speaker, have not been religious in following them, and you're doing the bidding now of a small, a small segment of your side of the aisle who is manipulating the process and, in laughing, admittedly manipulating it. Now, Mr. Speaker, you'll rue this day because we will be watching scrupulously for every other violation that's sure to come starting on law day 1985."

Speaker Greiman: "Further comments? Alright. On the Order of... Mr. Bowman, for what purpose do you seek recognition?"

Bowman: "Is there a debatable issue before the House or..."

Speaker Greiman: "No. Mr. Bowman, for what purpose do you seek recognition? Just... Just go ahead."

Bowman: "Well, is there a debatable issue before the House or is Mr. Davis just ranting?"

Speaker Greiman: "Mr. Bowman. Mr. Bowman."

Bowman: "If there is a debatable issue, I would like to respond..."

Speaker Greiman: "The Chair handles himself pretty good. You have something you want to say? Go ahead."

Bowman: "Well, I... I think Mr. Davis is making a mountain out of mole hill. I mean, I think the... what has happened has been fair, and just and right. And I'd just like to point out if something had been filed at 3 o'clock in the morning, the earliest that it could have been..."

Speaker Greiman: "Thank you, Mr. Bowman. Appreciate your comments. Any... Yes, Mr. Keane, for what purpose do you

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seek recognition?"

Keane: "Thank you, Mr. Speaker. I'd like to ask leave to waive the appropriate notices so that House Bill 2435 can be posted for a full Revenue Committee tomorrow and for the appropriate Subcommittee. We had a mix-up, and this should have been done a couple of days ago, but there was a misunderstanding. I'd ask for leave."

Speaker Greiman: "Yes, the Gentleman from Cook, Mr. Keane, asks to waive the posting rule with respect to 2435 so the Bill may be heard in Committee. Does the Gentleman have leave? Leave to use the Attendance Roll Call. Mr. Kulas, for what purpose do you seek recognition?"

Kulas: "For the purpose of an announcement, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Kulas."

Kulas: "The Energy, Environment and Natural Resources Committee will meet at 4 o'clock on the House floor, not in Room 114, but on the House floor. I ask all the Members to be there promptly at 4 o'clock on the House floor."

Speaker Greiman: "So Energy and Environment will meet on the House floor today. Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, House Bill 1880 was posted for the Judiciary I Committee meeting today. That Bill has been assigned to the Judiciary II Committee; and, therefore, was not posted for the proper Committee. I would like to allow the Sponsor the opportunity to present that Bill in the Judiciary II Committee, so I would ask leave to waive the posting requirements for the Judiciary II Committee and allow House Bill 1880 to be heard tomorrow morning at 9... at 8 a.m."

Speaker Greiman: "The Gentleman from... from Cook, Mr. Cullerton, asks leave of the House to waive the posting requirements

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for House Bill 1880 so that the Bill may be heard in the Committee on Judiciary II. Does the Gentleman have leave? Leave of the Attendance Roll Call. Yes, Mr. Preston, for what purpose do you seek recognition?"

Preston: "Thank you, Mr. Speaker. I rise for the purpose of an announcement."

Speaker Greiman: "Proceed, Mr. Preston."

Preston: "Mr. Speaker and Ladies and Gentlemen of the House, the Illinois Library Association is holding a reception this evening at the Prairie Capital Convention Center. They have arranged to have continuous bus shuttle service from the Capital and from the Stratton Building to the Convention Center for your convenience. The bus will leave from the north door of the Capital Building or the South door of the Stratton Building on a continuous basis and will go up and back between those buildings and the Convention Center. The reception is between 5:30 and 8:30 this evening, and you're all, most graciously, invited and encouraged to attend."

Speaker Greiman: "Thank you. For what purpose does the Lady from Cook, Ms. Alexander, seek recognition?"

Alexander: "Thank you, Mr. Speaker. I've just been informed by one of the Members, and I've checked with the Minority Spokesperson, House Bill 1104 (sic - 1109), I ask leave to waive the proper posting rules and have this Bill heard today in Election Committee."

