

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

102nd Legislative Day

May 4, 1982

Speaker Ryan: "The House will be in order and the Members will please be in their seats. We'll be led in prayer today by Sister Susan Thomas from the Sisters of Mercy. Sister Thomas."

Sister Thomas: "Let us be mindful that we are in the presence of His Divine Majesty, in the land of the living. Lord, God of all, we come before you in prayer. What return can we make for Your great goodness, of which we have all received? With grateful hearts, we extol Your name; give praise. Your love is strong. Your faithfulness, eternal. Open our eyes to the suffering in our world today. Give us a vision and a goal that keeps us steady on the course of hope for tomorrow. Increase our knowledge, that we might recognize that preparation for justice and truth and peace cannot be sounded by guns. Let us be strengthened and purified by the trials that beset us, sure of Your out-stretched arm to point the way. We pray especially for all here assembled, the heir to a living tradition of reverence for human and civil rights. In all of its deliberations, may this Assembly continue to pursue, under Your guidance, the blessings of liberty and justice for all. We place our prayer before You, Almighty God, confident of Your providence and committed to making ourselves agents of Your peace and love in the world."

Speaker Ryan: "Representative Rhem will lead us in the Pledge."

Rhem: "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?. With 169 Members answering the Roll, a

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quorum of the House is present. Representative Getty, do you have any excused absences?"

Getty: "May the record indicate that Representative 'Laz' Murphy is excused due to a death in the family."

Speaker Ryan: "The record will so indicate. Representative Telcser, do you have any excused absences? Representative McCormick."

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, a situation has arisen that I'm going to have to be gone for a few hours. I'd like permission to be gone. Thank you very much."

Speaker Ryan: "The Gentleman asked leave to leave. Is leave granted? Leave is granted for the Gentleman to leave. Committee Reports."

Clerk Leone: "Representative Stearney, Chairman from the Commission...Committee on Judiciary II, to which the following Bills were referred, action taken April 29, 1982 and reported the same back with the following recommendations: 'do pass' House Bill 2041; 'do pass as amended' House Bill 1425."

Speaker Ryan: "On the Calendar on page 4, under the Order of House Bills Second Reading appears House Bill 560, Representative Katz. Representative Currie. Want the Bill heard, Representative Currie? Representative Currie, for Representative Katz. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 560, a Bill for an Act to regulate the transfer of handguns. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

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Speaker Ryan: "Third Reading. House Bill 958, Representative Younge. Out of the record. House...Let me tell you, Representative Kulas, it's the intention of the Chair to work until about 5:30 or 6:00 this evening, depending on what kind of progress we make with this Calendar. Would you please inform those that are not informed? Thank you. House Bill 960, Representative Younge. Out of the record. Representative Terzich? You want to...you want to do these one at a time? Okay, Mr. Clerk. House Bill 1053, Representative Terzich."

Clerk Leone: "House Bill 1053, a Bill for an Act to amend various Acts to revise and repeal incorrect and obsolete statutory references. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 1054, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1054, a Bill for an Act to amend various Acts to revise terminology related to judicial proceedings. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 was withdrawn. Floor Amendment #3, Terzich, amends House Bill 1054, as follows..."

Speaker Ryan: "Representative Terzich, on Amendment #3 to House Bill 1054."

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Terzich: "Mr. Speaker, this is determined by both staffs...of both sides of the aisle. This is simply technical changes on wording, and I would move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 1054. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1055, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1055, a Bill for an Act to amend various Acts to conform to the Code of Civil Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1072, Representative Wolf, J. J. Wolf. Out of the record. House Bill 1119, Representative Preston. Representative Preston. Out of the record. House Bill 1320, Representative McMaster. Out of the record. House Bill 1463, Representative Catania. Representative Catania? Out of the record. House Bill 1733, Representative Hallock. Out of the record. House Bill 1770, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1770, a Bill for an Act to repeal an obsolete Act relating to retention of Judges. Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1771, Representative Terzich."

Clerk Leone: "House Bill 1771, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1772, Representative Terzich."

Clerk Leone: "House Bill 1772, a Bill for an Act to amend various Acts to delete references to the now non-existent Justices of the Peace. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any...Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "There...are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1773, Representative Terzich."

Clerk Leone: "House Bill 1773, a Bill for an Act to amend various Acts to revise terminology in relationship to the subpoena power. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1775, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1775, a Bill for an Act to repeal an Act defining the relationship between banks and their depositors in respect to the deposit and collection of checks and other instruments payable in money. Second

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Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1776, Representative Terzich."

Clerk Leone: "House Bill 1776, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1777, Representative Terzich."

Clerk Leone: "House Bill 1777, a Bill for an Act to amend an Act to revise the law in relationship to attorneys and counselors. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1779, Representative Terzich."

Clerk Leone: "House Bill 1779, a Bill for an Act in relationship to municipal airport authorities. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1780, Representative Terzich."

Clerk Leone: "House Bill 1780, a Bill for an Act to eliminate the gender bias provisions of the compliance with the decision

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of the Supreme Court of the United States in Wagers v. Druggists Mutual Insurance Company. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. 1781, Representative Terzich."

Clerk Leone: "House Bill 1781, a Bill for an Act to amend various Acts to delete references to non-existent constables. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 1781 on page 7 and so forth."

Speaker Ryan: "Representative Terzich on Amendment #2 to House Bill 1781."

Terzich: "I move to withdraw Amendment #2."

Speaker Ryan: "Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Terzich, amends House Bill 1781 on page..."

Speaker Ryan: "Representative Terzich, on Amendment #3."

Terzich: "Yes, it removes the non-existent constables. It merely makes technical correction. I move for adoption of Amendment #3."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #3 to House Bill 1781. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1782, Representative Terzich."

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Clerk Leone: "House Bill 1782, a Bill for an Act to amend the Workers' Occupational Diseases Act and Workers' Compensation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments...further Amendments?"

Clerk Leone: "No...no further Amendments."

Speaker Ryan: "Third Reading. House Bill 1783, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1783, a Bill for an Act to amend various Acts to coordinate terminology relating to injunctions. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Further Amendments."

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 1783 on page 12, line 24 and so forth."

Speaker Ryan: "Representative Terzich, on Amendment #2 to House Bill 1783."

Terzich: "Again, this merely makes technical corrections, and I would move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1783. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1784. Read the Bill, Mr. Clerk."

Clerk Leone: "House...House Bill 1784, a Bill for an Act to amend various Acts to coordinate the Illinois Supreme Court Rule 272. No Committee Amendments."

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

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Clerk Leone: "Floor Amendment #1, Terzich. Amends House Bill 1784 on page 75, and so forth."

Speaker Ryan: "Representative Terzich, on Amendment #1 to House Bill 1784."

Terzich: "This is another technical Amendment prepared by staff, and I would move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1784. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1845."

Clerk Leone: "House Bill 1845, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1846, Representative Terzich."

Clerk Leone: "House Bill 1846, a Bill for an Act to repeal an Act to provide for the termination of dormant mineral interests. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 1847, Representative Terzich."

Clerk Leone: "House Bill 1847, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Abramson, amends House Bill 1847..."

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Speaker Ryan: "Representative Abramson, on Amendment #1 to House Bill 1847."

