

STATE OF ILLINOIS
82ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

15th Legislative Day Legislative Day

March 19, 1981

Speaker Ryan: "The House will be in Order and the Members will please be in their seats. Reverend Hook will lead the prayer. Reverend Hook?"

Reverend Hook: "Shall we pray? Our Lord and gracious most Heavenly Father, we come to You this day. We thank for the beautifulness of Your love and Your glory that You have shed upon us. We ask You again for the leadership of Your Spirit. We thank You, Lord, for those that are represented today in the House of Representatives. Lord, we also thank You for our special guests from Nigeria today. We ask You, Lord, as in the beginning with Creation that You breathe the breath of life into Adam; We ask You for Your Spirit to breathe upon this Assembly today. You said, Lord that is not by might of men, but it's by Your Spirit, sayeth the Lord, led us to realize that today is the day of salvation. Now is the time for us to lean upon You and trust in You. If ever now were never a time, the troubled times that we're living in and decision making that we are making today, this Body of men and women, direct them, lead them and guide them. Direct our country. Lord, but never let us forget where You have brought us from and where we are today. We thank You for this great country that we have to worship You, the liberty to worship you in Spirit and in truth. Because You said, Thee, that is our salvation and any other than none other name given under Heaven whereby men must be saved. We thank You for that refuge that we can go into in the time of need and a time of distress and a time of turmoil. We know that You're always there and we lean upon that strong arm this afternoon. We believe You, Lord, that You are still that comfort in the time of need that rests to the weary. And, Lord, we ask You for that direction, the leadership of Your Spirit, because we know

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that we must have a vision, that You said, without a vision that Your people would perish. Bless the Speaker today as he conducts business, every Member of the House. And, Lord, we know that time is in a time when we must draw closer to You and our dependency must be to You and to the Cross. Never let us forget the blood that was shed upon Calvary that we might have redemption for our soul. Lord, we thank you today most of all that we can praise Your lovely Name and lift up the Holy Name of Jesus Christ. Bless these today. Bless every part of business and will ever give You the mighty praise, cause the greatest name under Heaven and in Heaven is the Name of Jesus Christ. Amen and Amen."

Speaker Ryan: "We'll be led in the pledge today by Representative Braun. Representative Braun, would you lead the pledge, please?"

Braun: "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 Ryan: "Roll Call for attendance. Take the record, will you, Mr. Clerk? There being 157 Members answering the Roll, a quorum of the House is present. Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 605, McMaster-Yourell, a Bill for an Act to amend the Illinois Highway Code, First Reading of the Bill. House Bill 606, Preston, a Bill for an Act to amend Sections of an Act to regulate the practice of public accounting, First Reading of the Bill. House Bill 607, Donovan-et al, a Bill for an Act to create the Illinois Farm Development Authority, First Reading of the Bill. House Bill 608, Daniels-Redmond-et al, a Bill for an Act to provide for the protection of young children riding in

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motor vehicles, First Reading of the Bill. House Bill 609, James Kelley-et al, a Bill for an Act providing for a lien of mechanical services under Workmen's Compensation and Workmen's Occupational Diseases Act, First Reading of the Bill. House Bill 610, Jim Kelley, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill. House Bill 611, Braun, a Bill for an Act creating the Capital Punishment Study Commission, First Reading of the Bill. House Bill 612, Braun, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 613, Braun, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 614, Braun, a Bill for an Act to amend Sections of the Election Code, First Reading of the Bill. House Bill 615, Swanstrom-et al, a Bill for an Act to license and regulate persons engaged in the business of conducting auctions, First Reading of the Bill. House Bill 616, Collins, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 617, Kociolko, a Bill for an Act to amend the Illinois Horse Racing Act, First Reading of the Bill. House Bill 618, Topinka, a Bill for an Act to amend Sections of an Act to revise the law in relationship to county ...elections of county commissioners in Cook County, First Reading of the Bill. House Bill 619, Schraeder, a Bill for an Act to add Sections of an Act concerning public utilities, First Reading of the Bill. House Bill 620, Reed, a Bill for an Act to add Sections to the Illinois Income Tax Act, First Reading of the Bill. House Bill 621, Ryan-Madigan-et al, a Bill for an Act making appropriations to State Attorney's Appellate Service Commission, First Reading of the Bill. House Bill 622, Ronan-Daniels-et al, a Bill for an Act to amend Sections of the State Attorney's Appellate Service Commission Act, First Reading of the

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Bill. House Bill 623, Friedrich-Winchester, a Bill for an Act to amend the Environmental Protection Act, First Reading of the Bill. House Bill 624..."

Speaker Ryan: "Agreed Resolutions. We have a Resolution here the Clerk's going to read if we could have your attention. Members will be in their seats. We have some guests here today from Nigeria and we have a Resolution that the Clerk's going to read. Can we have your attention please? Members please be in their seats. Doorkeeper, are there any unauthorized people on the Floor? Proceed, Mr. Clerk."

Clerk Leone: "House Resolution 133 sponsored by Speaker Ryan, Republican Leadership, Minority Leader, Madigan, Democratic Leadership. Whereas the Members of the Illinois House of Representatives welcome and recognize participants in the Legislative Staff Training Program of the Western African Nation of Nigeria; Whereas, Nineteen years after gaining independence from Great Britain, Nigeria adopted a Democrat Federal Republic that shares with Illinois and the United States cherished ideals about the importance of representative Democracy; and Whereas, on October 1st, 1979, Nigeria's Constitution took affect, establishing a national government in many ways like our own, composed of a bicameral legislative branch, an executive branch, and a judiciary branch; Whereas, The Nigerian State Government share with us the desire to play a major role in formulating and executing policy in the areas of local industrial development, health care and education; Whereas The National Assembly and the state legislatures of Nigeria have sought to increase their leaders' understanding of the American federal system and the roles of the state legislatures play by participating in the Legislative Leaders Exchange Program; and Whereas, As part of the program, Nigeria has paid us a great honor by sending

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Speaker D.M. Gbolagunte, Majority Leader F.A. Olafunmiloye, Minority Leader S.A. Akubo, Whip Ali Omeiza Salami, Business Chairman A. Mashi, Chairman of Niger State Isa Egwa, Chairman of Anabra State Andrew A. Obuna, and Members of the National Assembly, Labaran Tanko to the United States to observe the style and effectiveness of our Legislative Leaders and our ability to operate in an open and efficient fashion; and Whereas, The Nigerian Leaders are presently observing the General Assembly of the State of Illinois; be it therefore RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate and applaud the efforts of the Federal Republic of Nigeria to establish and preserve a stronger Democracy; and be it further Resolved, that we welcome our Nigerian guests and extend to them our cooperation and help in making theirs a most informative and worthwhile experience; and be it further Resolved that suitable copies of this Resolution and Preamble be presented to this Distinguished delegation."

Speaker Ryan: "You did a nice job on the names, Mr. Clerk. Could I have your attention here a minute, Ladies and Gentlemen? Would you please be in your seats? The noise level here is almost embarrassing. Would you please be in your seats and pay a little bit of attention here? The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I would like to join with you, Mr. Speaker, and with the Minority Leader and all of the Members of the House, in welcoming our guests from Nigeria to Illinois. It's been a very enlightening and rewarding experience to have the opportunity to spend time talking with the Members of the Assembly from Nigeria and learning a great deal about their new, emerging Democracy. They're visiting the United States in an effort to learn

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all they can about our Presidential system as they shape their infant, new Democratic country. I again welcome you to Illinois and to the United States. We wish you well and we look forward to hearing from you once again. And, Mr. Speaker, I now offer to move the adoption of House Resolution #133."

Speaker Ryan: "The Gentleman has moved the adoption of Agreed Resolution 133. All those in favor will signify by saying 'aye', all opposed by 'no'. The 'aye's have it and the Gentleman's Resolution is adopted. I'm going to introduce the Speaker of the group that's with us today and let him introduce himself and he's going to address the Body here. Mr. Speaker (D.M. Gbolagunte)."

Speaker D.M. Gbolagunte: "Mr. Speaker, Honorable Members of the House, it gives me great pleasure to be present in your House here this day with my team. And I must say straight-away that we are very happy for the motion that you have just adopted, especially for the wardens. We are grateful because you have paid glorious merits to our country, Nigeria. As has been said, we are legislative leaders from Nigeria from various states of Nigeria. And we are here to see more of your legislative processes. And, as it was said in the moving of your motion, we have just started to implement the Presidential system of government. We are ...We are just in it for two years for we started in October, 1979. And whereas, you have implemented this system for 200 years, so we are here to see what makes you succeed and also to see where perhaps you have had difficulties so that we may avoid your pitfalls, or what I may call your difficulties, and then progress much more rapidly than you have done. As it was also mentioned in your wording of the motion, we were governed by Britain for 60 good years, 1900 to 1960. So

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that when we became independent in 1960, we adopted the Pre....parliamentary system of government. That is the West Minister's...West Minister's system, the British system. It was in 1979 that we changed our Constitution and adopted the American system, which is the Presidential system of government. We have a National Assembly which is bicameral. We also have a Senate and a House of Representatives. We also have nineteen states in the whole of Nigeria instead 50 that you have. The nineteen....All the nineteen states are unicameral, whereas in America here, it is only Nebraska that is unicameral. The rest of you have bicameral. We in Nigeria have five parties instead of two that you have in America here. And all the five parties in Nigeria are represented in my delegation here. To become a Member of any legislature in Nigeria you must be voted for by the people who are at least eighteen years of age, but you, yourself must be at least 21 years of age. Of course to become a Senator you must be forty years of age. Then, in the Houses, we...we really know that our parties exist because you cannot go into the Houses unless you are sponsored by your party. And once you are sponsored by the party, you must tow the party line. If you disagree with the party when you're in the House, well, you cannot join any other party. In one word, you cannot cross carpets. You remain in the doldrums. You just can't be a Member of any party. The leader of our Government in Nigeria, whosoever wins the election, is called the 'President', just as you have a President here. In the House of Representatives in Nigeria, we call our presiding officer, Speaker. And call the presiding officer in the Senate, President, just as you do here. We really appreciate the very kind receptions given to us in all the places we have visited in America. Really we were in

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Denver for a few days. It was day before yesterday we arrived here and the President of your Senate entertained us. This morning before we came in your Speaker also entertained us. This is real hospitality and we appreciate it. In the name of all the delegates here I say thank you very much for all you have done, for the motion you have passed, for the entertainment given to us by your Speaker. We go back to Nigeria with very good memories and we shall tell our people at home the various states from where we come that America is a very good Nation. Because you have been very good to us. If at any time anybody has any time to come to Nigeria, anytime, you are welcome as we'll be glad to receive you in our states and in the National Assembly. Thank you very much."

Speaker Ryan: "The Gentleman from Rock Island, Representative Polk."

Polk: "Well, Mr. Speaker and Mr. Speaker of Nigeria, it has been an exciting day for all us and recognize that they have other areas and places to go today. But it's certainly been a pleasure for us here, in Illinois, to have you and to learn about your country and learn about your system as well. As we say over here, it's a two...the door swings both ways. We've been fortunate to learn from you and I'm hopeful, truly hopeful that you find Illinois one of the better states that you've visited."

Speaker Ryan: "Thank you very much. I would like to thank you, Mr. Speaker (D.M.Gbolagunte), and your delegation. I hope that your trip is educational and I'm sure it has been, not only for you, but for us. And we look forward to maybe having the opportunity of coming to your country and seeing how you operate, probably a little better than we do. Representative Jones, did you care to be recognized?"

E.Jones: "Yes, thank you, Mr. Speaker, and Ladies and Gentlemen

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of the House. I believe this is the second time that we've had the Distinguished Members from the state (sic) of Nigeria ...the country of Nigeria to grace these chambers. And Nigeria is a very important country to the United States, especially when we are dealing with fuel, so we are glad to have them here, Mr. Speaker. And we look forward to dining with you and them later on this evening."

Speaker Ryan: "Thank you very much. On behalf of the House and the Members here, Mr. Speaker (D.M.Gbolagunte) for you and your delegation, this is a copy of the Resolution that this Body just adopted and we'd like to present each of you with a copy of that. And thank you again for being with us today. Mr. Clerk, would you read Resolution #131 (sic) please?"

Clerk Leone: "House Resolution 130, Breslin. Whereas, Our esteemed colleague John Cullerton and his lovely wife, the former Pam Wilson, were blessed on Monday, March 16th, 1981 with the birth of their first child; and Whereas, the Cullerton's have named their beautiful baby girl, Margaret Louise, or 'Maggie' for short; and Whereas, Maggie weighed eight pounds and a half ounce, has ...was 22 inches long, has brown hair and, of course, baby blue eyes. Whereas, Maggie possess the classic Cullerton dimple in her chin just like her father; and Whereas, Maggie arrived just in time to celebrate St. Patrick's Day of 1981 with her mother and father who are each part Irish; therefore be it RESOVLED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Representative John Cullerton and his wife, Pam, on the birth of their daughter, that we hope Maggie is just the first of many children in the young Cullerton family; and be it further RESOLVED, that a copy of this Preamble and Resolution be presented to

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Representative Cullerton and his wife, Pam."

Speaker Ryan: "Representative Breslin?"

Breslin: "I don't know how many people know this, but Mr. Cullerton really didn't want the baby born on St. Patrick's Day because it would cut into his celebrating. So, I've never heard of such good timing. I would ask that we adopt this Resolution and add all Members' names to it. Thank you."

Speaker Ryan: "Is there leave to add all Members? Leave being granted, all Members will be added as Cosponsors. All those in favor of the adoption of the Resolution signify by saying 'aye', all opposed 'no'. And the 'ayes' have it and the Resolution is adopted. The Gentleman from Cook, Mr. Cullerton, did you have any comment?"

Cullerton: "It really wasn't that difficult. I still have a few back pains, but it worked out very well on Monday and it's very nice to have another voter available to vote thatpull that straight Democratic lever. Thank you."

Speaker Ryan: "I'm sure she's registered already. The city of Chicago."

Cullerton: "Right."

Speaker Ryan: "Representative Robbins."

Robbins: "I am so glad that John has been able to imitate my act. I started with one and John, I know you will be looking forward to those next five girls. Thank you."