Speaker Greiman: "The Lady from Cook, Ms. Alexander, waives... moves that the posting requirement for House Bill 1104 (sic - 1109) to be heard today in the..."

Alexander: "1109."

Speaker Greiman: "1109. 1109, be waived so the Bill may be heard in the Committee on Elections today. Does the Lady have leave? Leave to use the Attendance Roll Call. The



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Gentleman from Macoupin, Mr. Hannig, for what purpose do you seek recognition?"

Hannig: "For an announcement, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Hannig."

Hannig: "The Select Committee on Veterans Affairs will meet tomorrow at 11:00, not at 10:00 as stated in the Calendar, but 11 o'clock. And I would ask all the Members to be there so we can conclude our business. Thank you."

Speaker Greiman: "Mr. Bowman, for what purpose do you seek recognition?"

Bowman: "To suspend the posting requirement for House Bill 663 for Appropriations II. I've discussed it with the other side of the aisle. We have already heard this Bill; however, there was some testimony that we were not able to take because we ran out of time, so we carried the Bill over to this coming... this week. So I'd like to suspend the posting requirements so that we can hear the remainder of the testimony."

Speaker Greiman: "House Bill 663, Mr. Bowman, or 2 (sic - 662)?"

Bowman: "It's the Emergency Services and Disaster Agency. The note that I have here from staff says 663."

Speaker Greiman: "663. Mr. Bowman moves that the... that House Bill... that we waive the rules for posting with respect to House Bill 663. Does the Gentleman have leave? Leave to use the Attendance Roll Call. Mr... The Gentleman from Madison, Mr. Wolf, for what purpose do you seek recognition, Mr. Wolf?"

Wolf: "Thank you, Mr. Speaker, for purposes of an announcement. The Personnel and Pensions Committee will meet promptly at 4 o'clock this afternoon in Room C-1 in the Stratton Building."

Speaker Greiman: "Yes, Mr. Wolf, have you waived the posting..."

Wolf: "That meeting was previously scheduled, Mr. Speaker."

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Speaker Greiman: "No, I... Mr. Wolf."

Wolf: "For the purposes that you're waiving, would you recognize Representative McAuliffe?"

Speaker Greiman: "Yes, Mr. McAuliffe. Mr. McAuliffe. Mr. McAuliffe apparently is not presently in the chamber. Mr. Wolf."

Wolf: "Alright. Mr. Speaker, I believe that Representative McAuliffe would be asking leave of the House to waive the appropriate posting rules in order that House Bills 1667 and 1306 can be heard in the Pensions Committee this afternoon at 4 o'clock."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf, asks that... leave of the House to waive the posting rules for House Bills 1667 and 1306 so those Bills may be heard in the Committee on Personnel and Pensions today. Does the Gentleman have leave? The Gentleman has leave with the Attendance Roll Call. The Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. The Elementary and Secondary Education Committee will meet tomorrow morning at 8 o'clock in C-1."

Speaker Greiman: "Alright. Elementary and Secondary Education tomorrow morning in C-1. The Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, this is an announcement of a room change for the meeting of the Select House Committee on the World's Fair tomorrow morning at 8 a.m. The time stays the same, but the room will be 118, rather than what is listed in your Calendar."

Speaker Greiman: "Alright. So the Select Committee on the World's Fair will meet tomorrow in Room 118, instead of the room originally scheduled. Agreed Resolutions."

Clerk O'Brien: "Agreed Resolutions. House Resolution 307, offered by Representatives Laurino and Saltsman; 308,

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Bullock; 310, McNamara and Steczo; 311, Hensel; 312, Vitek - Krska and Terzich; 314, John Dunn; 315, DeJaegher; 316, Soliz; 317, Soliz; 318, Soliz; 319, Soliz; and 320, Soliz; and 321, Soliz."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Speaker, Ladies and Gentlemen of the House, House Resolution 307, Laurino, congratulates Claire and Mitchell Serafin. 308, Bullock, commends Sam Moir. 310, McNamara - Steczo, recognizes Mayor Harry Raday. 311, Hensel, lauds Sandra Donahue. 312, Vitek - Krska, congratulates Dennis Lyzniak. 314, Dunn, recognizes Wil Miller. 315, DeJaegher, wishes Ray Meyers a happy birthday. 316, Soliz, recognizes Camilo Vera. 317, Soliz, commends Albin Wegner. 318, Soliz, congratulates Juan Rodriguez. 319, Soliz, commends Gilberto Mercado. 320, Soliz, congratulates Marcos Mendez. 321, Soliz, recognizes Feliciano Crespo. 307... Oh, I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The question is, 'Shall the Agreed Resolutions be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the... and the Agreed Resolutions are adopted. The Gentleman from Cook, Mr. Terzich. I'm sorry. General Resolutions."