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 was a Bill we tried to adopt before. It converts the public utility tax to a 4.7...to a sales tax in order to make...make it deductible on your federal income tax return also would then exempt institutions and governments that are exempt from sales tax, from the public utility tax. I move the adoption of the Amendment."

Speaker Ryan: "Rep...Representative Vinson."

Vinson: "Thank you, Mr. Speaker. Parliamentary inquiry. I don't believe the Amendment is germane. The Bill...the title of the Bill is an Act to repeal Section 1923-4, the Revenue Act. That particular section deals with the property tax. The substance of the Bill deals with the repeal of that Section of the property tax, Homestead Exemption Provision, adopted in the 1930's. The Bill...the Amendment as filed is an Amendment that deals with the gross receipts tax for public util...utilities and would not, in my judgment, be germane. And I would ask for a ruling from the Chair on that issue."

Speaker Ryan: "Your point is well taken, Representative Vinson; and the Amendment is not germane, Representative Abramson. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1848, Representative Terzich."

Clerk Leone: "House Bill 1848, a Bill for an Act to amend various Acts to revise obsolete terminology. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there...are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 1848..."

Speaker Ryan: "Representative Terzich, on Amendment #2 to 1848."

Terzich: "Yes, Mr. Speaker, I move to table Committee Amendment #1."

Speaker Ryan: "Well, we're on Amendment #2 right now."

Terzich: "Well, I wanted to table Comm...because Amendment #2..."

Speaker Ryan: "Do you want to go back to Amendment #1, that's a Committee Amendment?"

Terzich: "I know. This is simply correctional wording, terminology. I would move for..."

Speaker Ryan: "The Gentleman asks leave to table Amendment #1 to House Bill 1848. Are there any objections? Hearing none, leave is granted, and Amendment #1 is tabled. Further Amendments."

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 1849..."

Speaker Ryan: "Representative Terzich, on Amendment #2."

Terzich: "Again, these are just technical changes in the wording, and I would move for the adoption of Amendment #2."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1848. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1849."

Clerk Leone: "House Bill 1849, a Bill for an Act to amend various Acts to revise terminology. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Terzich. Amends House Bill 1849 on page 6, line 19, and so forth."

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Speaker Ryan: "Representative Terzich, on Amendment #1 to House Bill 1849."

Terzich: "Again, this is technical changes on wording, and I would move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1849. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1850, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1850, a Bill for an Act to amend various Acts to revise terminology. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1851, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 1851, a Bill for an Act to amend various Acts to revise terminology related to judicial proceedings, judgments and the enforcement of judgments. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1852, Representative Terzich."

Clerk Leone: "House Bill 1852, a Bill for an Act to amend various

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Acts to revise and coordinate terminology. Second Reading
of the Bill. Amendment #1 was adopted in Committee.

Speaker Ryan: "Are there any Motions filed with respect to
Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich. Amends House Bill
1852."

Speaker Ryan: "Representative Terzich, on Amendment #2 to House
Bill 1852."

Terzich: "Again, this is simply a technical word change and I
move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment
#2 to House Bill 1852. All in favor will signify by saying
'aye', all opposed 'no'. The 'ayes' have it, and the
Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Terzich, you
mumbled through those very well and got them all to Third
Reading. Congratulations. House Bill 1852, Representative
Barkhausen. Read the Bill. 1880...1882."

Clerk Leone: "House Bill 1882, a Bill for an Act to provide for
the protection of the wetland areas of the state. Second
Reading of the Bill. Amendment #1 was withdrawn.
Amendment #2 was adopted in Committee."

Speaker Ryan: "Is there any Motion filed with respect to
Amendment #2?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1883, Representative
Barkhausen. Read the Bill."

Clerk Leone: "House Bill 1883, a Bill for an Act in relationship

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to Natural Heritage Stream Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1894, Representative Friedrich. Out of the record. House Bill 1913, Representative Huskey. Out of the record. House Bill 1925, Representative Hallock. Representative Hallock? Out of the record. House Bill 1955, Representative Levin. Oh, Levin, Representative Levin. Want to hear that, Representative? Representative Cullerton, do you want Representative Levin to hear the Bill? Read the Bill, please."

Clerk Leone: "House Bill 1955, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 1969, Representative Younge. Out of the record. House Bill 1974, Representative Catania. Out of the record. House Bill 1998, Representative Oblinger. Out of the record. House Bill 2002, Representative McClain. Read the Bill."

Clerk Leone: "House Bill 2002, a Bill for an Act relating to the construction and maintenance of the state maintained highway system. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2013, Representative Henry. Representative Henry? Out of the record. House Bill 2039, Representative Huskey. 2039, Representative. Do...do you want to do 2039? You want...you want to go back to 1913? The Gentleman asks leave to return to House Bill 1913. Are there any objections? Hearing none, leave is granted. We're now on House Bill 1913. Read the Bill."

Clerk Leone: "House...House Bill 1913, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Amendment #2 lost in Committee. Floor Amendment #3, Huskey. Amends House Bill 1913..."

Speaker Ryan: "Representative Huskey, on Amendment #3."

Huskey: "Please, a mere technicality...just changes 'or' to the letter 'I'."

Speaker Ryan: "Representative Huskey, the Clerk just informs me that there is now an Amendment #4 that's just been filed, has not been printed. Representative Van Duyne just filed an Amendment. Do you want to complete #3? Is there any discussion on Amendment #3 to House Bill 1913? The question is, 'Shall Amendment #3 to House Bill 1913 be adopted?' All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, Van Duyne. Amends House Bill 1913 as amended."

Speaker Ryan: "Representative Van Duyne."

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Van Duyne: "Thank you, Mr. Speaker. This is the same Amendment that I had attached to Mike McClain's Bill 1346, which was, thereafter, defeated. The Bill was defeated; and so, I'm attempting to put it on this Bill. And simply what it does, it addresses the problem of people getting their certification from the Secretary of State and...and forces them to show their IRS exclusion. That's simply all it does, and if they are serious about having these CV plates, there should really be no problem. And I...I move for adoption."

Speaker Ryan: "Is there any discussion? Representative Piel."

Piel: "Question of the Clerk, Mr. Speaker. Has this Amendment been distributed?"

Speaker Ryan: "No, it has not been...it was just filed this morning. The Clerk tells me it has not been distributed. Representative Huskey?"

Huskey: "Then, could I move the Bill to Third Reading and bring it back? I'll bring it back from...from..."

Speaker Ryan: "Representative Van Duyne."

Van Duyne: "Well, I pray the indulgence of the group of my colleagues. You have already seen this Amendment once. It was...we have voted it on 1346, and you've already had it before you...for your perusal. If you would like, I will just...I will read it for you. It's only about six lines long, and if you'll pay us some...pay attention, I'm sure you won't have any problem with it. It just says, 'As a prerequisite to registration under this Section, the Secretary of State shall require the vehicle owners listed in Subsection A of this Section...'"

Speaker Ryan: "Representative Van Duyne, let...let...let me say that Representative Huskey, since your Amendment has not printed and distributed, has asked to move the Bill to Third Reading and will bring it back when your Amendment is

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prepared. Representative Van Duyne temporarily withdraws his Amendment, and House Bill 1913 is moved to the Order of Third Reading. House Bill 2039, Representative Huskey. Do you want to move that Bill 2039? Out of the record. 2077, Representative Bartulis. Read the Bill."