Speaker Ryan: "That's ten voters in Chicago. Representative Ropp?"

Ropp: "Yes, Mr. Speaker. I rise for a point of introduction. I'd like to at this time introduce to this Body the 44 Farm Bureau Members from McLean County who are called, 'The Prime Timers', and they're on a legislative trip to Springfield today in the gallery. And if they'd kindly stand, I hope that we would give them a nice welcome.

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There they are now. In addition to that, happens to be my Mom and Dad who are in the front row right here and I'm delighted to have them here in the House chamber too."

Speaker Ryan: "Boy, am I delighted to have them here. I'll tell you that."

Ropp: "One other thing while I've got the Floor, if I may. As you may well know, this is National Agricultural Day, which has been proclaimed by President Reagan and it's extremely important that here, in the United States, we have such a dynamic industry that we call agriculture, because it is by far one of the most efficient industries around the world. Currently people in this country are spending less than fourteen percent of their disposable income to purchase food, even though people think food is very expensive, it's one of the finest buys that can be purchased anywhere. You compare that fourteen percent disposable income to, for example, in China, where it takes sixty percent of their disposable income to purchase food. It's a real pleasure to be a part of that great industry. More than a trillion dollars worth of assets comprising only three percent of our work force here in the United States. Some fifteen million people are involved daily to produce food and fiber for America and people around the world. We, in Illinois, are extremely proud of the fact that many times we are either first or second in corn production, soybean production and certainly for many years, we've led this country in being the #1 agriculture exporting state. It's again a pleasure to be a part of a group that some fifty years ago were producing food by one family farm for himself and eight others. And today, in the year of 1980 (sic), that same individual farmer is producing enough food for himself and sixty-eight other people. It is a great pleasure and I'm proud to be a member of that organization

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proudly know as 'the American Farmer'. Thank you very much."

Speaker Ryan: "The Gentleman from Rock Island, Representative Polk."

Polk: "Mr. Speaker, I'm the sole Sponsor of House Bill 241 and I'd like to table that Bill."

Speaker Ryan: "The Gentleman asks leave to table House Bill 241(sic). Are there any objections. Hearing none, House Bill 421 will be tabled. Representative Polk, would you come up here please? Oh, I'm...it's 421. House Bill 421 is tabled. Did you get that, Mr. Clerk? House Bill 421. Committee Reports."

Clerk Leone: "Representative Wikoff, Chairman of the Committee on Cities and Villages, to which the following Bills were referred, action taken March 18th, 1981. Reported the same back with the following recommendations; Do pass Consent Calendar House Bill 397. Representative McMaster, Chairman of the Committee on Counties and Townships, to which the following Bills were referred, action taken March 18th, 1981. And reported the same back with the following recommendations; Do pass as amended House Bill 425. Representative Pullen, Chairman on Committee on Executive to which the following Bills were referred, action taken March 19th, 1981. And reported the same back with the following recommendations; Do pass House Bill 372. Do pass as amended Consent Calendar House Bill 241. Representative Barnes, Chairman of the Committee on Health and Family Services to which the following Bills were referred, action taken March 18th, 1981. Reported the same back with the following recommendations; Do pass House Bill 223, House Bill 337. Do pass as amended House Bill 368. Representative Schuneman, Chairman of the Committee on Labor and Commerce, to which the following Bills were

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referred, action taken March 18th, 1981. And reported the same back with the following recommendations: Do pass House Bill 203. Do not pass House Bill 5. Representative Catania, Chairman on Committee on Public Institutions and Social Services, to which the following Bills were referred, action taken March 18th, 1981. Reported the same back with the following recommendations: Do pass as amended House Bill 288, House Bill 354. Representative Huskey, Chairman of the Committee on Motor Vehicles, to which the following Bills were referred, action taken March 18th, 1981. Reported the same back with the following recommendations; Do pass as amended House Bill 256 and 274. Do pass amended, Short Debate Calendar, House Bill 73. Representative Macdonald, Chairman of the Committee on Conservation of Natural Resources to which the following Bills were referred, action taken March 18th, 1981. And reported the same back with the following recommendations; Do pass Consent Calendar House Bill 405. Representative Sandquist, Chairman of the Committee on Registration and Regulation to which the following Bills were referred, action taken March 19th, 1981. And reported the same back with the following recommendations; Do pass House Bill 373. Representative McAuliffe, Chairman of the Committee on Personnel, Pensions and Veterans' Affairs, to which the following Bills were referred, action taken March 19th, 1981. Reported the same back with the following recommendations; Do pass House Bill 218, 289 and 382. Do not pass House Bill 363. Representative Neff, Chairman of the Committee on Transportation to which the following Bills were referred, action taken March 19th, 1981. And reported the same back with the following recommendations; Do pass as amended House Bill 329."

Speaker Ryan: "Messages from the Senate."

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Clerk Leone: "Message from the Senate..."

Speaker Ryan: "Oh, just a minute, Mr. Clerk. Representative DiPrima, do you seek recognition?"

DiPrima: "Thank you, Mr. Speaker. I just wanted to take a moment here to introduce one of our former colleagues who came in today to grace our Body and celebrate St. Joseph's Day with us. Alderman... Now Alderman of the Chicago 26th Ward, Michael Duly. Michael, take a bow."

Speaker Ryan: "Messages from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker. I'm directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and the adoption of which I'm instructed to ask concurrence of the House of Representatives to wit, Senate Joint Resolution #25, adopted by the Senate March 19th, 1981. Kenneth Wright, Secretary."

Speaker Ryan: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I'd like to take a moment to introduce a very close friend of mine, a good friend of yours, my independent candidate for Alderman, who is now the Alderman, Jack 'Murlow'."

Speaker Ryan: "Nice to see you on the Republican side, Jack."

Telcser: "Jack's a Republican."

Speaker Ryan: "All right. We're going to go to page six of the Calendar under the Order of Motions. These have to be called today or we're going to have to extend some deadlines. House Bill 56, Cullerton. Out of the record. House Bill 87, Deuster. Read the motion, Mr. Clerk."

Clerk Leone: "House Bill 87, I move pursuant to 66-A to discharge Committee on Elementary and Secondary Education from further consideration and advance to the Order of Second Reading."

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Speaker Ryan: "Representative Deuster? Out of the record. House Bill 105, Representative Currie."

Clerk Leone: "A motion pursuant to Rule 33-B, I move to take the Bill from the Speaker's Table of which was reported out of Committee unfavorably on three-fifths... on 3-5-1981 and placed on the Calendar on the Order of House Bills, Second Reading, First Legislative Day."

Speaker Ryan: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. House Bill 105 is a proposal to ban the sale and manufacturing of handguns in the State of Illinois. The Bill failed in Judiciary Committee by a mere two votes and information about that Committee hearing has come to my attention recently which may explain why the vote was as it was. In fact, one of the opponent witnesses, opponent witnesses of that Bill in Committee, the Illinois Department of Conservation, has since written me a letter explaining that indeed, that Department does not oppose this particular Bill and I think that since the Committee was not privy to complete information when it heard House Bill 105, this is an appropriate Bill to take from the Table and put on Second Reading so that the House may have its own crack, as it were, at this kind of issue. The issue itself is a critical one, that murders happen everyday in the city of Chicago and the State of Illinois, that John Lennon lies dead, that a twelve year old boy in my own District was shot because two grown ups standing at a street corner got into a quarrel and accidently killed him, is a public scandal and a public health menace. A cowardly Congress sits in Washington unwilling to take the steps it needs to take in order to be able to make this country secure from handguns out of control, from handgun abuse and misuse. This House of Representatives has a responsibility to the

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people to see to it that we deal with serious issues, not just the creation of a new state animal for the State of Illinois, but to deal with the issues that matter in fact to the lives and well being of the people. I would urge this House to support my motion to take House Bill 105 from the Table, put it on Second Reading and give this House of Representatives the opportunity to face its responsibilities, to deal seriously with one of the major public health issues of our day."

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

Johnson: "Well, since the Sponsor is either unaware or unconcerned about the Rules with respect to debating a motion to discharge, I'll similarly violate the Rules..."

Currie: "Objection... Objection."

Speaker Ryan: "Overruled. Proceed, Representative."

Johnson: "Thank you. For those who have any illusions about this Bill, you ought to look at the Bill and realize that this is a gun control Bill. If you're in favor of a gun control you ought to vote for it. If you're not as I'm not and I think a majority of the people in Illinois are not, and the majority of the Members of this House, you ought to vote 'no'. Back many years ago when our Constitution was framed the framers of the Constitution realized that we had a right to bear arms and there was an historical necessity for the right to bear arms..."

Speaker Ryan: "Just a minute, Mr. Johnson. Would you confine your remarks to the motion please?"

Johnson: "Yes, I will. I think this Bill had a sufficient hearing in Committee. The opponents in Committee just as the opponents here realize that this is a concept that's been debated time and again and as it ought to be, has been defeated time and again. It's a clear cut vote. If

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you're for gun control, vote 'yes'. If you're for the Committee system or opposed to gun control, you ought to vote 'no'. It's a bad motion and I urgently suggest and request that the Members of this House vote 'no' on this motion to discharge."

Speaker Ryan: "The Gentleman from Cook, Representative Katz."

Katz: "Mr. Speaker, the Gentleman said..."

Speaker Ryan: "Excuse me just a minute, Mr. Katz. Would you folks in the balcony please be seated? Proceed, Mr. Katz."

Katz: "Well, Mr. Speaker, I've listened with interest to the account given by the Gentleman from Champaign of what went on in the Committee hearing. The Gentleman from Champaign is indeed a wise and discerning Legislator. As I recall he was no more.. .nowhere near the Committee room, has no knowledge at all with regard to the subject of what happened in the hearing. But the..."

Speaker Ryan: "Mr. Katz, would you confine your remarks to the motion please?"

Katz: "Yes, I was and I want to say to you that it is a subject that ought to be debated on the floor of this House. The Gentleman preceding me said that if you believe in gun control you vote for it and if you are against gun control you vote against it and that is entirely wrong. If you believe in representative Government, you believe that the major subjects confronting this State ought to be deliberated and debated on this Floor. There is no more major subject than the violence that is wrought by handguns in the State of Illinois. I think the people of the state are entitled to have that subject debated on this floor and I would urge an 'aye' vote so that we may have a debate on the issue. At that time you can then vote 'yes' or 'no' depending on how you think the issues line up and I would urge an 'aye' vote on this motion."

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Speaker Ryan: "The Gentleman from Cook, Representative Boucek."

Boucek: "Thank you, Mr. Speaker. Just a question to the Chair.."

Speaker Ryan: "Yes?"

Boucek: "...On this motion to override, we need 107 votes. Is that correct?"

Speaker Ryan: "It's a motion to take from the Table, Mr. Boucek. What's your question?"

Boucek: "How many votes do we need?"

Speaker Ryan: "107."

Boucek: "Thank you."

Speaker Ryan: "The Gentleman from Macon, Mr. Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, it's my privilege today to introduce my County Chairman from Shelby County, Charlie Reynolds."

Speaker Ryan: "That's against the Rules, Representative. The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, I wonder if the Sponsor would yield to a question?"

Speaker Ryan: "She indicates she will."

Ewing: "Could you tell us briefly without discussing the issue why you didn't receive a fair hearing? Did they give you a chance to put testimony on? What...For what reason didn't the Bill get a fair hearing except that the Committee decided against you?"

Currie: "We did have a...Thank you, Mr. Ewing. We did have a fair hearing. The problem with the hearing is that since the time of the hearing one of the principle opponents of my Bill has informed me that that opposition was in fact misplaced. So to the extent that the hearing informed the vote and that those people who were voting 'no' on the Bill may indeed have been influenced and it's very difficult of course to say later on exactly what influences were the most important- but to the extent some of those individuals

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might have felt that the State Department of Conservation's opposition to this Bill was reason enough for them to oppose the Bill too, I think it's critical, critical that this House have an opportunity itself to address the issue..."

Ewing: "Well, Representative, now you're starting to tell me..."

Currie: "...The Department does not oppose my Bill..."

Ewing: "No. Well, what I want to know is just because the Department of Conservation was against your Bill, you didn't get a fair hearing?"

Currie: "Indeed, it's possible that the State Department of Conservation had some influence..."

Ewing: "Would you say 'yes' or 'no'? I mean, is that the answer?"

Currie: "I would say that since it was a mistake on the part of the Committee Members to think that the Department of Conservation would oppose this legislation and a mistake for them so to testify, you cannot call it the kind of hearing it otherwise should have been."

Ewing: "So the answer is 'yes'. A question; what was the motion on the Bill? Did they just not pass it out or did they vote do not pass?"

Currie: "They voted do not pass, Representative Ewing."

Ewing: "That makes it tougher. Mr. Speaker and Ladies and Gentlemen of the House. I think there's no basis for motion. The Sponsor of the motion hasn't given us one reason that she wasn't given a fair hearing except that the Department of Conservation opposed her Bill. I think if we're going to let every Bill out of Committee that doesn't get a do pass or gets a do not pass for that reason will be here through August. And I suggest a 'no' vote."

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

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

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House. I am equally appalled at this action. I think the amazing thing is that the Representative involved in making this motion is delaying a decision on solving the RTA problem, the mass transit problem in Chicago. She knows there's no way that she can get 100 votes for this thing. It's totally impossible. There have been votes against this thing throughout history. She knows that the Membership hasn't changed that much. She can't get 100 votes. She's trying to generate publicity and in the process she's delaying a solution to the mass transportation crisis in this State."

Speaker Ryan: "The Gentleman from Coles, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker. I agree completely with Representative Vinson. It would serve no purpose to bring this Bill out except to protract a debate over something that has no chance of passage, that the Representative knows that every downstater will vote against. There's no reason to bring it out here and take up the time of this Body when it has no opportunity of passage and simply make a political football out of it."

Speaker Ryan: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Mr. Speaker, I would move the previous question."

Speaker Ryan: "For what purpose does the Gentleman from Cook, Mr. Pierce...er, from Lake, Mr. Pierce, arise?"

Pierce: "Parliamentary inquiry, Mr. Speaker."

Speaker Ryan: "Proceed."