Clerk O'Brien: "House Resolution 313, offered by Representative Huff; and House Joint Resolution 39 (sic - 40), offered by Representative DeJaegher - et al."

Speaker Greiman: "Committee on Assignment. The Gentleman from Cook, Mr... Mr. Terzich, for what purpose do you seek recognition?"

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, there were a few Bills that the Sponsor requested to be posted, and do to the substantial number of Bills that were

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assigned to the Executive Committee these were overlooked, either by me or my secretary for posting. I'd like to have leave of the House to waive the posting requirements so they could be heard in Executive Committee tomorrow at 2 o'clock. And that would be House Bill 1111, 2499 and 1914."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, has moved to waive the appropriate rules so that House Bill 1111, 2499 and 1914 may be heard in the... in the Executive Committee tomorrow. Does the Gentleman have leave? Yes, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I'm afraid we'll have to object to that Motion, if you will and we do. If you have a Roll Call, we would like to ask that it be on the board... official Roll Call."

Speaker Greiman: "Alright. Yes, Mr. Terzich, if you will put your Motion in writing, it will be on the Calendar for tomorrow and may be considered. Mr. Klemm has objected to hearing it. And under our rules, since it is not on the Calendar, it would have to be... it would have to be in writing. So if you would put that in writing it could be... still be heard tomorrow, assuming you get the vote, the appropriate vote. Yes, Mr. McAuliffe, for what purpose do you seek recognition?"

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would ask to waive the appropriate rules to have House Bill 1306 and 1667 part of the Pensions Committee."

Speaker Greiman: "Mr. McAuliffe. It was done a few minutes ago."

McAuliffe: "Thank you."

Speaker Greiman: "Yeah."

McAuliffe: "Mr. Speaker."

Speaker Greiman: "Yes, Mr. McAuliffe."

McAuliffe: "How about House Bill 1803 in the Elections Committee?"

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Can I waive the appropriate rules to have that Bill heard today?"

Speaker Greiman: "Well, I... We would have to see if the Chairman and the Minority Spokesman have talked about that. Why don't you go talk to them?"

McAuliffe: "To my knowledge... To my knowledge, they have talked about it, and there is agreement."

Speaker Greiman: "Well, want to hold that for a minute and see if you can maybe get them to make that Motion, Mr. McAuliffe? Death Resolutions. Well, hold those for just a second, Mr. Clerk. Death Resolutions."

Clerk O'Brien: "House Resolution 306, offered by Representative Brookins, with respect to the memory of John Evert Allen, Sr.; and House Resolution 309, offered by Representative Cullerton, with... the 25th anniversary of the death of former colleague, the Honorable Charles H. Weber."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevec, has moved for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. The Gentleman from Madison, Mr. McPike, for the Adjournment Motion. Mr. McPike moves that the House stand adjourned until the hour of 12 o'clock tomorrow, allowing the Clerk five minutes for... for Committee Reports to be read into the record for... in Perfunctory Session. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned until the hour of 12 o'clock tomorrow."

Clerk O'Brien: "Committee Report. Representative Levin, Chairman of the Committee on Public Utilities, to which the following Bills... Bills were referred, action taken April 30, 1985, reported the same back with the following

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recommendations: 'Do pass as amended' House Bill 1814;  
'Interim Study Calendar' House Bills 595, 966, 1328, 1633,  
1640, 1781, 1851, 2171, 2231, 2361 and 2379. No further  
business, the House now stands adjourned."

08/12/85  
12:07

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