Clerk Leone: "House Bill 2077, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2079, Representative Watson. Out of the record. House Bill 2088, Representative Epton. Read the Bill."

Clerk Leone: "House Bill 2088, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2099, Virginia Frederick. Out of the record. That was 2091, out of the record. 2095, Representative Epton. Read the Bill."

Clerk Leone: "House Bill 2095, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2096, Representative Tate. Representative Tate? You want to hear 2096? Out of the record. House Bill 2102, Representative McAuliffe. Out of the record. House Bill 2115, Representative Yourell. Out of the record. House Bill 2116, Representative Kosinski. Read...read the Bill."

Clerk Leone: "House Bill 2116, a Bill for an Act to amend the

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Code of Criminal Procedure. Second Reading of the Bill.
No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2135, Representative
Levin...Levin. Read the Bill."

Clerk Leone: "House Bill 2135, a Bill for an Act to change the
date of consolidated election and certain other elections,
in 1983 only. Second Reading of the Bill. No Committee
Amendments."

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

Clerk Leone: "Floor Amendment #1, Levin - Topinka, amends House
Bill 2135..."

Speaker Ryan: "Representative Levin on Amendment #1 to House Bill
2135."

Levin: "Thank you, Mr. Speak...Mr. Speaker, Ladies and Gentlemen
of the House. House Bill 2135 provides, in 1983 only, that
the elections which occur the first Tuesday in April be
moved to the second Tuesday in April, because of a conflict
with the Jewish holiday of Passover. In Committee, there
was a feeling on both sides of the aisle that we should not
have to come back...and it's not too frequently, it's about
every 19 years that this conflict exists. We should not
have to come back with new legislation each time, and that
should...there should be an automatic formula in the Bill
to cover the situation. Amendment #1 does that, and simply
provides that where there is a conflict with the election
that occurs on the first Tuesday in April in odd years with
Passover, that that election is moved back to the second
Tuesday in April. I've checked it out with both sides, and
I don't know...I believe everybody supports it."

Speaker Ryan: "Is there any discussion? The Gentleman moves for
the adoption of Amendment #1 to House Bill 2135. All in

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favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2146, Representative Ewing. Representative Ewing? Want your Bill read? Out of the record. House Bill 2147, Representative Reilly. Out of the record. Representative Dunn, on 2153. Out of the record. House Bill 2171, Representative Smith, Irv Smith. Do you want the Bill read, Representative? Well, it's on Second Reading now. You want to take it back to what? First Reading?"

Smith, Irv: "I need five minutes. I need five minutes."

Speaker Ryan: "Are you ready to have the Bill heard?"

Smith, Irv: "Yes."

Speaker Ryan: "Read the Bill."

Clerk Leone: "House Bill 2171, a Bill for an Act to amend an Act relating to the office of county auditors. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Irv Smith, amends House Bill 2171."

Speaker Ryan: "Representative Smith, on Amendment #2 to House Bill 2171. On the Order of Second Reading."

Smith, Irv: "Thank you, Speaker. That's what I was waiting for, was the...was my Bill to get here, but I...I think I can give you most of them. The main areas of the Amendment would...housekeeping things, mostly. On page 2, line 27, we'd strike out the word 'his' and make a neuter gender and the...page 3, line 7, we would insert the word 'office'.

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The other Amendments...the other parts to the Amendment are strictly housekeeping, and in language only. I'd be glad to answer any questions on them."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 2171. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2189, Representative Nelson. Out of the record. House Bill 2231, Representative Wolf. J. J. Wolf. Out of the record. House Bill 2343, Representative Brummer. Do you want to run that Bill, Representative Wolf? It's House Bill 2231. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2231, a Bill for an Act to amend the Emergency Medical Services Systems Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2243, Representative Brummer. Out of the record. House Bill 2246, Representative Hallstrom. Read the Bill."

Clerk Leone: "House Bill 2246, a Bill for an Act to amend an Act creating the Board of Higher Education. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, McGrew - Hallstrom. Amends House Bill 2246 on page..."

Speaker Ryan: "Representative McGrew, on Amendment #1, House Bill 2246."

McGrew: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #1 is very simple in its report. All we're doing is deleting the specific name of an

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organization and putting in the name that...or the organization that would be the largest representative of independent colleges and universities; and further, it provides that the two new appointees would be alternate terms."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 2246. Representative Schneider."

Schneider: "Who's the Sponsor of those? Hallstrom? Is that Dolly talking? Mr. Speaker, I'd like to..."

Speaker Ryan: "As I understand, the Sponsor is McGrew - Hallstrom, and it was McGrew speaking, Representative."

Schneider: "It wasn't Representative Hallstrom? May I ask Mc...McGrew, what is this thing doing? You're creating a Board of Higher Education by putting whom on where?"

McGrew: "No, no. We are adding...we're actually adding one additional member to the Board of Higher Education and deleting the Superintendent of Public Instruction, who has not been a member, actually, since Mike Bakalis held that office."

Schneider: "Then...that's sounds reasonable. Are you adding a private school person to the public board?"

McGrew: "That's correct. That's what the Bill does, only the original Bill specifically mentioned that they had to be nominated by the Federation of Independent Colleges and Universities. My Amendment deletes that language and says that it will be the largest organization representing independent colleges and universities, thereby eliminating their specific name in law."

Schneider: "Is the Amendment...I haven't seen the Amendment and that's why I was kind of surprised about your...kind of slurping over that appointment. Has the Amendment been printed and distributed, Mr. Speaker, on another ...?"

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Speaker Ryan: "The Amendment has not been printed and distributed, it was filed this morning."

Schneider: "Would the Sponsor mind pulling that out, then?"

Speaker Ryan: "Pardon?"

Schneider: "Please pull it out of the record, 'cause I'd like to see the Amendment. I...I think it was..."

Speaker Ryan: "Representative Hallstrom, the Gentleman requests to take the Bill out of the record."

Hallstrom: "Yes, Sir."

Speaker Ryan: "Out of the record. House Bill 2261, Representative Wolf. J. J. Wolf, 2261. Read the Bill."

Clerk Leone: "House Bill 2261, a Bill for an Act to amend the Commission on the Health Assistance Programs. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2276, Representative Bradley. Out of the record. House Bill 2277, Representative Deuchler. Out of the record. House Bill 2280, Representative Stearney. Out of the record. House Bill 2281, Representative Stearney. Out of the record. House Bill 2282, Representative Conti. Representative Conti, on 2282. Out of the record. Read the Bill, Mr. Clerk. 2282, read the Bill."

Clerk Leone: "House Bill 2282, a Bill for an Act to amend the Department of Veterans' Affairs. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

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Speaker Ryan: "Third Reading. House Bill 2284, Representative Levin. Out of the record. 2287, Representative Findley. Out of the record. House Bill 2303, Representative Sandquist. Read the Bill."

Clerk Leone: "House Bill 2303, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Ronan. Amends House Bill 2303 as amended."

Speaker Ryan: "Representative Ronan, on Amendment #2 to House Bill 2303."