Pierce: "I understand... I understood Mr. Vinson to say there's a matter on the Calendar here that's being held up to help the RTA keep operating with its busses and trains. I'd like him to point out to me where on the Calendar this matter is so we can hear it today, because Mr. Vinson says...."

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Speaker Ryan: "Mr. Pierce, Parliamentary inquiries can only be addressed to the Chair. If you have a question for the Chair, would you address the Chair with the question?"

Pierce: "Yes. Yes, Mr. Speaker. I heard from one of your colleagues that the Lady from Cook was somehow delaying the RTA solution this afternoon and I wanted you to point out what matter on the Calendar today would clear up that situation, resolve that situation so I could be sure to be here for the vote."

Speaker Ryan: "Well, Mr. Pierce, I'm not in a position to answer that question cause I didn't make the speech. The Gentleman from Hardin, Representative Winchester, has moved the previous question. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it. And the previous question motion prevails. Representative Currie, to close on her motion."

Currie: "Thank you very much, Mr. Speaker, Members of the House. I think the issue is straight forward. The hearing was open; It was lengthy, but in fact there was erroneous information presented to the Members of the House Judiciary II Committee. On the basis of that erroneous information, on the basis of the fact that the Illinois Department of Conservation would so far forget its mandate to protect human resources, natural resources of every kind, and would so far forget that it is responsive to all the citizens of the State of Illinois. Unfortunately that State Department came in and told the Members of that Committee that it opposed any kind of proposal to control handgun violence. Since I have in my hand information from that very Department saying that they indeed have changed their position; They no longer oppose the Bill, it seems to me that that is every reason for this House to consider the question itself, to in effect, take from that Committee its

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opportunity to decide the matter for us. Representative Stuffle charges the Members of this House with being so insensitive to the need to protect the life, the health, the safety of our people, that there is no chance a gun control measure could pass this Body. The issue before us right now is not the gun control measure. The issue before us is whether this House is prepared to take seriously a critical problem in the State of Illinois. I urge you on the basis of the law, the flaws in the hearing, and on the basis on the seriousness, the critical issue that this Bill in fact addresses, to vote 'yes' on my motion to take House Bill 105 from the Table. Thank you."

Speaker Ryan: "The question is, 'shall the Lady's motion to take House Bill 105 from the Table pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. The Gentleman from Coles, Representative Stuffle."

Stuffle: "Mr. Speaker, on a point of personal privilege. My name was mentioned in debate. I think to suggest that I'm insensitive is to suggest that the majority of the House is insensitive to the issue and the concerns of Representative Currie has. I don't believe that's the case or that it ever has been. There are two points of view on this and it's being shown now I think that the concurring point of view is other than her own."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this motion there are 50 voting 'aye' and 92 voting 'no'. And this motion, having failed to receive a three-fifths Majority vote, is hereby declared lost. Under the Order of Motions on page six appears House Bill 106. Representative Currie. Read the motion, Mr. Clerk."

Clerk Leone: "Motion pursuant to Rule 33-B, I move to take that Bill from the Speaker's Table which was reported out of

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Committee unfavorably on 3-4-81, and placed on the Calendar under the Order of House Bills, Second Reading, First Legislative Day."

Speaker Ryan: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker. And I appreciate the indulgence of the House of Representatives. I do not intend to delay a solution to the Regional Transportation Authority's problems. House Bill 106 is a very simple, very small measure. It would take a first step toward addressing the current funding problem in the special education responsibilities of the State Board of Education requiring the State Board to go current in its payments for one small piece of its special education responsibilities. Right now the safe Board runs up to a year and a half late in those payments. The cost of the Bill is not substantial. The reason I ask to take this Bill from the Table is that although we heard the Bill in the Elementary and Secondary Education Committee, and I think it had a fair and open hearing, unfortunately at the time of the vote several sudden unexplained absences prevented the full Committee from actually acting on this measure. So, on that ground, I would ask the House to move this Bill to Second Reading where, I think, we will have a much better... a better opportunity to deal with it."

Speaker Ryan: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Chairman of the Elementary and Secondary Education Committee, I would rise to oppose the Lady's motion. This Bill was heard not once, but twice in Committee. It lost not once, but twice in Committee. The hearing was full. The debate was full. We heard several witnesses on two separate occasions. The Committee considered it. If there's ever a clear case of a situation

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where a Bill has had a hearing in Committee and simply lost in Committee, this is it. It seems to me that we ought to defeat this motion. The Bill is not so minor as perhaps the Member has suggested in terms of cost. But we could debate that on the merits. The motion itself it seems to me is not well taken because the Committee did hear the Bill, did debate the Bill, did consider the Bill and did defeat the Bill twice. I ask opposition and a 'no' vote on this motion to take from the Table."

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

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this motion. The Sponsor of this Bill had an opportunity to hear this Bill twice in Committee. The Bill provides for current funding of one program. We do not have the resources available to reimburse the programs that we presently are required to reimburse. The Governor's recommended 90 million dollar increase in elementary and secondary education for this Fiscal Year is five million dollars short of full funding existing obligations. We certainly do not have resources available to begin to fund those same obligations currently. If we're going to fund currently then we should be in a position financially to make a commitment to current fund. The only other current funding programs that we have in place in these categorical areas are the orphanage fund, where what we did is we forgave a year. We just didn't pay a year and we owe a year on current funding and we have forward funded. That is not what this Bill proposes to do. This Bill proposes to pay our present obligations and on top of that obligation the additional money for this one particular program. Ladies and Gentlemen, it's not that I think most of us are opposed to

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current funding. I think most of us would be for it. Last year I sponsored legislation...cosponsored legislation to do that. But we have to be realistic. We do not have the resources. And it is an attempt to do something that we are physically incapable of doing and for that reason, Mr. Speaker, Ladies and Gentlemen of the House, I must reluctantly rise to oppose this motion."

Speaker Ryan: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House. I don't want to contaminate the sanitized atmosphere of the Education Committee that Representatives Reilly and Hoffman are offering, that the decision was made purely on the basis of their apprehension about three million new dollars that would bring us into a current funding program, probably the only one we could afford this year. But the truth is that Chairman Reilly and his neophyte- role as the new Chairman of that fine Committee on..."

Speaker Ryan: "Remind you... Would you restrict your comments to the motion, Mr. Schneider?..."

Schneider: "...Managed to find enough people to take a walk at a time when they were prepared to vote for the Bill. So, sure, it was heard in Committee and there were the votes there for that proposition. But the reality is, they took a walk. Now, we know what that means for those of us that have been here a while. That means that there's another Bill coming down the pike which is going to stick it to the School Districts. Yes, we're going to go to current funding but the other Districts are going to eat last year's financial costs of those programs. It's that attitude, I think, that the Members of the Committee voted for the Currie proposition and it's the same reason why we ought to have the Bill put out on the floor. It's an enlightened perspective. It's current funding and probably the only

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current funding Bill we can afford. It deals with an issue on special education that I think needs to be met in this fashion. Districts have paid out that money now. They are entitled to receive it. If we go to current funding, I think we have a healthier kind of a structure. It is the kind of problem, by the way, that the Chicago School District faced over the last decade and as part of the problem I should say, that the Chicago School Board faced in their catastrophe. So I suggest to all of you that when the motion is before you today, to discharge House Bill 106, that you support that motion."

Speaker Ryan: "The Gentleman from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I'd sort of take issue with Glen Schneider if Jim Reilly was a neophyte, he wouldn't get guys to walk off the floor. I'd like the Members to please take a look at this Bill. If you look at the issue, what you're talking about is a cost factor of somewhere between three and four million dollars. But what we're doing right now for those private special education schools is they're waiting up to eighteen months before they get reimbursement and sometimes even after that we're pro-rating them. So what you're talking about is how would you like to work eighteen months and then get reimbursed from the state for your job here? I mean, we wouldn't like it. You wouldn't like it if your spouse was getting paid that way. And certainly if you were trying to manage a school or a business, you wouldn't like it that way. During the financial crunch of the mid-70's, during Governor Walker, we started this analysis and I think Mrs. Currie had a legitimate approach here. It's a three year phase-in. It's not... It's going to be a cost factor of three to four million so that those special education schools can again get on a current basis

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for funding. I think on the basis of merit, you can vote 'yes'. On the basis of allegedly Jim Reilly being a neophyte you'll probably all walk off the floor on the other side. But for the rest of us, if you look at it just on the basis of merit, I think you ought to be voting 'yes'."

Speaker Ryan: "The Gentleman from DuPage, Representative Hudson."

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

Speaker Ryan: "The Gentleman has moved the previous question."

All those in favor will signify by saying 'aye', all those opposed 'no'. The 'ayes' have it and the Gentleman's motion prevails. The Lady from Cook, Representative Currie, to close."

Currie: "Thank you, Mr. Speaker, Members of the House. Representative McClain is quite right. There are no new dollars involved here at all. It is only a question of the state meeting its financial responsibilities to local School Districts and doing so on time. Representative Schneider put his finger on it. It was not that the hearing was not sufficient. The problem was the hearing was full, but the compliment of the Committee was not full. Absent Members meant that there was not the opportunity to have a 'Do pass' motion succeed on this Bill the day that it was finally heard in the House Elementary and Secondary Education Committee. Three to three and a half million dollars is all we're talking about. I would remind you of the words of Governor Thompson in his budget message to this House and to our Senate across the rotunda, he told his bottom line and he told his top line. He said, and I quote, 'The middle lines of this budget are not sacrosanct'. I call upon this House to exercise its responsibility in this area and to give us an opportunity to deal with this issue in terms of the middle lines of our

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state budget, an opportunity that the absence of several Members of the House Elementary and Secondary Education Committee at the time of the hearing didn't... means that this Bill has not already had. I would appreciate your support for the motion."

Speaker Ryan: "The Lady moves that House Bill 106 be taken from the Table. All those in favor will signify by saying 'aye'... voting 'aye' and all those opposed by voting 'no'. It requires 107 votes.."

Currie: "No. Eighty-nine, I think...Parliamentary inquiry?"

Speaker Ryan: "Hang on. 107, Representative. That's what the Parliamentarian tells me. Representative Currie?"

Currie: "Yes, Mr. Speaker. It was a Do pass motion that failed. It had eleven 'yes' votes and it required twelve. There was no Do not pass motion offered as a substitute."

Speaker Ryan: "The motion says it was reported out of Committee unfavorably, Representative. That would still be in Committee and your motion would be to discharge the Committee. 107 is correct. Have all voted who wish? Representative Ewell, to explain his vote."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I do agree with the previous speaker. The Governor did say that we had a top line and a bottom line. However, it is not incumbent upon the Members of the other side of the aisle to make the top line continuous all the way through the bottom line. In order that we have some type of give and take in this situation, it is necessary in the Legislative Process to try to understand the problems as other people present them and to vote on the issues and not to vote with closed minds, encased in concrete. I think we ought to give this some consideration. It's a worthy consideration and surely, no one attacks it on the merits. I vote 'aye'."

Speaker Ryan: "The Gentleman from Marion, Representative

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Friedrich, to explain his vote."

Friedrich: "Mr. Speaker, Members of the House, the Sponsor of this Bill has a very prolific mind and I hope that for the rest of this Session every time a Bill of hers gets beat in Committee, we don't have to go through the agony of this, taking the Bill from Committee."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 80 voting 'yes' and 69 voting 'no'. And this motion, having failed to receive a three-fifths Constitutional Majority...Representative Madigan, for what purpose do you arise?"

Madigan: "To request that you clarify your ruling. As I understand the ruling, you stated that this particular Bill was called twice in the Committee and on two occasions failed to obtain the necessary votes to be reported do pass."

Speaker Ryan: "Her motion states that she's filed, Representative Madigan, that it was reported out of Committee unfavorably."

Madigan: "Could you clarify for the Membership why it was reported unfavorably?"

Speaker Ryan: "I'd have to do a little research. If you'll hang on, we'll find out about it. Representative Reilly."

Reilly: "Well, Mr. Speaker, the answer is that by action of the rule, when a Bill has been called the second...doesn't get out the second Roll Call, it is automatically tabled by action of...I forget the rule number...but the Parliamentarian perhaps has the rule. Essentially you get two tries in Committee and it's tabled if it doesn't get out the second try."

Speaker Ryan: "Parliamentarian will have the rule for you in a minute, Mr. Madigan. Mr. Madigan?"

Madigan: "Mr. Speaker, we feel that in this particular case, the

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Bill was called twice, failed twice and therefore under the rule, requires 107 to be taken from the Committee. We feel that that should be distinguished from a situation where a Bill is called once. Fails to receive sufficient votes to be reported do pass. And in that case, would require 89 to be taken from the Committee and I simply suggest that you might wish to clarify that for the Membership, especially the freshmen Members."

Speaker Ryan: "House Bill (sic) 24-C states that any Bill that's failed in Committee on twice is reported out do not pass, therefore requires 107 votes. On this issue there are 80 voting 'aye', 69 voting 'no'. And this motion, having failed to receive the three-fifths Majority, is hereby declared lost. House Bill 294, Representative Garmisa."

Clerk Leone: "Motion filed pursuant to Rule 33-B. I move to take the Bill from the Speaker's Table to which was reported out of Committee unfavorably on March 3rd, 1981. Placed on the Calendar Order of House Bills, Second Reading."

Garmisa: "We'll pass, Mr. Speaker."

Speaker Ryan: "Out of the record. Today's the last day Mr....Representative Garmisa. Out of the record. On the Calendar on page two under the Order of House Bills, Second Reading appears House Bill 28. Representative Cullerton. Out of the record. House Bill 83, Representative Flinn. Out of the record. House Bill 89, Deuster. Out of the record. House Bill 101, Abramson. Out of the record. House Bill 104, Abramson. Out of the record. House Bill 120, Darrow. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 120, a Bill for an Act to amend an Act in regard to Attorney Generals and State's Attorneys, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "The Gentleman from Rock Island, Mr. Darrow..."

Darrow: "Thank you, Mr. Speaker..."

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Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Excuse me, Mr. Darrow. House Bill 129, Representative Hallstrom. Read the Bill, Mr. Clerk..."

Clerk Leone: "House Bill..."

Speaker Ryan: "Wait a minute. Out of the record, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 129, a Bill for an Act to amend the Illinois Governmental Ethics Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 134, Representative Klemm. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 134, a Bill for an Act to amend the Surface Mine Land Conservation Reclamation Act and the Environmental Protection Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 138, Wikoff. Representative Wikoff."