Ronan: "Thank you, Mr. Speaker and Members of the House. This is a tech...technical Amendment. I've discussed the Amendment with the Sponsor. He's in full agreement with it, so I'd like to see it go on the Bill."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 2303. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2340, Representative Daniels. Out of the record. House Bill 2348, Representative Hastert. Out of the record. House Bill 2367, Representative Epton. 2367, Representative Epton. Read the Bill for the..."

Clerk Leone: "House Bill 2367, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2391, Representative Telcser. Read the Bill."

Clerk Leone: "House Bill 2391, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was withdrawn in Committee. Floor Amendment #2 amends House Bill 2391 on page 1, line 1, and so forth."

Speaker Ryan: "Representative Telcser, on Amendment #2 to House Bill 2... Representative Getty, on Amendment #2 to House Bill 2391."

Getty: "Thank you, Mr. Speaker, Members of the Assembly. Amendment #2 would clear up a problem that was discussed in Committee and that was agreed to between Representative Telcser and the Committee; and that is to tie the amount of recovery against a minor who would violate this Act...I should say, the parents of a minor who would violate this Act to the amount as is provided in our existing parental responsibility law. And I would move for the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 2391. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2394, Representative Epton. Read the Bill."

Clerk Leone: "House Bill 2394, a Bill for an Act to amend the Property Fire Loss Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2397, Representative

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Bell. Represen...Representative Bell, on House Bill 2397.

Read the Bill? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2397, a Bill for an Act to amend the Bank Holding Company Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Bell. Amends House Bill 2397."

Speaker Ryan: "Representative Bell, on Amendment #1 to House Bill 2397."

Bell: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen of the House, this Amendment was given to me by the Independent Community Banks in Illinois. It just clarifies what type of bank a holding company may purchase as far as their regions. It's quite simple. It has agreement by all banking groups, and I would respectfully request adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 2397. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2412, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 2412, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Terzich, amends House Bill 2412 on page 1, and so forth."

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Speaker Ryan: "Representative Terzich, on Amendment #2 to House Bill 2412."

Terzich: "Mr. Speaker, even though this Bill is not subject to the State Mandate Act, Amendment #2 simply is a...exclusion rider on there, which would exclude it from the State Mandate Program. I move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 2412. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2413, Representative Kustra. Out...Representative Kustra? Want to hear this Bill? 2413, read the Bill."

Clerk Leone: "House Bill 2413, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2417, Representative Yourell. Read the Bill."

Clerk Leone: "House Bill 2417, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 23...2432, Representative Jaffe. Out of the record. House Bill 2437, Representative Karpziel. Representative Karpziel? Out of the record. House Bill 2448, Representative Daniels. Representative Daniels. Representative Daniels. Out of the record. House Bill 2462, Representative Capparelli.

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Read the Bill."

Clerk Leone: "House Bill 2462, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments.

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2466, Representative Stearney. Out of the record. House Bill 2473, Representative Stiehl. Read the Bill."

Clerk Leone: "House Bill..."

Speaker Ryan: "Wait just a minute. Out of the record. House Bill 2474, Representative Telcser. Out of the record. House Bill 2489, Representative Kustra. Representative Kustra? 2489, out of the record. House Bill 2495, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker Ryan: "Wait just a minute. Representative Sandquist. Mr. Clerk, is there an Amendment filed? There is an Amendment been filed, but it's not been printed and distributed."

Sandquist: "I'd like to go back to it if we can, as soon as it's distributed, but..."

Speaker Ryan: "Well, I'll do my best to accommodate you, Representative. We'll see how the time goes."

Sandquist: "Thank you."

Speaker Ryan: "Out of the record. House Bill 2496, Representative Meyer. Read the Bill."

Clerk Leone: "House Bill 2496, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2498, Representative Telcser. Read the Bill."

Clerk Leone: "House Bill 2498, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. 2500, Representative Stiehl. Read the Bill."

Clerk Leone: "House Bill 2500, a Bill for an Act to amend an Act relating to the Department of Transportation. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any... Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 2502, Representative Bower. Read the Bill? 2502, Representative. What...what does that mean? Read the Bill."

Clerk Leone: "House Bill 2502, a Bill for an Act to amend certain Acts regarding various state taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #2?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2505, Representative Robbins. Out of the record. House Bill 2506,

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Representative McAuliffe. Out of the record. 2508, Representative Ewing. Representative Ewing, on House Bill 2508? Out of the record. House Bill 2513, Representative Reilly. Out of the record. House Bill 2516, Representative Daniels. Out of the record. House Bill 2519, Representative Ted Meyer. 2519, Representative. Out of the record? Out of the record. House Bill 2520, Representative Nelson. Out of the record. House Bill 2521, Representative Griffin. Out of the record. House Bill 2531, Representative O'Brien. Out of the record. House Bill 2535, Representative Fawell. Out of the record. House Bill 2536, Representative Klemm. For what purpose the...does the Lady from Cook, Representative Pullen, seek recognition? Representative Klemm, on...Read the Bill, Mr. Clerk, on House Bill 2536. Read the Bill."

Clerk Leone: "House Bill 2536, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2539, Representative Huskey. Read the Bill."

Clerk Leone: "House Bill 2539, a Bill for an Act to amend an Act concerning tax exemptions. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 2540, Representative Huskey. No, out of the record. House Bill 2559, Representative Daniels. 2559, Representative. Turn on

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Representative Daniels, so I..."

Daniels: "Was the Amendment distributed?"

Speaker Ryan: "Do you want the Bill read, Representative?"

Daniels: "Sure."

Speaker Ryan: "Pardon?"

Daniels: "Yes."

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

Clerk Leone: "House Bill 2559, a Bill for an Act to amend an Act in relating to airport authorities. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Daniels, amends House Bill 2559 on page 1, and so forth."

Speaker Ryan: "Representative Daniels, on Amendment #1 to House Bill 2559."

Daniels: "Amendment #1 is a clarification of the Bill, as requested by the Committee, to indicate that the Amendment applies strictly and solely to the County of Cook and to the DuPage portion as affects the County of Cook."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 2559. All in favor will signify by saying 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2566, Representative Miller. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2556...2566, a Bill for an Act relating to fees for indexing liens. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2578, Representative Barr. Read the Bill."

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Clerk Leone: "House Bill 2578, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 2580, Representative Bower. Read the Bill."

Clerk Leone: "House Bill 2580, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 2586, Representative Donovan. Read the Bill? Read the Bill."

Clerk Leone: "House Bill 2586, a Bill for an Act to revise the law in relationship to coroners. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2610, Representative Leverenz. Read the Bill."

Clerk Leone: "House Bill 2610, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2617, Representative

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Daniels. 2617, Representative. Out of the record. And, House Bill 2618, Representative Birkinbine. Read the Bill."

Clerk Leone: "House Bill 2618, a Bill for an Act to convey certain lands for park purposes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Messages from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House in adoption of their Amendments to the Bills with the following titles, to wit; Senate Bill 1029, together with House Amendments #2 and House Amendments #3, action taken by the Senate, May 4, 1982.' Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, and passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 1288, 1371, 1375, 1429, 1452, 1470, 1480, 1518, 1530, 1562, 1591, 1592, 1594, 1599, 1630, 1653, 1665 and 1667 passed the Senate May 4, 1982'. Kenneth Wright, Secretary."

Speaker Ryan: "On page 10, under the Order of House Bills Third Reading, Short Debate Calendar appears House Bill 2169, Representative Smith. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2169, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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Speaker Ryan: "Representative Smith, on House Bill 2139 (sic) 2169."

Smith, Irv: "Thank you, Mr. Speaker, Members of the House. House Bill 2169 simply puts back into the Pension Act, about 280 people who were included in the State...in the State Pension Code, as well as Downstate Teachers' Retirement. The original Bill had language which said those who retire before January 1, 1977 would receive the annuity. The language should have read 'on or before January 1, 1977'. Because of this, as I said, about 280 people were omitted from receiving their pension. As a matter of fact, when that went into effect January 1 of this year, those people, because the pension system thought that they should have received it, did receive it; and, in fact, about two weeks later received another letter stating that the Bill had been misinterpreted and, as a consequence, that money would be deducted in the February payment, which it was. This Bill simply puts those people on, which was the original intent. I ask for your favorable consideration."

Speaker Ryan: "Is there any discussion? The question is, 'Shall House Bill 216...Representative Getty?'"

Getty: "Mr. Speaker, would the Gentleman just yield for this question? I think we ought to have in the record what the cost will be."

Smith, Irv: "Yes, Sir. The cost is about 51,000 dollars, Representative."

Getty: "Is that a one time cost?"

Smith, Irv: "No, that's...that would be an annual cost, because they're part of the system."

Getty: "And what...what's the increased accrued liability?"

Smith, Irv: "I didn't...I didn't hear the question."

Getty: "What is the increased accrued liability?"

Smith, Irv: "I don't have that answer."

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Getty: "Would the amount of..."

Smith, Irv: "Excuse me, the increase...about a half a million."

Getty: "All right, fine. Thank you."

Speaker Ryan: "Is there any further discussion? Care to close, Representative?"

Smith, Irv: "Yes, I simply ask for your favorable consideration."

Speaker Ryan: "The question is, 'Shall House Bill 29...2169 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 144 voting 'aye', 1 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House...On page 10, under the Order of House Bills Third Reading, appears House Bill 178, Representative Van Dwyne. Representative Van Dwyne, you want your Bill heard? Read the Bill."

Clerk Leone: "House Bill 178, a Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Ryan: "Representative Van Dwyne on House Bill 178."

Van Dwyne: "Than...Thank you, Mr. Speaker. House Bill 178 addresses what we call a void in the laws...or in the Probate Law; but really the Bill becomes Amendment #1. And I've been listening to the aide of Judge 'Dow', the presiding Judge of the Probate Court of Cook County, to help me on this. And he's the one that actually designed the Bill. It addresses the problem we have in the Probate Act, which allows certain people who are not, and I repeat, not convicted of murder, to inherit the estate of the person that they have killed, intentionally and unjustifiably; and I give you three examples, real quickly: One, they're not guilty by reason of insanity; and voluntary manslaughter, either plea bargained or just ordinary voluntary manslaughter; or certain cases of

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mur...Am I saying this right, Mike? All right, I'm going to get off this Bill with the indulgence of my colleagues, and let the reputable Mr. Getty plead my case for me. Would you do that, Mike? Justice Getty, Probate Court. Judge Getty. Anyway, with...with the indulgence of my colleagues, I'll turn it over to Representative Getty."

Speaker Ryan: "What is it you're going to turn over to him?"

Van Duyne: "The last half of my dissertation."

Speaker Ryan: "The Gentleman yields his time to the Gentleman from Cook, Representative Getty, in regards to House Bill 178. Proceed, Representative Getty."

Getty: "Thank you, Mr. Speaker. Members of the House, what House Bill 178 will do, as amended, is make the law regarding testate and intestate succession the same as the law is presently, in Illinois, in regard to inheritance from a joint tenant or being the beneficiary of an insurance policy where the decedent was killed through an act of the beneficiary or joint tenant. Currently, a beneficiary would not inherit, even though he is the beneficiary, if he intentionally and unjustifiably caused the death of the decedent. In like manner, a surviving joint tenant is not permitted to inherit that surviving joint tenancy where he intentionally and unjustifiably caused the death of the decedent. However, under the law in the Probate Act, unless you are convicted of murder, you may inherit, either under a will or as an intestate successor. What this leaves open is the case where a person is convicted of voluntary manslaughter or some other act which unjustifiably and intentionally causes the death of the decedent, and then that person, even though sentenced to the penitentiary, is permitted to inherit as a result of...the present state of the law. Because of the difficulty, and in order to correct the record based upon

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the comment by Representative Van Duyné earlier, the Bill, as amended, does not address anything to do about a finding of not guilty by reason of insanity. We could not do that because of the...difficulty in intent; and we must establish intent in order to make a person unable to inherit. The result of this Bill will be a fair and equitable result, in that a person who intentionally and unjustifiably causes death, will no longer be able to inherit. Judge 'Dow', when he appeared before us, explained right now there is a person who is going to inherit a very sizeable estate before him, who is doing 80 years in the penitentiary, part of which sentence was due to killing the decedent. I suggest this is an excellent Bill. It brings the statute into a realism, in that a person who commits a violent act causing death, intentionally and unjustifiably, ought not to inherit."

Speaker Ryan: "Is there any further discussion? Representative Collins? Just a minute, Representative. Mr. Doorkeeper, would you please clear the chamber of all unauthorized people? Anybody that hasn't got a pass, escort them to the door. Representative Collins."

Collins: "Well, Mr. Speaker, I'm not sure I understood Representative Getty. Would you ask Representative Van Duyné to explain this for us please?"

Speaker Ryan: "Any further discussion? Now, who's going to close on this great Bill? Representative Getty."

Getty: "Mr. Speaker, I will just ask for a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall House Bill 178 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. LeRoy could have said that, Representative Getty. Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 163 voting 'aye', 2 voting 'no', and this Bill, having received a

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Constitutional Majority, is hereby declared passed.
Representative Brummer?"

Brummer: "Yes, I think we ought to congratulate Representative Van Dyne. He's been working on this Bill for eight years, in a way it's his first Bill, and I think he deserves a round of applause."

Speaker Ryan: "I can understand why it took him eight years to pass it. I've been asked to go back and pick up some House...House Bills Second Reading, Short Debate Calendar. There's three Bills there that we're going to run...or call, on page 4 of the Calendar. On page 4 under House Bills Second Reading, Short Debate Calendar appears House Bill 2359, Representative Giorgi. Want that Bill called, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2359, a Bill for an Act relating to loans granted to corporations from the Corporate Loan Fund. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 2425, Representative Friedrich. Read the Bill."

Clerk Leone: "House Bill 2425, a Bill for an Act to amend the Retailers' Occupation Tax Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Friedrich. Amends House Bill..."

Speaker Ryan: "Representative Friedrich, on Amendment #1 to House Bill 2425."

Friedrich: "Mr. Speaker and Members of the House, this is a technical Amendment brought to me by the Department of Revenue, and it does not change the intent of the Bill. I move its adoption."

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Speaker Ryan: "The Gentleman asks for the adoption of Amendment #1 to House Bill 2425. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 2577, Representative Stearney. Out of the record. All right, we're going to go back now to okay Representative Giorgi's Bill, 2359, is moved to the Order of Third Reading Short Debate. Representative Friedrich's Bill is moved to the Order of Third Reading, Short Debate. That's House Bill 2425. Now, back on page 10 of the Calendar, under the Order of House Bills Third Reading, appears House Bill 468, Representative Sandquist. Want the Bill heard? Read the Bill."