Clerk Leone: "House Bill 138, a Bill for an Act ..."

Speaker Ryan: "Representative Wikoff on the floor? Out of the record. 138, 139 and 140. House Bill 147, Representative Klemm. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 147, a Bill for an Act to amend the Illinois Highway Code, Second Reading of the Bill."

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Amendment #2 was adopted in Committee."

Speaker Ryan: "Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 150, Cullerton. Out of the record. House BillRepresentative Breslin, for what purpose do you arise?"

Breslin: "Representative Cullerton had asked that if there were no Amendments that this Bill be moved to Third."

Speaker Ryan: "Yes. We haven't been doing that unless the Member is on the floor. Representative Ronan on the floor, House Bill 159? Are you here, Representative? You want to call your Bill? Call the Bill, Mr....Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 159, a Bill for an Act to amend an Act creating the Data Information Systems Commission, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the Floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 189, Representative Collins. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 189, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Any Amendments (sic) filed?...Any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any further Amendments?"

Clerk Leone: "Amendment #..."

Speaker Ryan: "Wait just a minute. Mr. Collins? All right."

Clerk Leone: "Floor Amendment #2, Collins, amends House Bill 189 as amended and so forth."

Speaker Ryan: "The Gentleman from Cook, Mr. Collins."

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

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House. Amendment #2 is an Amendment that I committed to in Committee where I agreed to make the Bill apply only to Cook County and I would ask for its adoption."

Speaker Ryan: "The Gentleman's motion is to adopt the Amendment #2 to House Bill 189. All those in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Gentleman's motion (sic) is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Representative Collines. Just a minute, Mr. Collins. We have it here. We have...The Amendment was just turned in today. Evidently it hasn't been distributed. Mr. Collins."

Collins: "Well, apparently it hasn't been distributed yet, Mr. Speaker. It's noncontroversial, but if it hasn't been printed I ask that it be held on Second Reading, whichever is your pleasure."

Speaker Ryan: "Hold House Bill 189 on Second Reading. House Bill 237, Representative Ebbesen. Out of the record. House Bill 246, Representative Yourell. Out of the record. House Bill 259, Representative Levin. Out of the record. House Bill 260, Representative Levin. Out of the record. House Bill 269, Representative Karpel. Out of the record. House Bill 272, Representative Yourell. Out of the record. House Bill 276, Representative Kelly. Want your Bill called, Mr. Kelly? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 276, a Bill for an Act in relationship to urea-formaldehyde foam, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

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Speaker Ryan: "Third Reading. House Bill 284, Representative Stiehl. Out of the record. House Bill 292, Representative Lechowicz. Run the Bill, Mr. Clerk."

Clerk Leone: "House Bill ..."

Speaker Ryan: "I understand, Representative Lechowicz, there's been an Amendment just filed that hasn't been able to be printed and distributed at this point. Representative Lechowicz?"

Lechowicz: "Mr. Speaker, the Amendment was filed at the start of the working day today. And it was an Agreed Amendment in Committee which was recommended by the Revenue Committee. It's sponsored by myself, Representative Ewing, making the Bill uniform statewide. And that's exactly what the Amendment does and I move for its adoption."

Speaker Ryan: "I think we ought to hold it, Representative. The Amendment has not been printed nor distributed."

Lechowicz: "Okay, fine."

Speaker Ryan: "We'll hold the Bill on Second Reading, Mr. Clerk. House Bill 295, Representative Stuffle. Out of the record. House Bill 296, Representative Donovan. Representative Donovan? Out of the record. House Bill 307, Representative Bianco. Want to call your Bill, Representative? Out of the record. House Bill 317, Representative Cullerton. Out of the record. House Bill 319, Representative Leverenz. Out? Out of the record. At the request of Representative Levin we shall go back to House Bill 259, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 259, a Bill for an Act to amend the Boat Registration and Safety Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Any Amendments from the floor?"

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Clerk Leone: "Floor Amendment #2, Levin-J.J.Wolf, amends House Bill 259 on page one and so forth."

Speaker Ryan: "The Gentleman from Cook, Mr. Levin."

Levin: "Mr. Speaker, may we have leave? We've talked to Representative Macdonald and we want to table Amendment #1 and go on to Amendment #3 which will replace..."

Speaker Ryan: "Well, Mr. Levin, Amendment #1 was put on in Committee. There's been no motions filed to take it off and we're now on Amendment #2, that you're the Sponsor of..."

Levin: "Yes..."

Speaker Ryan: "And you certainly have leave to speak with Representative Macdonald."

Levin: "Okay. Then we may... Let's take it out of the record then..."

Speaker Ryan: "Out of the record, Mr. Clerk. How about House Bill 260, Mr. Levin?"

Levin: "I don't believe there are any Amendments."

Speaker Ryan: "Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 260, a Bill for an Act to amend an Act concerning public utilities, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any motions filed?"

Clerk Leone: "No motions filed."

Speaker Ryan: "Are there any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. At the request of Representative Leverenz, we will return on Second Reading to House Bill 319. It's on page three under the Order of House Bills, Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 319, a Bill for an Act to amend an Act in relationship to fire protection districts, Second Reading of the Bill. No Committee Amendments."

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Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Is there anybody else that would like to go back and pick up on a Second Reading Bill before we move to Third Reading? On page three of the Calendar under the Order of House Bills, Third Reading appears House Bill 103. Representative Abramson. Out of the record. House Bill 109, Representative Ronan. Out of the record. House Bill 116, Representative Vinson. Out of the record. House Bill 195, Representative Darrow. Out of the record. House Bill 290, Representative Capparelli. Good day to pass a Bill. Out of the record. Introduction and First Reading of House Bills. Hold that a minute, Mr. Clerk. We'll save that for perfunctory. Committee Reports."

Clerk Leone: "Representative Ewing, Chairman of the Committee on Revenue to which the following Bills were referred. Action taken March 19th, 1981, and reported the same back with the following recommendations; Do pass House Bill 333."

Speaker Ryan: "Consent Calendar, Third Reading, page four and five of the Calendar. Well, page four of the Calendar. There are two Bills there, House Bill 137 and House Bill 165. Read the Bills."

Clerk Leone: "House Bill 137, a Bill for an Act to amend an Act to revise the law in relationship to township organizations. House Bill 165, a Bill for an Act to amend the Illinois Horse Racing Act, Third Reading of these Bills."

Speaker Ryan: "The question is, 'Shall these Bills pass?' All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Everybody...Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On these Bills there are 132 voting 'aye' and 1 voting 'no'. And these Bills, having received the

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Constitutional Majority, are hereby declared passed. Consent Calendar, Second Reading. Read the Bills, on page four, Mr. Clerk."

Clerk Leone: "House Bill 161, a Bill for an Act to amend an Act to create a Commission to study the coverage of Illinois citizens under plans organized to health insurance and medical assistance. House Bill 212, a Bill for an Act to amend the Illinois Pension Code. House Bill 213, a Bill for an Act to amend the Illinois Pension Code. House Bill 215, a Bill for an Act to amend the Illinois Pension Code. House Bill 221, a Bill for an Act to amend the Illinois Election Code. House Bill 242, a Bill for an Act to amend the Illinois Municipal Code. House Bill 245, a Bill for an Act to amend the Illinois Local Library Act. House Bill 252, a Bill for an Act to amend an Act concerning land titles. House Bill 306, a Bill for an Act to amend the Election Code. House Bill 308, a Bill for an Act to amend an Act relating to contractors and material liens known as mechanic liens. House Bill 310, a Bill for an Act to amend an Act in regard to limitations. House Bill 318, a Bill for an Act to amend the Criminal Code. House Bill 350, a Bill for an Act to amend an Act in relationship to simultaneous tenure of certain public officers, Second Reading of these Bills."

Speaker Ryan: "Third Reading. Adjournment Resolutions. Read the Resolution, Mr. Clerk."

Clerk Leone: "Senate Joint Resolution 25. Resolved by the Senate of the Eighty-Second General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, March 19th, 1981, they stand adjourned until Tuesday, March 24th, 1981 at twelve o'clock noon. And when the House of Representatives adjourns on March 19th, 1981, they stand

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adjourned until Tuesday, March 24th, at eleven o'clock
a.m."

Speaker Ryan: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker, I offer to move the adoption of Senate
Joint...Adjournment Resolution."

Speaker Ryan: "The Gentleman has moved the adoption of the
Adjournment Resolution. All in favor signify by saying
'aye', all opposed 'no'. And the Resolution is adopted.
Representative Madigan, do you have any excused absences
today?"

Madigan: "Mr. Speaker, would the record show Representative
Younger is excused because of her attendance at a Southern
Cooperatives Training Session in Alabama? And
Representative Van Dyne is excused because of the illness
of his wife. And that Representative Braun was excused
last Thursday, March 12th, because of the illness of her
son and her own illness."

Speaker Ryan: "Get that Mr. Clerk? Record will so indicate.
Representative Telcser, do you have any excused absences?"

Telcser: "Mr. Speaker, will the Journal please show that
Representative Ebbesen is absent because of health reasons
and Representative Oblinger for the same reason?"

Speaker Ryan: "The record will so indicate. Agreed Resolutions.
Read the Resolutions, Mr. Clerk."

Clerk Leone: "Senate Joint Resolution #17, Hoffman. Senate Joint
Resolution 22, Telcser. House Joint Resolution 14, Kulas.
House Joint Resolution 114, Emil Jones. House ...excuse
me. House Joint Resolution 14, Kulas. House Resolution
114, Emil Jones. House Resolution 115, Emil Jones-et al.
House Resolution 118, Dick Kelly. House Resolution 119,
Yourell. House Resolution 122, Jane Barnes. House
Resolution 123, Farley. House Resolution 124, Rea. House
Resolution 125, Slape-Dwight Friedrich. House Resolution

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126, Lechowicz. House Resolution 128, Lechowicz. House Resolution 129, Klemm. House Resolution 131, John Dunn-Donovan. House Resolution 132, Ronan-Farley. House Resolution 133, Daniels-Zito."

Speaker Ryan: "Representative Conti on the Agreed Resolutions."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, first I'd like to have leave to...."

Speaker Ryan: "Just a minute, Mr. Conti. The Clerk's not finished. I'm sorry."

Clerk Leone: "House Resolution 137, Krska. House Resolution 139, Pechous. House Resolution 140, Pechous. House Resolution 141, Tuerk. House Resolution 142, Hastert. House Resolution 144, Fawell. House Resolution 145, Christensen. House Resolution 146, DiPrima-et al. House Resolution 147, Schneider-et al. House Resolution 148, Watson."

Speaker Ryan: "Conti, on the Agreed Resolutions."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I don't know what the procedures are but the.. House Joint...House Resolution 119 and 122 serve the same purpose and they're two different Sponsors. I can't find the Sponsors of either one of them. If they want to Co-Sponsor the Bill (sic), we can go under Agreed Resolutions. If not, they'll have to put off until the Sponsors come back. Whatever your pleasure is, we'll go ahead with the Resolutions. House Joint Resolution 17 is an extension of reporting date for the School Problems Commission. Senate Joint Resolution 22 is concurring that the Senate adjourn on Tuesday, March 10th. House Joint Resolution 14 recognizes a new Bishop, Father Innocent Lotocky of Buchach, Ukraine on November 13th, 1915 was created...made a Bishop. House Resolution 114 by Emil Jones ode to Stewart Pain, Senior and Mary Fayne Pain, now celebrating their golden wedding anniversary. An expression of sympathy of the brutal

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killing of a...the calling of attention specifically to Curtis Walker of age 13, the 20th black child of all victims in Atlanta City. Acknowledging young Miss Amy Larson of Blue Island for creating the Handicapped Emergency Life Saving Program. A Proclamation of home town Illinois as designated May 3rd, May L. Bandle Day, serving 23 years of dedicated service to that city. House Resolution 122, Barnes is the same as the one I was talking about with Yourell. Now, let the record show that Yourell and Barnes are Cosponsors of that Resolution. An achievement Resolution by Chuck Klyber, Executive Director receiving a certified association of highway engineers. Congratulatory Resolution of ZeiglerRoyalton, Jr. High School "Tornadoes" completed a record of 24 and 3 this year. Achievement Resolution at Steven Hansel of Troy, Illinois received the Eagle Scout Award. Achievement of former Member and colleague, James Kirie, who celebrated his seventieth birthday and 39 years in public office. Acknowledging House Resolution 128, Lechowicz, of Reverend Andrew Kloska, will celebrate his fiftieth anniversary of his ordination of his priesthood. House Resolution 129 by Klemm recognition of a former Member, Mr. A.B. McConnell, who I had the pleasure of serving with is going to celebrate his eightieth bir.....on March 24, 1981. Championship recognition...recognition of House Resolution 131 by John Dunn and Donovan...the Kincaid Tigers of Kincaid Elementary School have won the championship of the Illinois Elementary School Association. An anniversary of House Resolution 132 by Ronan and Farley for the 'Jusophiam' High School, the oldest Catholic high school for girls in the diocese of Chicago mark their 90th anniversary. Acknowledgement of Youth Government Week by Daniels and Zito that Youth and Government Weekend be claimed March

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20-March 22. The anniversary...Resolution by Robert T. Kustra, an anniversary Resolution for Reverend Martin 'Wakna' to celebrate his Silver Jubilee of his ordination on March 29. A newborn of the Poland family was blessed with a little daughter. That's House Resolution 139. Awarding... House Resolution 140 to Pechous awarding Richard 'Telerico' of Burwin, the Eagle Scout award. Noting that on House Resolution 141 by Tuerk that Mr. 'Newoff' of Peoria will be installed as the 33rd President of the Illinois Academy of Family Physicians. House Resolution 142 by Hastert, Melvin 'Parkus' of rural Vienna receiving the highest honorary degree in the York Rights of Free Masonary. House Resolution 144 by Fawell whereas Richard 'Hamlin', President of George Williams College is celebrating his 20th year as President of that College. House Resolution 144 by Christensen honoring a baby girl named Eva to John 'Hornburger' who has given them eleven grandchildren, 32 great grandchildren, and 14 great, great, great grandchildren. Retirement of House Resolution 147 by Schneider in which Christopher B. 'Coven' is retiring as Regional Director of U.S. Department of Health. House Resolution 148 by Watson sighting bravery act beyond the call of duty to Sheriff Jerry 'Doll'. Death Resolutions. From Conti and Cullerton whereas Ester Cullerton died on January 31. The wife of the former Mayor of Elmwood Park and the Metropolitan Sanitary District John Cullerton served for 34 years and dedicated 40 years of his life in public office. Death Resolution of Cullerton and Conti whereas P.J. Cullerton, the brother of John Cullerton...."