Clerk Leone: "House Bill 468, a Bill for an Act in relationship to the beer industry. Third Reading of the Bill."

Speaker Ryan: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker. I'd like leave of the House to have this taken back to Second Reading for purposes of Amendment."

Speaker Ryan: "The Gentleman asks leave to return House Bill 468 to the Order of Second Reading. Are there any objections? Hearing none, leave is granted, and House Bill 468 is returned to the Order of Second Reading. Do you have the Amendment?"

Clerk Leone: "Amendment #2, Sandquist. Amends House Bill 468, as amended."

Speaker Ryan: "Representative Sandquist, on Amendment #2."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 takes care of a misspelling and a grammatical error that were brought up when we discussed this Bill yesterday, so it puts it in technically correct form, and I'd ask adoption of the Amendment."

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Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 468. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments?"

Speaker Ryan: "Third Reading."

Sandquist: "Mr. Speaker?"

Speaker Ryan: "Yes?"

Sandquist: "I'd like leave to ask the House to suspend the appropriate rule so we could heard this today on Third Reading. We discussed it at length yesterday."

Speaker Ryan: "The Gentleman asks leave to have House Bill 468 heard on the Order of Third Reading to suspend the appropriate rules. Are there any objections? Hearing none, leave is granted, and we will now hear House Bill 468, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 468, a Bill for an Act in relationship to the beer industry. Third Reading of the Bill."

Speaker Ryan: "Representative Sandquist, on House Bill 468."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that I'm sponsoring with Representative Stuffle. We did discuss it at length yesterday, and we have now made the...the technical corrections which were brought up yesterday. What it is, it's the...creates the beer Industry Fair Dealing Act, and it has now the support of all members of the...of the industry, both the dealers, the wholesalers, and the...it has support of Liquor Control Commission. I...I don't think there's...I think we discussed it yesterday, and I just ask your favorable support. Representative Stuffle will close. I...I guess Representative Bowman has a question, and..."

Speaker Ryan: "Is there any discussion?"

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Sandquist: "We'll...we'll let Representative Stuffle. I thought he answered it, but go ahead."

Speaker Ryan: "Representative Bowman."

Bowman: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Yes, we did have a full discussion of this yesterday. I must say, I'm...I'm not wholly convinced. I...I get very nervous when I see things that look like fair trade laws. You know, you may recall that we had fair trade laws that, in effect, were provided government sanctioned price fixing for retailers, and...and I just get very nervous when an industry wants something. You know, industries keep coming down here asking to...us to do things for us, pleading with us to do things for them. Like, the automobile dealers come down here, and they want to be closed on Sundays, so they want us to pass a law to require them to be closed on Sundays. I...I get very...very nervous about those kinds of Bills, and...and I frankly feel that this Bill is...is one of that...in that category, and for that reason, I stand in opposition to it."

Speaker Ryan: "Any further discussion? Representative Stuffle, to close."

Stuffle: "Yes, Mr. Speaker and Members. Very briefly, I would just ask for a favorable Roll Call. I think that you heard the arguments for the Bill yesterday. The Bill is needed, I think, in answering Representative Bowman's questions yesterday. You heard that there was substantial reason to pass this Bill, to protect the interest of the public and to protect the interest of distributors in the relationship with the brewers. We worked out disagreements between those two parties with regard to the Bill, cleaned up the technical aspects of the Bill that were problems with regard to the Amendment just put on by Representative

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Sandquist. I don't think you've heard any reasonable opposition to the Bill, or any specifics stated in its opposition; so, for those reasons, for the reasons cited yesterday, the need for the Bill is obvious. I would ask for a favorable Roll Call on House Bill 468."

Speaker Ryan: "The question is, 'Shall House Bill 468 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question, there is 128 voting 'aye', 23 voting 'no', 11 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. I missed House Bill 327 accidentally. Representative Rea, do you want your Bill heard? Read the Bill, Mr. Clerk. House Bill 327."

Clerk Leone: "House Bill 327, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Ryan: "Representative Rea."

Rea: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 327 would repeal that Section of the Illinois Commerce Commission Regulatory Mandate, which permit utility companies to pass the cost of transportation for fuel directly on to the consumer as an automatic escalation. This provision was adopted in 1977 as a way of relieving...the utilities, who, at that time, faced with rapidly escalating fuel costs and implementation of pollution control measures. What happens at the present time, is that, as transportation costs increase for out-of-state coal, those costs can automatically be passed on to the consumer without having to receive any approval by the Illinois Commerce Commission. As a result, there is no incentive whatsoever for the utility companies to utilize Illinois coal. As a result, we are seeing more and more western coal come into Illinois each year and end up

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costing the State of Illinois. This Bill would help put to work many coal miners. It would also help in other types of employment, and would certainly be one that would help as far as economic developments for the State of Illinois. This would also help the consumer in the long run, and this does not mean that the utility companies would not be able to request additional costs based upon transportation, but instead, they would have to go before the Commerce Commission, and they would certainly have to justify those costs. In addition to myself, there are several other hyphenated Sponsors and Cosponsors, and at the end of the discussion, I will call upon or would ask that Representative Ralph Dunn, who is one of the hypnated Sponsors, close. I would ask for a favorable Roll Call."

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

Conti: "Mr. Speaker, will the Gentleman yield?"

Speaker Ryan: "He indicates he will."

Conti: "Representative, how long would it take for the coal mines to build the scrubbers that would meet the environmental requirements here in the State of Illinois, once you get your scrubbers built? How long would that take?"

Rea: "Well, actually, we're not just talking about scrubbers, we're talking about other technology as well, and as far as the...and there are the technologies that can be utilized, I know that one of the arguments might be, well, in terms of the monies that would be saved would certainly purchase scrubbers or provide other technology for being able to claim the...coal. And meet the environ...environmental standards."

Conti: "My main concern is, how long would it take to meet the requirements...environmental requirements? Just how long would that take? And we're not talking about two or three

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years, are we, when we're going to put all these people back to work, and we're going to start consuming Illinois coal? We're talking about, maybe, a decade?"

Rea: "Well, I think, you know...no, we're not talking about in terms of nine months, ten months, but we're talking about over a period, perhaps, of three to five years."