Speaker Ryan: "Hold the Death Resolutions, Representative..."

Conti: "I beg your pardon?"

Speaker Ryan: "Would you hold the Death Resolutions, please. We're just..."

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Conti: "Those are all the Death Resolutions. There are about ten of them."

Speaker Ryan: "Would you hold them? We'd like to do the Agreed Resolutions first."

Conti: "Those are the Agreed Resolutions. I move for the adoption."

Speaker Ryan: "The Gentleman's moved for the adoption of the Agreed Resolutions. All those in favor will signify by saying 'aye', all opposed 'no'. The ayes have it, and the Gentleman's motion is adopted. Death Resolutions. Mr. Clerk, read the Death Resolutions."

Clerk Leone: "House Resolution 105, Conti-Cullerton. In respect to the memory of Ester Cullerton. House Resolution 106, Cullerton-Conti, et al. In respect to the memory of P.J. Parky Cullerton. House Resolution 121, Giorgi. In respect to the memory of Ginny 'Bachino'. House Resolution 136, Braun. In respect to the memory of Carl Flipper. House Resolution 138, Kane-Oblinger-Smith. In respect to the memory of Sidney Grant. House Resolution 143, Leinenweber et al. In respect to the memory of John Francis."

Speaker Ryan: "Representative Conti, did you make a motion on the Death Resolutions?"

Conti: "Yes. I move the adoption of the Resolutions."

Speaker Ryan: "The Gentleman's motion is the adoption of Death Resolutions. All those in favor signify by saying 'aye', those oppose 'no'. And the Death Resolutions are adopted. Further Resolutions?"

Clerk Leone: "House Resolution 116, Vinson. House Resolution 117, Madigan. House Resolution 120, Vinson-Pullen. House Resolution 134, Griffin."

Speaker Ryan: "Committee on Assignment. Representative Griffin. Did you want to make an announcement?"

Griffin: "Yes, Mr. Speaker. I wanted to acknowledge the presence

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of the Youth in Government Club from Morton East High School here for the weekend. The Resolution was read earlier about the Youth in Government program. They'll be using this chamber and the Senate for this coming weekend. Thank you."

Speaker Ryan: "Committee Reports."

Clerk Leone: "Representative Abramson, Chairman on Committee on Public Utilities to which the following Bills were referred, action taken March 19, 1981 and reported the same back with the following recommendations: do not pass House Bill 13."

Speaker Ryan: "Representative Telcser for the adjournment motion. I would like to announce to Representative Telcser, if I may, that on Tuesday the 24th, Governor Thompson will address a Joint Session in this chamber at 12:30 in the afternoon concerning transportation. Hold your motion a minute, Representative. We have some change of votes we have to do here. Mr. Clerk."

Clerk Leone: "Representative Breslin requests to vote 'aye' on House Bill 32, 'no' on House Bill 107, 'yes' on House Bill 149, and 'yes' for House Bill 158."

Speaker Ryan: "If I could take a moment here to introduce in the center aisle a former Member of the House and now the Clerk of the City of Chicago, Walter Kosubowski. Walter, take a bow. You must be here for the celebration of St. Joseph's Day. They excluded the Irish, but that's okay. Is there leave for the change of vote? Are there any objections? Hearing none, leave is granted. Representative Telcser for the adjournment motion."

Telcser: "Mr. Speaker, I now move that the House stand adjourned until Tuesday, March 24th, the hour of eleven a.m.."

Speaker Ryan: "You've heard the Gentleman's motion. All in favor will signify by saying 'aye', those opposed by 'no'. The

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eyes have it, and the House now stands adjourned. You need a perfunctory? Ten minute perfunctory."

Clerk Leone: "House Bill 624, Huff-Henry, a Bill for an Act making an appropriation to the Chicago Community Schools Study Commission, First Reading of the Bill. House Bill 625, Huff-Henry, a Bill for an Act creating the Chicago Community Schools Study Commission and to finance powers and duties, First Reading of the Bill. House Bill 626, Catania, a Bill for an Act to amend Sections of the Nursing Home Care Reform Act, Second (sic) Reading of the Bill. House Bill 627, Fawell-Hudson, a Bill for an Act to amend the Unemployment Insurance Act, First Reading of the Bill. House Bill 628, Rigney-Bradley, a Bill for an Act relating to non-resident alien ownership of real estate property used for farming, First Reading of the Bill. House Bill 629, Rigney-Bradley, a Bill for an Act to protect the family farm in Illinois and to prevent the expansion of non-family corporate farming, First Reading of the Bill. House Bill 630, Rigney-Bradley, a Bill for an Act in relationship to ownership of agricultural land by certain corporations, partnerships, and trusts, First Reading of the Bill. House Bill 631, Yourell, a Bill for an Act to amend Sections of the Real Estate Transfer Tax Act, First Reading of the Bill. House Bill 632, Yourell, a Bill for an Act to amend Sections of the Wildlife Code, First Reading of the Bill. House Bill 633, Yourell, a Bill for an Act to add Sections to the Boat Registration Safety Act, First Reading of the Bill. House Bill 634, C.M. Stiehl, a Bill for an Act to amend Sections of an Act to revise the law in relationship to notices, First Reading of the Bill. House Bill 635, Mautino et al, a Bill for an Act in relationship to advance payment by taxpayers having certain level of monthly income by ability for certain occupations

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and used taxes, First Reading of the Bill. House Bill 636, Vinson, a Bill for an Act to amend the School Code, First Reading of the Bill. House Bill 637, Vinson, a Bill for an Act to amend Sections of the Personnel Code, First Reading of the Bill. House Bill 638, Vinson, a Bill for an Act making appropriations to Spanish Speaking People Study Commission, First Reading of the Bill. House Bill 639, Hoffman et al, a Bill for an Act to amend Sections of an Act in relationship to establishment and maintenance operation of county law libraries, First Reading of the Bill. House Bill 640, Hoffman et al, a Bill for an Act to amend Sections of the Illinois Public Aid Code, First Reading of the Bill. House Bill 641, Leon et al, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill. House Bill 642, Henry, a Bill for an Act to add Sections of an Act concerning public utilities, First Reading of the Bill. House Bill 643, Grossi, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 644, Stuffle-Parley, a Bill for an Act to require appeals, bonds and appeals to Industrial Commission by the employer of its insurance carrier in cases arising under Workman's Compensation, Workman's Occupational Disease Acts, First Reading of the Bill. House Bill 645, Getty, a Bill for an Act to Amend Sections of the Illinois Controlled Substance Act, First Reading of the Bill. House Bill 646, Getty, a Bill for an Act to amend Sections of the Dangerous Drug Abuse Act, First Reading of the Bill. House Bill 647, Collins et al, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 648, Deuster, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 649, Deuster, a Bill for an Act to amend Sections of the Illinois Public Library District Act,

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First Reading of the Bill. House Bill 650, Hannig-Reilly, a Bill for an Act to amend Sections of the Illinois Highway Code, First Reading of the Bill. House Bill 651, J.J. Wolf, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 652, Epton, a Bill for an Act in relationship to repair service appointments, First Reading of the Bill. House Bill 653, R.J. Meyer, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 654, Alstat-Smith, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 655, Richmond-Rea, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 656, Collins-Kosinski, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 651 (sic) Collins-Peters-J.J. Wolf, a Bill for an Act to add Sections to the Illinois Municipal Code, Excuse me...657, Collins-Peters-Wolf, a Bill for an Act to amend Sections of the Illinois Municipal Code, First Reading of the Bill. House Bill 658, Collins-McAuliffe-Peters, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 659, Deuchler et al, a Bill for an Act to...in relationship to fire escapes, First Reading of the Bill. House Bill 660, Birkinbine-Hallstrom, a Bill for an Act to amend Sections of the Civil Administrative Code, First Reading of the Bill. House Bill 661, Birkinbine-Hallstrom, a Bill for an Act to amend Sections of the Civil Administrative Code, First Reading of the Bill. House Bill 662, Bower-Slape, a Bill for an Act to amend Sections of the Illinois Nursing Act, First Reading of the Bill. House Bill 663, Christensen, a Bill for an Act to amend Sections of the Illinois Municipal Code, First Reading of the Bill. House Bill 664, Catania,

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a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act, First Reading of the Bill. House Bill 665, Catania, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act, First Reading of the Bill. House Bill 666, McPike-Polk, a Bill for an Act in relationship to the authorization of multi-office banking through bank holding companies and community service facilities, First Reading of the Bill. House Bill 667, Piel, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 668, Catania, a Bill for an Act to add Sections to the Illinois Public Aid Code, First Reading of the Bill. House Bill 669, ...'Huskey', a Bill for an Act to amend Sections of the Illinois Municipal Code, First Reading of the Bill. House Bill 670, Huskey, a Bill for an Act to amend Sections of the Illinois Municipal Code, First Reading of the Bill. House Bill 671, Bower et al, a Bill for an Act to add Sections to an Act re...regulating the practice of dental surgery and dentistry in the State of Illinois, First Reading of the Bill. House Bill 672, SchunemanRyan et al, a Bill for an Act to amend Sections of the Unemployment Insurance Act, First Reading of the Bill. House Bill 673, Collins et al, a Bill for an Act making appropriations to the Department of Transportation, First Reading of the Bill. House Bill 674, Collins et al, a Bill for an Act to provide for the subsidy of port districts and regional port districts, First Reading of the Bill. House Bill 675, Schuneman-Ryan, a Bill for an Act to amend Sections of the Unemployment Insurance Act, First Reading of the Bill. House Bill 676, Henry, a Bill for an Act in relationship to mental...medical records of prisoners confined to county jails, First Reading of the Bill. House Bill 677, Telscer et al, a Bill for an Act in relationship to the

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establishment and operation of a multi-county state-wide grant jury, First Reading of the Bill. House Bill 678, Emil Jones et al, a Bill for an Act to amend the Unemployment Insurance Act, First Reading of the Bill. House Bill 679, Topinka, a Bill for an Act to amend Sections of the Civil Administrative Code, First Reading of the Bill. House Bill 680, Braun, a Bill for an Act to amend the Election Code, First Reading of the Bill. House Bill 681, Macdonald, a Bill for an Act to provide for the funding for the protection of non-game wildlife by providing for an income tax check-off, First Reading of the Bill. House Bill 682, Neff et al, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 683, Richmond, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 684, Stuffle-Mautino-Mulcahey, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 685, Catania, a Bill for an Act to amend Sections of an Act in relationship to state finance, First Reading of the Bill. House Bill 686, Yourell, a Bill for an Act to amend Sections of the Motor Fuel Tax Law, First Reading of the Bill. House Bill 687, Schuneman-Ewing et al, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 688, Lee Preston-Greiman, a Bill for an Act to amend Sections of the Criminal Code, First Reading of the Bill. House Bill 689, Watson, a Bill for an Act to amend Sections of the Criminal Code, First Reading of the Bill. House Bill 690, John Dunn et al, a Bill for an Act to amend Sections of an Act to promote the welfare of wage earners by regulating the assignment of wages and striving a penalty for the violation thereof, First Reading of the Bill. House Bill

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691, Henry, a Bill for an Act to impose certain charges and transactions in the commodities and corporate stock for the purpose of raising funds for the Chicago Board of Education, Cook County Hospital, and Regional Transit Authority, First Reading of the Bill. House Bill 692, Katz et al, a Bill for an Act to amend Sections of the Revenue Act, First Reading of the Bill. House Bill 693, Katz et al, a Bill for an Act to amend Sections of an Act to revise the law in relationship to township organizations, First Reading of the Bill. House Bill 694, Levin, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 695, Levin, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 696, Levin, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. House Bill 697, Winchester-Yourell, a Bill for an Act to provide for the ordinary, and contingent, and distributive expenses of the State Board of Elections, First Reading of the Bill. House Bill 698, Daniels, a Bill for an Act to add Sections to the Real Estate Brokers and Salesmen License Act, First Reading of the Bill. House Bill 699, Getty, a Bill for an Act to amend Sections of the School Code, First Reading of the Bill. Committee Report. Representative Leinenweber, Chairman of the Committee on Judiciary I, to which the following Bills were referred, action taken March 19, 1981 and reported the same back with the following recommendations: 'do pass' House Bills 238, 379, 419; 'do pass as amended' House Bill 93, 366. House Joint Resolution Constitutional Amendment #13, Daniels-Dunn-Braun, resolved by the House of Representatives of the 82nd 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

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rejection in the general election next occurring at least six months after the adoption of this Resolution. Proposition to amend Sections 8 and 12 of and to add Sections 12.1, 12.2, 12.3, 12.4 to Article Six of the Constitution and amend and add Sections to read as follows: Article Six. Associate Judges. Each circuit court shall have such number of associate judges to provide by law and a judicial circuit which adopts Section 1...12.1 and 12.3 by a local option referendum pursuant to Section 12.2. Associate judges shall be selected by appointment in the manner provided by those Sections. Otherwise, associate judges shall be appointed by the circuit judges in each circuit as the Supreme Court shall provide in rule. In the Cook County circuit, unless otherwise provided by law, at least one-fourth of the associate judges shall be appointed from and reside outside of Chicago. The Supreme Court shall provide for the rule for the matters to be assigned associate judges. Section 12, Election of Circuit Judges. In the judicial circuit which adopts Section 12.1 and 12.3 by the local option referendum pursuant to Section 12.2 circuit judges shall be selected in the manner provided by those Sections otherwise in the manner provided by this Section. Circuit judges shall be nominated in primary elections or by petition and shall be elected at general or judicial elections as provided by law. The person eligible for the office of circuit judge may cause his name to appear on the ballot as a candidate for circuit judge at the primary of which...at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions. The circuit judge elected to the office under this Section, 12B may stand for attention for a full term pursuant to Section 12.4. The office of circuit judge shall be vacant upon