Conti: "Mr. Speaker, then may I speak to the Bill? House Bill 327, I've always been a proponent to burn Illinois coal and I know what the intent of the Sponsor is, here. He has good intentions, but let me tell you what the Bill will do. It would prohibit the Illinois Commerce Commission for allowing public utilities to include coal transportation costs when computing elec...electrical fuel adjustment changes...charges. It's obvious to the Members of this General Assembly that the ultimate result of such action would be higher rates for utility customers in order to provide alleged but unsubstantiated benefits to the Illinois coal industry. The intent of House Bill 327 is to increase the consumption of Illinois coal by the Illinois utilities by creating an econ...economic disadvantage...or disincentive for the use of out of state low sulphur coal. The basic flaw in this proposal is that it fails to give any consideration to real reasons Ill...Illinois utilities have begun to import low sulphur out of state coal for the last ten years. Senator Johns clearly stated the problem back in 1979 during the Floor Debate on Senate Bill 1849, which is identical to your Bill today, Mr. Rea, that's under consideration. He said in referring to the problems facing Illinois coal, that the real bugaboo is the environmental regulations...they strangle the coal industry in Illinois. Environmental regulations have been the single most important cause for the importing of out of state low sulphur coal in Illinois. The evidence seems

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clear. In 1969, virtually no out of state coal was being shipped in Illinois. Listen to this please, Ladies and Gentlemen. In 1969, virtually no out of state coal was being shipped into Illinois. By 1971, just one year after the passage of the...original Clean Air Act, over nine million tons of out of state coal was being imported. In 1981, that figure was over eighteen million tons. Utilities utilize out-of-state coal do not so...do so because they like to, or because they can recover transportation costs and fuel adjustment costs. They do so because they are faced with the necessity of complying with stringent air quality regulations, and out of use of out-of-state, low-sulphur coal is often the most economical, cost-effective method of meeting these regulations. House Bill 327 would require utilities to finance all coal transportation charges until such time as those costs would be recovered as part of a rate request. Many utilities would be forced to borrow funds from the commercial money market at high interest rates, to cover transportation costs. In the end, the consumers would be asked to absorb not only the actual transportation charges as they now do, but they also may charge the interest expense on funds borrowed to cover the transportation charge. The Illinois Commerce Commission already is required to conduct an annual audit of each utilities fuel adjustment clause, to ensure charges made to the customers are fair and that they are accurate. Therefore, the only real impact House Bill 327 would be to impose economic penalties on the very industry responsible for burning about 80% of Illinois coal used in Illinois. Ladies and Gentlemen of this House, every time we start out to help somebody, we actually hurt the ones who could really afford it the least. In Chicago alone last year, there were over

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3,000 shut-offs because they couldn't pay their rates. Now, we're going to mandate more regulations on the utilities; and let's not fool anyone. Last, and not even more important than anything else, is the impact of these in penalties and increased costs would ultimately be borne by the utility customers, the customers, the very customers that complained ...they cannot pay their rates now. I...I...I urge everyone in this House to vote against this Bill."

Speaker Ryan: "Further discussion? The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill. The automatic fuel adjustment clause would allow Illinois utilities to pass through the consumers as much as twenty-one dollars a ton for transportation of western coal into Illinois, while Illinois coal transportation cost averages three and a half per ton. In 1980, 47% of all the coal used by the four principle Illinois electric utilities was produced in Montana, Wyoming and Colorado. In 1970, these states produced only 3% of the coal used in Illinois. In 1975, they produce 31%, while our miners were laid off. Illinois utilities now have no incentive to look within the state for their fuel purchases, and I think that's the crux of this Bill, is to provide that incentive, and certainly to...in doing so, to improve the...the welfare of the coal miners, the coal industry, and the economy of the state, and I urge your support."

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

Dunn, Ralph: "Thank you, Mr. Speaker. If there isn't any other discussion about it, I'd like to close, if I may. I'm a hyphenated Cosponsor. Okay, there ..."

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Speaker Ryan: "We've got lots of discussion here, Representative.

I thought you wanted to discuss the Bill. Do you want to hold your comments?"

Dunn, Ralph: "I...I'll hold my remarks and close, please...please."

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

Abramson: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. While we all have sympathy for the unemployed miners in the state, this Bill would not accomplish its stated purpose. All it would end up doing is costing the consumer, the Illinois rate payer, more money. It would merely delay the reimbursement to the utilities of their transportation fuel costs and thereby, cause them additional interest expense. Also, it would make them, in the long run, build scrubbers at the additional cost of billions of dollars to the Illinois consumer. I urge a 'no' vote on this Bill."

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

Bullock: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Representative...Will the Representative yield for a question?"

Speaker Ryan: "He indicates he will."

Bullock: "Representative Rea, in your dissertation, you made no mention of the Federal Clean Air Standards...Federal Clean Air Act. Do you see that having any bearing on the Illinois coal industry?"

Rea: "The Clean Air Act does have, certainly, bearing on the coal industry, and because it does control the...the burning of...of the sulphur content of the coal, and this is one of the things that, certainly, has...has held back the use of Illinois coal. But, under the environmental standards, there are methods and techniques whereby that Illinois coal can be utilized, and this particular piece of legislation

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would help provide that incentive to...to utilize Illinois coal, and at the same time, the utility companies would be able to still go through the process by going before the Illinois Commerce Commission, rather than the automatic pass through."

Bullock: "Well, Mr. Speaker, I'd like to address the Bill. Mr. Speaker, and Ladies and Gentlemen of the House, this is one of the few times that I stand in opposition to the Sponsor on a measure that he's trying to create employment in Southern Illinois. It appears to me that the proper direction for such a proposal would not be toward Illinois public utilities. I'm not necessarily enamored by the public utilities in our state, but at the same time, I recognize that citizens require service, and if they require service, they have to be prepared to pay for those services. And, I don't think restricting the amount of reimbursement that utilities can acquire in this manner is acceptable. I don't see it having the desired effect of creating emp...jobs in Illinois. To the contrary, I see it as serving as a disincentive for those public utilities to expand, and some of them, in turn, will have to contract and consequently, there will be less jobs. I think that the Sponsor might rethink the proposal in light of that, and I certainly will not be able to support the Bill."

Speaker Ryan: "Further discussion?" The Gentleman from Wayne, Representative Robbins."

Robbins: "Mr. Speaker, and Ladies and Gentlemen of the House, in Jasper County, CIPS has just built a new...two new generating facilities. One of them is burning out of state coal; not the first one they built, but the last one, because they can buy it...the coal cheaper, and they can stick the freight to your consumers, to the man and woman that can't afford to pay all of the extra costs; so when

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you...when you look at these things, we need something to show these...utilities if they intend to build in Illinois, they should build to burn Illinois coal and they should not build to burn coal from Indiana and Wyoming and Kentucky and other places. So, I think that we need to support this Bill to help hold down utility rates and not increase them, because they are using the automatic fuel adjustment clause as a means of bypassing the Commerce Commission to get a rate increase."

Speaker Ryan: "Further discussion? The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House. I think the Sponsor, Mr. Rea, and the previous speaker on the other side of the aisle made it clear that the Synopsis is not completely accurate on this Bill. It says the Bill provides that the transportation costs of coal shall not be included in the computation of fuel costs in the determination of utility rates by the Commerce Commission. It can be, in a proper hearing. What the Bill says, it can't be automatically put in in the fuel adjustment clause so that it's automatically passed on to the consumer, and I think this is good. I don't think the transportation costs should be automatically passed on to the consumer. I think the utilities should be forced to justify it before the Commerce Commission. If they justify it under House Bill 327, then it will be included in the rate base. If they can't justify it, then it won't be. So, I think that in the short run, we're going to have savings to consumers by not automatically passing on the transportation costs of coal from Wyoming and Montana to the consumer. Secondly, in the long term, this will be a good environmental Bill. Mr. Abramson gave that away when he said what this Bill's going to do in the long run is make the utilities have

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scrubbers for Illinois coal. Well, that's good. That should be the long term...long run purpose of the Bill. That will protect our environment, and that will increase employment in Illinois. So, on all three levels, on the level of saving money for the consumer by excluding the transportation costs, the automatic fuel adjustment clause, it will save the consumer money on electric bills. Secondly, in the long term, it will help the environment by causing the utilities, as Mr. Abramson said, to put in scrubbers; and thirdly, it will help the Illinois economy, because once they put in the scrubbers, they're able to burn Illinois coal. So, I think we have a good Bill, a reasonable Bill, even though I'm from the consumer area and not from a coal producing area, I think House Bill 327 is a good piece of legislation, and I intend to support it."