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the incumbant's death, resignation, retirement, removal, or upon the conclusion of a term without retention in office whenever an additional circuit judge is authorized by law. A vacancy occurring in the office of circuit judge shall file as the General Assembly may provide by law or in the absence of law by appointment to the Supreme Court. A person appointed to fill vacancies 60 or more days prior to the next primary election to nominate circuit judges shall serve until the next...first Monday in December following the next general or juducial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate circuit judges shall serve until the first Monday in December following the second next general or juducial election. Appointment of judges to....of Supreme Court and appellate and circuit courts upon the option. The provisions of this Section shall govern the selection of all Supreme and appellate judges of those circuits and associate judges of any circuit which adopts this Section, Section 12.3,...and Section 12.3 (sic) by a local option referendum pursuant to Section 12.2. For purposes of this Section, Section 12.4, the term judge includes all such Supreme, appellate, circuit, and associate judges except where a distinction is indicated. Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Commissions except when appointed by the Supreme Court in accordance with Paragraph F of this Section. The office of the judge shall be vacant upon the incumbant's death, resignation, retirement, removal, or upon the conclusion of the term without retention in office, or whenever an increase in the number of judges is authorized. As soon as a vacancy occurs in the office of the judge or will occur within 6 months of the day certain, the Administrative Director of the

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Illinois Courts shall promptly notify the chairman of the appropriate judicial nominating Commission and shall immediately convene the Commission. Within 42 days after the receipt of such notice of a vacancy, the Commission shall submit to the Governor a list of three nominees in alphabetical order, who by their character, temperance, professional aptitude, experience, and commitment to equal justice under law are deemed by the Commission to be best qualified to fill the vacancy. The Commission may not include on a list a nominee who is on another list then pending before the Governor or the Supreme Court pursuant to Section 12.1 F to fill a vacancy in the same judicial office. A function of this list shall terminate upon making the required appointment therefrom. Immediately upon receipt of a list, the Governor shall make it public. Not fewer than 28, no more than 56 days after the receipt of a list, the Governor shall appoint therefrom a person to fill the vacancy. If any appointment is not made by the Governor within 56 days, the Commission shall immediately submit the list to the Supreme Court which shall promptly make the appointment from the list. A person appointed to fill a vacancy pursuant to this Section 12.1 shall serve an initial term ending on the first Monday in December following the next general election held after the completion of one year in office. At that general election, the judge may stand for retention in office for a full term pursuant to Section 12.4. Upon adoption by a circuit of this Section and Section 12.3 by a local option referendum pursuant to Section 12.2, the terms of the associate judges of that circuit shall conclude as provided in this subsection H regardless of the date or dates of previous appointment and regardless of any other provision of this Article VI. The Administrative Director of the

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Illinois Courts shall forthwith divide the associate judgeships of the circuit, including those then vacant, into two groups, equal in number as nearly as they may be with terms to expire as follows: Group one on the first Monday in December after the general election next following the adoption of the local option referendum on every fourth anniversary of that day. Group two on the first Monday in December after the second general election next following the adoption of the local option referendum and on every fourth anniversary of that day. The Administrative Director of the Illinois courts shall be forthwith by a lot assign the associate judges then in office to the above groups. As associate judgeships may be added or terminated in a circuit, the Administrative Director of the Illinois courts shall promptly adjust the groups accordingly while maintaining their equality in number as near as may be. Section 12.2 Circuit Local Option Referendums. The electors of any judicial circuit may by a referendum here designated as a local option referendum, adopt a proposition requiring Sections 12.1 and 12.3 to govern the selection of circuit judges and associate judges of that circuit. The electors of a circuit shall vote on the proposition at the next general election held not less than three months following the filing of petitions with the Secretary of State, signed by not fewer than five percent of the total number of electors who voted at the next preceding general election in that circuit, asking that the proposition be submitted to referendum. If a Majority of votes cast on the proposition are in the affirmative, Sections 12.1 and 12.3 shall thereafter govern the selection of circuit judges and associate judges pursuant to this Section, the election of circuit judges pursuant to this Section, the electors of

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the circuit may terminate their adoption of Sections 12.1 and 12.3 by a local option referendum. such a referendum shall be subject to the same requirements and conducted in the same manner as a referendum for adoption of Sections 12.1 and 12.3. If a Majority of the votes cast on the proposition to terminate are in the affirmative, the selection of circuit judges and associate of that circuit shall thereafter be governed by Sections 12 and 8 respectively, unless and until Sections 12.1 and 12.3 are again adopted pursuant to this Section. Section 12.3 Judicial Nominating Commissions. There shall be a Judicial Nominating Commission in each judicial district for nomination of judges for the Supreme Court and appellate courts, and in each judicial circuit which, by a local option referendum, adopts Section 12.1 and this Section 12.3 for the selection of circuit judges and associate judges for that circuit. The circuit Judicial Nominating Commission for each circuit except Cook County Circuit shall shall consist of 11 residents of the circuit, six non-lawyers of whom no more than three shall be Members of the same political party, and five lawyers. The circuit Judicial Nominating Commission for the Cook County Circuit shall consist of 31 residents of the circuit; 16 non-lawyers of whom no more than eight shall by members of the same political party, and 15 lawyers. The district Judicial Nominating Commission for each judicial district except for the First Judicial District, shall include four residents from each circuit in the district; two non-lawyers who shall not be members of the same political party and two lawyers. The First District Judicial Nominating Commission shall include 20 residents from the Cook County Circuit; ten non-lawyers of whom no more than five shall be members of the same political party, and ten

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lawyers. Each District Judicial Nominating Commission shall also include an additional non-lawyer Member resident of the District. The non-lawyer Members of each Judicial Nominating Commission shall be appointed by the Governor with the advise and consent of the Senate. The lawyer Members of each Judicial Nominating Commission shall be selected by secret ballot without political party or other designation by those lawyers admitted to practice in Illinois whose principal office is in the appropriate district or circuit in such a manner as provided by the Supreme Court rule. In appointing the initial non-lawyer Members of each Judicial Nominating Commission, the Governor shall divide the appointees by lot into three groups equal in number as near as may be in such a manner as the Supreme Court shall provide, the groups to serve for two, four, and six years respectively. Thereafter, the terms of all Commission Members shall be six years. A vacancy in the membership of a Judicial Nominating Commission shall be filled for the unexpired term or for a full term as may be in the manner and subject to the qualifications applicable at the time the vacancy occurs. The Chairman of each Judicial Nominating Commission shall be selected by vote of all the Members of the Commission from among its non-lawyer Members. The term of a Chairman shall be three years unless his or her remaining term as a member of the Commission expires sooner. The Chairman may vote only in the case of a tie. Any person who holds any office under the United States or this state or any political subdivision or municipal corporation or municipality or unit of local government of this state and receives compensation for services rendered in such office or who holds any office or official position in a political party shall be ineligible to serve on a Judicial Nominating

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Commission. Compensation for service in the United States militia or the armed services of the United States for such a period of time as may be determined by Supreme Court rule shall not be considered a disqualification. No Member of Judicial Nominating Commission may be appointed to judicial office while serving on the Commission or for a period of three years thereafter. A Member having served a full term of six years on a Judicial Nominating Commission may not be selected to serve on a Commission during the next three years. No person may serve on more than one Judicial Nominating Commission at the same time. The Commissions may conduct such investigations, meetings, and hearings, all of which may be secret, and employ such staff Members as may be necessary to perform their duties. Nominations shall be submitted to the Governor only upon concurrence of a majority of all Members of the Commission. Members of the Commissions shall not receive any compensation for their services, but shall be entitled to reimbursement for necessary expenses. The General Assembly shall appropriate funds to the Supreme Court for such reimbursement and for all other administrative expenses of the Commissions.

Section 12.4 Retention Elections. Not less than six months before the general election next preceding the expiration of a term of office of a Supreme, appellate, or circuit judge who has been appointed to that office pursuant to Section 12.1, he or she may file in the office of the Secretary of State a declaration of candidacy for retention in that office for a full term. Not less than 63 days before the election, the Secretary of State shall certify the judge's candidacy to the proper election officials. At the election, the name of each such judge who has timely filed a declaration of candidacy for retention shall be submitted to the electors separately and

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without party designation on the sole question of retention in office for another term. Retention elections shall be conducted at the general election in the appropriate judicial districts and circuits. The affirmative vote of three-fifths of the electors voting on the question of retention shall elect a judge to that office for a full term commencing on the first Monday in December following the election. A judge eligible to file a declaration of candidacy for retention who who fails to do so within the time herein specified, or having filed, fails of retention shall vacate the office on the first Monday in December following the election, whether or not a successor shall yet have qualified. If an incumbant judge eligible to do so does not timely file a declaration of candidacy for retention, the selection of a successor, if any, shall proceed immediately in the manner provided in Section 12 or 12.1 whichever applies so that the successor may take office as soon as the vacancy occurs. An authorized reduction in the number of judges shall be without prejudice to the right of judges in office at the time to seek retention in accordance with the provisions of this Section. The reduction shall become effective when a vacancy occurs in the affected unit. Schedule, if approved by the electors, this Amendment shall take effect the next day following the proclamation of the reseult of the vote except that to provide time for the establishment of District Nominating Commissions, vacancies occuring in the office of Supreme and appellate just to and including the following June 30th shall continue to be filled a provided in Section 12C, Article VI of the Constitution adopted in 1970 effective July 1, 1971 for a term ending the first Monday in December after the next general election, and vacancies occurring after the following June 30th shall be

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filled as provided herein. In a judicial circuit which adopts Sections 12.1 and 12.3 by a local option referendum, the following schedule shall apply: Those Sections shall take effect the next day following the proclamation of the results of the referendum except that to provide time for the establishment of a Circuit Judicial Nominating Commission, vacancies occurring in the office of circuit judge and associate judge to and including the following March 31st shall continue to be filled as provided in Sections 8 and 12, Article VI of the Constitution adopted in 1970 for a term ending the first Monday in December after the next general election. Vacancies occurring after the following March 31st shall be filled as provided herein, First Reading of this Constitutional Amendment. House Joint Resolution Constitutional Amendment #14. Resolved by the House of Representatives of the 82nd General Assembly, State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at this general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Sections 1 and 8 of Article IV and to add Section 16 to Article IV of the Constitution to read as follows: Article IV. Section 1. Legislature - Power and Structure. The legislative power is vested in a General Assembly consisting in a Senate and a House of Representatives elected by the electors from 59 Legislative Districts and 118 Representatives, but the people reserve to themselves the power to propose laws and to enact or reject the same at a general or primary election, independent of the General Assembly, as specified in Section 16 of this Article. Section 8. Passage of Bills. the enacting clause of the laws of this state enacted by the General Assembly shall be; "Be it enacted by

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the people of the State of Illinois, represented in the General Assembly." The General Assembly shall enact laws only by Bill. Bills may originate in either House, but may be amended or rejected by the other. No Bill shall become a law without the concurrence of a Majority of the Members elected to each House. Final passage of a Bill shall be by record vote. In the Senate at the request of two members, and in the House at the request of five Members a record vote may be taken on any other occasion. A record vote is a vote by ayes and nays entered on the Journal. A Bill shall be read by title on three different days in each House. A Bill and each Amendment thereto shall be reproduced and placed on the desks of each Member before final passage. Bills, except Bills for appropriations and for the codification, revision, or rearrangement of laws shall be limited to the subject of appropriations. A Bill expressly amending a law shall set forth completely the Sections amended. The Speaker of the House of Representatives and the President of the Senate shall sign each Bill that passes both Houses to certify that the procedural requirements for passage have been met. Section 16. Initiative. Laws, including Amendments to existing law or the repeal thereof and including laws relating to all other subjects within the legislative power vested in the General Assembly under this Constitution may be proposed by a petition signed by a number of electors equal in number to at least eight percent of the total votes cast for candidates for Governor in the preceding gubernatorial election. The petition shall be confined to one subject, shall contain the text of the proposed law, and of any law sought to be amended or repealed and the date of the election at which the proposed law is to be submitted shall have been signed by the petitioning electors not more

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than 12 months preceding that election and shall be filed with the State Board of Elections at least 78 days before that election. Not more than three propositions shall be submitted at the same election and such propositions shall be submitted in order of filing. The procedure for determining the validity and sufficiency of a petition shall be the same as for candidate petitions. If the petition is valid and sufficient, the proposed law shall be submitted to the electors at that election and shall become law is approved by either three-fifths of those voting on the proposed law or a majority of those voting in the election. The General Assembly may amend or repeal any law enacted under this Section only by a law approved by not less than two-thirds of the members elected to each House. A law enacted under this Section takes effect 30 days following the date of the election at which it is approved unless by its own terms the law provides for a later effective date. If the provisions of two or more laws enacted under this Section at the same election conflict, the provisions of the law receiving the greatest number of votes shall prevail. Schedule. This Amendment takes effect upon its adoption by the electors, First Reading of this Constitutional Amendment. There being no further business the House is now adjourned."

Speaker Ryan: "I object."

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discipline by the CTA and other subsidized transit carriers, (4) provide for meaningful accountability, strong fiscal control and local decision making on operations, (5) preserve the best elements of regionalization while allowing the collar county boards to choose whether they wish to remain within the regional structure. It is time that we allowed the collar counties of the RTA the option of opting out of the RTA and increase funding equity by having the level of local support more closely reflect the level of service. I propose that we reduce the current one percent sales tax in suburban Cook County to one-half percent and to permit the collar counties to opt out of the system and thereby opt out of the one-quarter percent. To meet these goals, the proposal includes three major components: transition financing, long-term financing and financial reforms and accountability for public transportation. In order to provide immediate funds to reduce the unprecedented level of unpaid bills, which have been accumulated by the RTA, and interim loan authority of about \$200 million must be provided. That is the size of the bridge. By the end of March, the RTA's current bills will total more than 70 million and will grow over \$10 million a month. Since the revenue from any new tax will not be available until early next year, interim loan authority must be provided to keep the transit system running. These loans should be provided as needed up to an overall limit, timed to provide the minimum cash required until new revenues start to flow and keeping an account of the treasurers requirement for liquidity in the state accounts available for investment. Let me re-emphasize that, because not enough attention has been focused on the size of the bridge which will be necessary. Current media accounts and discussions among Members of the Assembly have

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focused on figures of 75 or 80 or 85 million dollars in interim financing. As a necessary bridge from where we find ourselves now to the time when any new revenues could be appropriated by this Assembly to any authority in Chicago, be it the present RTA or a new finance authority, in order to keep the system running. Closer scrutiny has convinced us that even under the best possible circumstances speedy passage of a tax which will adequately resource mass transit in this state a court test of that tax under the quickest possible circumstances, a favorable resolution by the court, immediate action by the Department of Revenue to levy and collect it, and swift action by this General Assembly to appropriate it, and distribution if it by whatever tax authority remains in the RTA area. The bridge must be at least \$200,000,000 to succeed, and the Members of this Assembly must understand the magnitude of the need. Obviously a bridge of that magnitude must have something on the other side for I suspect that neither the bank nor the treasurer nor both are going to commit \$200 or more million dollars of taxpayer and stock holder and investor money to short term financing if the bridge is a bridge to nowhere with no long term revenue in sight and no long term reform in sight. The long term program would be funded by a new five percent tax on the growth earnings of oil companies attributable to petroleum product sales in Illinois. In our estimation the tax would generate \$400,000,000 in fiscal 1982 which is a partial year and \$620,000,000 in fiscal 1983, the first full year of the tax. I would generate an average of \$850,000,000 a year in the next four years. The tax would be levied on oil companies that refine and distribute products in Illinois and on major distributors which do not refine but do distribute oil products. Products tax would include

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gasoline, diesel fuel, jet fuel, and aviation gasoline, distillet fuels, petro-chemicals, LPG, propane, butane, residual oil, asphalt and road oil. There are a number of advantages to funding transportation through this kind of tax. A few of these included: the tax burden is distributed broadly and equitably across the state. Because taxes raised in the RTA area would meet or exceed the cost for new transit aid, downstate Illinois would not be subsidizing Chicago transit, just as Chicago does not now subsidize downstate transit. It requires only one new tax. To provide the necessary funding, several tax sources were considered. It was our judgement that the only conceivable alternative tax proposal that could be assembled would require this Assembly to adopt four new taxes at once; an ad valorem tax which would hit the consumer smack at the pump directly, increase lisencc plate fees, increase liquor taxes, increase cigarette taxes. All would be necessary in combination. Three out of four of those taxes are no growth taxes, and we would soon find ourselves back at the place where we began, and moreover; I consider it unlikely that this Assembly is in a mood to enact four new taxes this year. This tax grows with the economy, thereby keeping pace with the needs for continued investment in the transportation system to support further economic growth. And it taxes a broader base of economic activity than current transportation revenue sources. This, I think, is appropriate since good transportation is fundamental to virtually all economic activity. I believe that market competition ought to insure that some of the tax will be absorbed by the oil companies and not passed on to consumers. Since oil companies will be able to write-off up to 46% of the tax absorbed within their companies against their Federal Income Tax, they have an

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added incentive not to pass all the tax on, moreover; others in the chain of distribution of petroleum base products. For example, farmers will be able to pass on or write-off the small extra cost of doing business. It should be emphasized, however; that even if all of the tax was passed on, by imposing a tax of 5% at that level of the chain of distribution of petroleum products an automatic pass on of the whole amount would lessen the percentage imposed by the ultimate consumer. Since between the oil company and the refiner and the ultimate consumer you have distributors, jobbers, wholesalers, and retailers all of whom have their profit margin and bring down that margin of taxation at the ultimate price. And it must also be remembered that by taxing oil refining and distributing companies and spreading the tax across the whole, wide range of petroleum base products, gasoline which accounts for only 50% of the sales of oil companies will be taxed at a lesser rate even if the full tax was passed through than it would be possible to tax gasoline if a flat rate or ad valorem gas tax was levied directly at the pump. To address the public transportation portion of the proposal, a new statewide Illinois Transit Fund would be created. The fund would be financed with a portion of the gross receipts tax on oil companies and with those general revenue funds now being used for public transportation programs down-state and for Amtrak services. This would provide a stable and growing source of funding for public transportation not only in the Chicago area, but also throughout the state. New revenues alone cannot solve the public transportation funding problem, and a long-term solution requires structural changes to eliminate those conditions which have led, in part, to the current financial crisis. The proposal would replace the RTA with

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a new Transit Finance Authority, TFA. The new authority would be charged with financial oversight of transit services in Cook County, including the Chicago Transit Authority, commuter rail services throughout the region, and bus services in those collar counties which choose to participate in the TFA. The proposal would permit collar counties to opt out of the RTA and its successor agency so far as bus transportation is concerned. Collar counties would be given broad flexibility to determine the terms of transit service in their areas with such options as: participating in the new TFA and retaining the current one-quarter percent sales tax; or establishing a county transit system to contract with the TFA or another provider for bus service; continue the one-quarter percent tax county-wide for buses where needed and use the balance for roads or other transportation purposes where deemed appropriate by the County Board; receiving state assistance up to 1/3 of operating costs through a newly created collar county bus program similar to the existing program. Creating one or more transit districts at the subcounty level and joining in the new collar county bus program as above or dropping bus transit services all together. Those would be the options of the collar county boards. While the RTA sales tax would be retained in Chicago, it would be reduced from the current one percent to one-half percent in suburban Cook County by July of 1982. This restructuring if intended to increase the equity and reflect the amount in use of service between suburban Cook County and the City of Chicago and, in my judgement, it is fair especially when you consider that user or non-user residents of suburban Cook County would pay the state-wide gross receipts tax on the same basis as citizens of the City of Chicago. In my view, the TFA would

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strengthen accountability because it would replace the unwieldy twelve-member RTA board with a more workable five-member board. The members would be appointed by the Governor: two from nominees submitted by the Mayor of Chicago, two from nominees submitted by the suburban members of the Cook County Board and the chairman selected by the Governor to represent the entire region. They would not be paid. The TFA oversight responsibility must promote tough cost control by the CTA and other carriers. This will be done by requiring the CTA to submit annual balanced budgets and by monitoring those budgets on a quarterly basis throughout the year. The TFA would be prohibited by law from providing public subsidy to carriers whose budgets were not in balance. This monitoring system would provide early warning of any problems so that corrective steps could be taken before another crisis developed. Financial discipline and oversight would also be provided by making state assistance to the TFA subject to annual appropriations by and quarterly reports to the General Assembly and the Governor. Highways are facing similar funding problems. The fiscal 1982 road program has dropped to 550 million, the smallest road program in more than 25 years in terms of real buying power. The reduced program level for fiscal 1982 will signal the start of a steady decline in the quality of highway transportation service in Illinois that cannot be avoided under the current revenue structure. I go up and down the roads of Illinois, and I get complaints from your constituents and mine. There are worse states. In some stretches of the Pennsylvania Turnpike, motorists on that a famed interstate high-speed highway now drive under barracades and signs which read 30 miles an hour because the Pennsylvania Turnpike is literally gravel. The Representatives of the people of

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Pennsylvania for so long turned their back on additional highway funding that their once famed, proud road has been reduced to literally to gravel with consequent risk loss, of life loss, of limb loss, of time to the people to the people of Pennsylvania, and it is beginning to happen in Illinois. For the past four years, Illinois has supported one of the nations road largest programs while maintaining lower than average highway taxes, however; current financing conditions dictate that only one-half of the previously planned four year fiscal 1980 to 1983 highway program can be implemented within that time frame. Why? First, federal budget reductions. When I last stood before you to deliver the budget address, I emphasized that nearly 40% of our current transportation budget rests on the federal dollar. That is dangerous. In the last year in the Carter administration and in the first year of the Reagan administration and in succeeding years of the Reagan administration, no matter how the bottom line of the President's budget fairs in the Congress you may be certain that we are going to lose substantial federal dollars for both transit and highways. That is a certainty. For the last four years, I am proud to tell you that Illinois has received back from Washington a greater percentage of federal highway dollars than any state in the nation because we went to Washington to make sure that those formulas, unlike some others that were written years ago, were fair to Illinois—very fair to Illinois. But since we were the largest recipient to federal highway funds when they are cut, we take the hardest hit. That should be plain. The federal budget constraints when combined with reduced discretionary and interstate transfer grants will result in the loss... a loss of \$327 million dollars in anticipated federal highway aid to Illinois in this year

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alone. The constrained budget climate, as I said, is expected to continue and further efforts will be made to control federal spending through federal highway program reductions despite the central roll of highways in increasing national economic productivity. These budget cuts, as I said, will heavily affect Illinois. Declining State Revenues—Because the state gas tax is linked to a flat seven and one-half a cents per gallon, revenues decline with decreased consumption. The gasoline tax in Illinois has been raised only once and then only by two and one-half cents in the last 27 years. One raise of two and one half cents in the last 27 years. And when the tax rate was last changed in 1969, consumption and therefore revenues were growing at a rate exceeding costs. But since 1974, revenues have grown at a rate far less than inflation and current revenues are declining for the first time in both real and percentage terms. During the past year, fuel consumption in Illinois dropped by eight percent. It is expected to continue to decline, although at a slower rate, during the next several years. As a result, Illinois has lost \$68 million dollars in anticipated state gas tax revenues since the General Assembly last addressed the issue of transportation financing in 1979, and an additional loss of \$170 million by the end of fiscal 1983 as anticipated. The situation is similar regarding state revenues from license plate fees where the tend to purchase smaller cars with their lower vehicle registration fees and greater fuel efficiency will further accelerate the decline in state revenues available for highway work. Rising Costs—Persistent high inflation in the construction industry has seriously eroded the state's buying power; during 1978 and 1979 alone the Illinois Highway Construction Price Index increased more than fifty percent.

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Although highway costs actually dropped slightly in 1980 due to the recession and the near bankruptcy of many road building firms, double-digit inflation in the construction industry is likely to continue for several years due to the industries heavy dependence on petroleum products. This funding shortage is not unique to Illinois. Most states of our nation have been forced to deal with the problem of declining highway revenues and rising costs during the past five years while we have not attended this problem by either reducing their road programs or increasing their gas tax rates. During the past two years, seventeen states have increased their gas taxes. Twenty states are currently considering increases and forty of the nations remaining forty-nine states currently have rates higher than Illinois' seven and one half cents per gallon basic gasoline tax. Forty of the other forty-nine states have a higher state gas tax than we do, and I will say again, we have increased our state gasoline tax by only two and one half cents in the last twenty-seven years. You need not be a member of the Transportation Committee or an economist or anything else other than a plain, common-sensed person to understand the difference in construction, maintenance, and repair costs in 1981 and twenty-seven years ago and the economic disaster that could spell for Illinois. We have avoided, until now, the choice between cutting programs or increasing highway user taxes by increasing our receipt of discretionary federal highway funds and by issuing bonds to provide the state matching share for federal highway grants. And we have tried to re-enforce these funding efforts in a variety of ways: by increasing emphasis on the rehabilitation and repair of existing roads and bridges rather than new construction, because it is five times more expensive to replace than it is to repair. We have tried

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through an ongoing value engineering program aimed at reducing construction costs through cost saving design and other construction techniques, and we have tried through an aggressive productivity program because highway maintenance accounts for a significant share of overall highway expenditures. The aggressive pursuit of federal discretionary funds for Illinois yielding a total of \$130 million dollars over the past four years, the issuance of bonds earmarking a portion of general sales tax revenues to the road fund, phasing out road fund diversion, and implementation of cost cutting measures within the Department of Transportation had been effective until now in delaying the eventual choice between reduced highway programs or increased taxes. But that choice is now upon us. Obviously, the performance of the highway system will suffer if the funding problem is not solved. More seriously, the economy of the state will suffer with Commerce hindered by the growing knowledge of deteriorated and inadequate roads and bridges. And a poor highway system has many costs. Lives are involved. Well designed highways have shown to be four times safer than older, narrower roads. Secondly, it costs more money to operate an automobile over substandard roads. Recent studies by the University of Illinois for the Road Information Program indicate that unless we act to provide additional funding sources for the State Highway Program, Illinois motorists will be forced to spend up to an extra 200 dollars a year for brake, steering, and suspension system repairs, tire damage, and additional fuel due to highway pot holes and other surface problems. These added consumer costs out of the pocket would increase dramatically if the states aging road system were allowed to deteriorate further. Let me put it plainly, part of my job as the Governor of this

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state is to try and help persuade business to bring jobs within this state or to keep them here, and everytime I turn on my speaker box and listen to the debates in the House and listen to debates in the Senate, I am sure to hear words about the state's business climate. We need a better business climate. Our business climate is deteriorating and those words come from Republicans and they come from Democrats and they come from House Members and they come from Senate Members. And your ideas and your attitudes about how to improve and maintain the state's business climate may differ and differ radically, but let me tell you what I hear on the road. The number one question I am asked by persons who are considering bring jobs to Illinois or keeping them here has nothing to do with Worker's Compensation, has nothing to do with Unemployment Compensation, has nothing to do with the level of taxation in this state, it has... it has....Thank you. I've been waiting for that since my State of the State Address. But you weren't listening to me. I said the number one question that I am asked by most of those people who are interested in bringing jobs to this state or keeping them here does not have to do with Worker's Compensation or Unemployment Compensation or the level of taxation in Illinois, but has to do with 'how will I get my raw materials in and how will I get my product out and how will I get my people to work and how will they get to home and church and school and the rest of their social life?'. While Worker's Compensation as all of the Members of this chamber knows, since you all ran on it in the last election in one form or another; and Unemployment Compensation as all of the Members of this chamber know since you all ran on it in one form or another in the last election; and the level of taxation in this state as all of the Members of

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this chamber know since you sure as hell ran on that in the last election and you will on the next have a lot to do with the bottom line cost of business in the State of Illinois and need reform. But I am here today to tell you that the most immediate crisis facing all of the people of our state is the adequate funding of transit and highway programs so that people can live their lives without fear of losing them, or losing limbs, or paying horrendous automobile maintenance and repair costs, and be assured of getting to a productive job so they can pay the taxes that support the services that you want to provide to the people of Illinois and unless we act and act now, our people will be deprived of that basic opportunity. This transportation financing package will enable the continuation of a strong highway program, not as strong as I would like, not as strong as many of you would like, but as strong as we may be able to obtain to assure the viability of the existing system and enable the continuation of key projects. Nobody wants to see bridges or roads end in a corn field pointed out to the scorn of citizens around the state as examples of government raising expectations and failing to keep its word, and that's as true in Cicero as it is in southern Illinois. That's as true in western Illinois as it is in Rockford or Decatur. That's as true in the City of Chicago as it is in Cairo. The people of this state, more than 11 million strong, all have their own transportation priorities and it is the obligation of this Governor and this General Assembly to attempt as equitably as possible to attend all the transportation priorities of all the people of the State of Illinois. Let me return, for just a moment, because in my view, it is the center piece of this proposal to the subject of the proposed grossed receipts tax. In my view, any viable tax must have these

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advantages: (1) It must be able to be passed. (2) It must raise the revenue required. (3) It must be easily imposed, collected and enforced. (4) It must be spread over a wide base to lighten economic impact. (5) It must be reasonably related to the objective sought by its imposition. (6) It must be fair and perceived as fair. In my view, the gross receipts passed all these tests better than any alternative that we have been able to devise. In the past few weeks, we have heard suggestions for two basic modifications of such a tax. First, an anti-pass through provision, and second, a host of exemptions supposedly designed to ease its impact. I cannot, in conscience, support either of these and neither should you. First, the anti-pass through. Though attached to similar taxes now imposed in New York and Connecticut, both of which are in the courts, in my view and in the view of every lawyer to whom I have spoken, an anti-pass through provision is plainly unconstitutional. It is also unenforcable and deceptive and would send the worst possible signals to the business community throughout our state and nation at a time when, as I have said almost every voice in this chamber has been raised in favor of improving the business climate of this state, we cannot afford to signal our belief that when any industry reaches a certain level of profitability we will, through taxation, seek to capture some of those profits as a cost of doing business without the opportunity to pass such a tax on as every tax imposed in the State of Illinois and every cost of doing business is passed on. Were we to do that, even successfully, my view is that business would start to pass us by and then our jobs would disappear. And then our people would suffer. Moreover, whether the ultimate product is gasoline or any other petroleum based substance,

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this tax has been designed so that a combination of federal tax deductions and natural market forces will, together, guarantee less impact upon ultimate consumers far less than the natural market fluctuations we have seen in the just the past few months and will see again than any other single tax which can constitutionally be devised. Second, exemptions—Some have been suggested and some have surface appeal, for example, home heating oil. But natural gas and electricity are now taxed at the rate suggested here and there is no fair reason to exempt home heating oil from a like tax. That would discriminate against the great bulk of our citizens and would lead, in the end, to a Bill so riddled with exemptions that significant revenues would be lost, enforcement would be crippled and the validity of the tax would be thrown in jeopardy. What I have suggested today is, obviously, not easy. And while a gradual consensus may build concerning the fairness and utility of the tax proposed, arguments over structural changes in the RTA and the CTA will rage in both Houses and on both sides of the aisle. Obviously, fairminded consideration and willingness to compromise are needed as they always are in the legislative process. And I encourage that. For that which I have proposed is neither perfect nor sacrosanct. But it is fair, it will work, it will save our people from countless social and economic miseries and losses. It is now yours and you must act. I will help, but you are the ultimate repositories of the legislative power of our people and the ultimate repositories of their trust and faith in government to do for them that which they cannot do for themselves. And I believe, as hard as it may be, none of us dares let them down. Thank you, very much."

Speaker Ryan: "Will the Committee of Escorts come forward to the rostrum to escort the Governor from the chambers? The

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President of the Senate, the Honorable Phillip Rock, is recognized for a motion."

President Rock: "Thank you, Mr. Speaker. I move that the Joint Session do now arise."

Speaker Ryan: "The President has moved that the Joint Session do now arise. All those in favor will signify by saying 'aye', those opposed by saying 'no'. The ayes have it and the Joint Session will rise. The House will be at ease for a few minutes. The House will come to order and the Members will please be in their seats. Mr. Doorkeeper, will you clear all unauthorized people from the floor? Introduction and First Reading of House Bills."

Clerk Leone: "House Bill 710, Klemm, a Bill for an Act to amend the Workman's Compensation Act, First Reading of the Bill. House Bill 711, Cullerton, a Bill for an Act to amend an Act in regard to evidence in depositions, First Reading of the Bill. House Bill 712, Terzich, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 713, Terzich, a Bill for an Act to add Sections to the Illinois Pension Code, First Reading of the Bill. House Bill 714, Klemm, a Bill for an Act to amend the Workman's Compensation Act, First Reading of the Bill. House Bill 715, Leverenz-Reilly, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill."

Speaker Ryan: "On page four of the Calendar appears House Bills, Third Reading. House Bill 103, Representative Abramson. Out of the record? Out of the record. House Bill 109, Representative Ronan. Representative Ronan, do you want your Bill called? House Bill 109? Out of the record. House Bill 116, Representative Vinson. Is Representative Vinson on the floor? Out of the record. House Bill 120, Representative Darrow. Out of the record. House Bill 129,

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Hallstrom. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 129, a Bill for an Act to amend the Illinois Governmental Ethics Act, Third Reading of the Bill."

Speaker Ryan: "The Lady from Cook, Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This particular Bill passed the House of Representatives twice last year. Representative Chuck Campbell had a Bill, and I had one, and they were both passed. They were stopped in the Senate Rules Committee. I reintroduced the Bill this Session because I think it's an important one. It merely changes the amount of money that someone earns before they have to send in their ethic statement. It does not change any of the categories. It changes the amount of money from \$20,000 to \$30,000. All of the local municipalities in my district have requested that this Bill be introduced. It will save money. It will save time, and I believe it's a reasonable approach and I would appreciate your support. Thank you."

Speaker Ryan: "The Gentleman from Cook, Representative Kosinski."

Kosinski: "If the Sponsor would yield?"

Speaker Ryan; "She indicates she will."

Kosinski: "Representative Hallstrom, your intent here is laudible. Certainly \$20,000 is much too low in the light of incomes today. If I have a concern, however; it's if that this Bill now would eliminate an ethic statement by the General Assembly, if I understand correctly because we have a \$28,000 ceiling. Is that correct?"

Hallstrom: "We have a \$28,000 ceiling, Sir, but it does not affect the Members of the General Assembly."

Kosinski: "Where is the exclusion? I neglect to see that."

Hallstrom: "Sir, may I come down there to show you or..."

Kosinski: "I'll presume it exists and we can discuss it later,

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because I certainly did not want the General Assembly excluded."

Hallstrom: "Oh, absolutely not."

Kosinski: "Thank you."

Hallstrom: "I'm only trying to exclude people who work for local municipalities such as people who are picking up garbage, people who are in other forms of employment who are not in any decision-making position. But, absolutely, we are still included under this Act."

Speaker Ryan: "Any further discussion? The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I wonder if the Lady would yield for a question."

Speaker Ryan: "She indicates she will."

Greiman: "Thank you, Sir. Dolly, will Nortran bus drivers be relieved of the obligation at this point of filing ethic statements?"

Hallstrom: "Sir, this was brought up in the Committee and many people wanted to either subtract or add and my answer is that anyone... the categories are still the same. That as far as the bus drivers, anybody making \$30,000 will have to, and I understand they make \$30,000, and they will have to."

Greiman: "They were Nortran. That's CTA, not Nortran. Okay. Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman from Hardin, Representative Winchester."

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

Speaker Ryan: "She indicates she will."

Winchester: "Does this legislation include provisions that says that publishers, editors, and reporters who make \$30,000 or more will be required to file ethic statements with the Secretary of State?"

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Hallstrom: "No, Sir."

Winchester: "That's too bad. I would have been a good Bill."

Hallstrom: "Well, if you would like that, Sir, I think that probably would be a good Bill for you to introduce, but it is not on my Bill."

Speaker Ryan: "The Lady from Cook, Representative Chapman."

Chapman: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, I was very much interested in the question that Mr. Kosinski raised because I do think that we want to see that Legislators are covered under the Illinois Governmental Ethics Act, and I see that there is a requirement in the Act that Members of the General Assembly and candidates shall file these statements. So, Representative Hallstrom, I think you have a good Bill, and I'm going to vote for it."

Speaker Ryan: "The Gentleman from Rock Island, Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, I wish they'd refer to Mr. Greiman in regard to his comments. Mr. Greiman... Representative Greiman, if you will look under Subsection B of Paragraph 4 under the portion where you may use tax credit write-off to distribute an equal balance I think you'll answer your question and I'd like to, you know, hopefully you'll take a chance to look at that."

Speaker Ryan: "Is there any further discussion? The Lady from Cook, Representative Hallstrom, to close."

Hallstrom: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, last Session this Bill passed almost unanimously in this House, and it was because you had received information from your local municipalities as I did that this was a very important issue to be straightened in the General Assembly. I ask you to use the same wisdom that you used last Session and pass the Bill. Thank you."

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Speaker Ryan: "The question is, 'Shall House Bill 129 pass'?.

All those in favor will signify by voting 'aye' and all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 133 voting aye, 14 voting no and this Bill having received the Constitutional Majority is hereby declared passed. Representative McMaster on the floor? Did you have a motion, Representative?"

McMaster: "Thank you, Mr. Speaker. Representative Yourell and I have a Bill that is of an emergency nature. For that reason, I would like to move to suspend Rule 31B and move House Bill 605 to Second Reading Second Day. Let me explain the emergency of this Bill. Legislation that we passed last Session, Public Act 81-1490 removed from the electors of the township powers historically theirs at the annual town meetings. Because of an error in the final draft of this Act, certain taxes formally approved at this meeting must now appear in referendum form at the April 7, 1981 Consolidated Election. This is the township election. The error was not discovered by the State Board of Elections until it was too late to have these propositions appear on the April 7th ballot. To correct this oversight, Representative Yourell and I have introduced House Bill 605 which restores certain of these powers to the annual town meeting to be held this year on April 14, 1981. In other words, the electors at the annual town meeting have the power to approve these propositions. You can see that it is an extremely... extreme emergency nature and, for that reason, I would like to move to suspend Rule 31B and move this Bill to Second Reading, Second Day. I have talked to Representative Getty in regard to this. I have talked to Representative Collins and have their approval."

Speaker Ryan: "Representative McMaster, because your motion is

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not on the Calendar, we're going to have to ask leave to have your motion heard. The Gentleman asks leave to have this motion heard. Are there any objections? Hearing none, leave is granted. Now, Representative, will you explain your motion, please?"

McMaster: "I think that I just did explain it, Mr. Speaker."

Speaker Ryan: "Is there any discussion on the Gentleman's motion? Representative Huskey."

Huskey: "Well, Mr. Chairman, we're running township elections in this state, and this Bill is directed at some of the things that are in this upcoming election. I feel that this should be held till after the election. And we don't have any analysis on our desks on this, and don't even have the Bill on our desks."

Speaker Ryan: "Mr. Huskey, the Gentleman has moved that the provisions of Rule 31B be suspended to move House Bill 605 up to Second Reading, Second Day which will put it on the Calendar, and that's his motion."

Huskey: "I think this Bill, Mr. Speaker, should go to the Committee like all other Bills. There's plenty of time for it."

Speaker Ryan: "The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Representative McMaster, who explained the reasons for this motion..."

Speaker Ryan: "Just a minute, Representative. Let's have some order in the chamber here if we may. Will the Members please be in their seats. This is third Reading. You're going to vote on some Bills and you ought to know what they're about. Continue."

Yourell: "Thank you, Mr. Speaker. Representative McMaster in describing the provisions of his motion and the reason for it... for that motion is entirely accurate. We have been

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meeting very often with the township officials of Illinois, and they have pointed out to us something that we forgot to do in the 'Elco' Bill. What we decided to do was to let the townships retain what they've always done at the annual town meeting. It has nothing to do with any upcoming election. It has nothing to do with anything except that which is right and proper. The township officials are concerned about this legislation because of an inadvertent omission in the recommendations of the Election Laws Commission and the State Board of Elections, and I think it's must perfectly proper that Representative McMaster's motion be supported."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I've been trying, to no avail, to find a copy of this Bill. It's not in my Digest. I know McMaster has always stood for good government and township government, and I have the utmost respect, and I believe in whatever he would have to do with township government. There's only one concern I share and that's on the south end of the county where we're having a problem with township government, and it raises a red flag if Yourell is one of the Sponsors, not that I doubt or mistrust Mr. Yourell. But I would like to know a little more about this Bill. Is this an emergency Bill that has to take effect this year, this coming April 2, Buz? Is that the reason why you're suspending the rules or could you put this off at least for 24 hours?"

Speaker Ryan: "The Gentleman from Knox, Representative McMaster. Would you care to respond?"

McMaster: "Thank you, Mr. Speaker. I think Mr. Huskey and Mr. Conti, if you were listening when I explained the emergency nature of this Bill, I don't think it would be necessary to

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ask these questions. Due to legislation that we passed in the 81st Session, the townships must have referendum to approve their levy, their appropriations, their budget. Ordinarily, this has been done at the annual town meeting which this year takes place April 14. The State Board of Elections did not make them aware of the necessity of the referendum until it was too late to file a referendum for the April 7 election. There just wasn't enough time to file it, and there was no way they could file the referendum. Therefore, in order to correct this, this is of an extreme emergency nature, and we've got to have it through both houses, signed by the Governor before we go home next week. And there just isn't a great deal of time. If we're going to have any action on it, I think we've got to take action today. I'm sorry. I do not ordinarily bring something like this before this House, but due to the emergency nature, I feel that I must, of necessity, do so. And I apologize for any inconvenience that I cause either you or Mr. Huskey."

Conti: "Mr. McMaster, please, can you tell me what would happen if we failed to act on this then?"

McMaster: "The townships would not be able to make any tax levy for this coming year."

Conti: "Okay."

Speaker Ryan: "The Gentleman from Sangamon, Representative Kane."

Kane: "Would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Kane: "Would this mean that the townships could not levy a tax at all or just could not increase their road taxes?"

McMaster: "I don't think it would have anything to do with increases. It would be with their normal levy. That's my understanding, Doug."

Kane: "They would not be able to levy their normal rate. This is