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

Alstat: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill, being from an area of the highest coal production in the State of Illinois, and seeing the coal miners that are laid off, seeing the coal that's coming into this state from other parts of the United States, with high severance taxes. This is what's rising your utility bills out of reach. If we have scrubbers, other environmental safeguards that are...with this type of legislation would promote the building and installation of by not taking the easy route and just automatically tacking on the transportation charge to the consumer, we can help the Illinois economy. We can get these coal miners back to work, and we can also, I believe, hold the cost down to the consumer, and I think that's what the ultimate idea of all this is. I ask you very much for an 'aye' vote on House Bill 327."

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Speaker Ryan: "Any further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I rise in support of this fine piece of legislation. What we're trying to do here today, is not to take something away from the power companies. We're not trying to do something that's unfair, but we're simply trying to rearrange the system so that it's more fair to Illinois coal. Under the present Illinois system, the power companies can automatically pass through the costs of foreign coal. Now, this Bill would not say that they cannot recover those costs. Certainly, they would still be able to recover the transportation costs of western coal, but what we're saying is, that they would now have to go through the Commerce Commission hearings the same way they do to recover the costs of salaries and other operating expenses. But, the way this system is set up today, it unfairly gives the utility companies an incentive to burn western coal, 'cause they know that they're going to get that money immediately. Besides that, we have to consider that if the Commerce Commission will at least look at these transportation costs and review them, there is some incentive to hold down the costs of transporting foreign coal to Illinois. Under the current situation, they can run up costs as high as they wish, and these expenses are automatically passed through to the consumer. I think all we're really trying to do is to set up a fair system, so that the Illinois coal companies can compete fairly with the western coal companies. Now, I happen to represent a district where, just last week, 450 coal miners were laid off, and they were laid off because there's no market at this time for Illinois coal. I think that by passage of this Bill, we will at least be giving the Illinois coal

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producers a fair chance to market and sell their coal here in Illinois. I think it's a fine Bill, and I would ask for your favorable vote."

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

Vinson: "Thank you, Mr. Speaker. I wonder if the Sponsor might yield for a question."

Speaker Ryan: "He indicates that he will."

Vinson: "Representative Rea, on page 4, lines 24 through 27 of the Bill, I believe that is basically the major change enacted by the Bill, is that right?"

Rea: "Yes, that is correct."

Vinson: "Now, would you explain to me what that introductory prepositional phrase means, for the purposes of this paragraph? What...what that limitation deals with?"

Rea: "As...as...Representative Vinson, the earlier part just tells what the provision is, and then, this here paragraph here,...at the beginning, just tells how it is applied."

Vinson: "Well, am I...am I right in thinking that your prohibition of...including transportation costs...that what...that what the purpose of that prepositional phrase is, is that it just limits that prohibition to the automatic pass through?"

Rea: "That is correct."

Vinson: "So that the utility would not necessarily be prohibited, nor would the Commerce Commission be prohibited from approving a...transportation cost at some other time in some other mechanism. They just couldn't do it as part of the automatic pass through."

Rea: "That is correct."

Vinson: "Is that right?"

Rea: "That is correct, yes."

Vinson: "Okay, so that mean...would mean, then, that

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like...when...when I get my bill this month, and it says where we've got the...the automatic pass through, that I couldn't be charged for transportation costs in that automatic pass through."

Rea: "That...that is correct."

Vinson: "And then, if the utility wanted to charge me somehow, for that automatic pass through, and if the Commerce Commission wanted to approve it, that would have to be part of some overall rate increase request."

Rea: "That...that is correct, yes. They would have to go through the process of requesting it and be approved. Before then, they could pass it on, on your utility bill."

Vinson: "So what, in effect, would happen would be that, instead of charging it to me this month, they would be delayed from charging it to me, and they'd have to wait and then put...try to put it into some rate request several months down the line, whenever they filed a new rate request."

Rea: "Not necessarily, because if they make the projections ahead of time, and if they're more accurate in their projections, this has been one of the problems that the major utility companies have...have been facing, and in fact, they have over estimated the amount of energy that has been needed in many instances of the past."

Vinson: "Okay, now I'm not quite sure I understand that. What...all I'm saying is that if they can't charge it to me in that monthly adjustment, in the fuel adjustment clause...if they can't charge it...charge it to me every month, all I'm asking is, that means that they'd have to come in later and amend...and amend their overall rate and charge it to me then. Isn't that right?"

Rea: "In principle, that's correct, but if they make their proper estimation and projection, there should be no...no problem in doing it that way."

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Vinson: "Okay, to the Bill, Mr. Speaker. I...I...I am elucidated by the Gentleman's remarks. What the Gentleman just indicated to the Chamber, if the Chamber was listening, is that the utility can't charge us this month for the cost of transporting coal. They're going to have to charge us at a later time, after there's been a rate increase approved, as part of that rate increase. Now, what that means is, they're going to be delayed in charging us for that...for those transportation costs. What that really means is, that when they get that delay, when they can't charge us now, it means they got to go borrow the money to pay for that transportation cost. And, when you borrow money in the kind of market we've got...a prime rate...16 - 17%, then when we get charged, we're not just going to get charged for the transportation cost, but also, in addition, 16 or 17% on the money they had to borrow to pay for that transportation cost. And that's why, unfortunately, much as I would like to vote for this Bill, I can't vote for it, because it included...what it, what it absolutely ensures, is that we're going to have a cost 16 or 17% in addition to what we would have in the absence of this Bill. And, because we...we just cannot...I mean, as much as I would like to help the coal industry at this point, we just cannot charge consumers an extra 16 or 17% to...to satisfy the coal industry. I just don't think that's fair, and I would urge people to vote against the Bill in the furtherance of lower utility costs."

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

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of HB 327, and I think there is a lot of misunderstanding on the House floor, obviously, from the kind of comments and...that...and discussion that this

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Bill has generated. I think that those of us who live in the Chicago area should still be concerned with this Bill, and I hope that Members from the Chicago area are paying close attention to this Bill. All this Bill will do is to disallow the utilities from automatically passing along the cost of transportation. I don't think that this is a horrendous act. I'm certain that, as other speakers have alluded to, that the public utilities at this time certainly haven't complained that they're getting an unfair shake from the ICC or that the ICC isn't sympathetic to their cause...to...to their cla...claims. However, someone needs to be sympathetic to the...to unemployed coal miners, someone needs to be sympathetic to consumers who are forced to...to continue to...to absorb the costs for other decisions that they have no input into. I think this is a good Bill, and all of those who are concerned with the economic picture in this state, who are concerned with the economic picture for individual constituents, who are concerned about the plight of the unemployed coal miner, will find themselves voting 'yes' on this Bill. Thank you."

Speaker Ryan: "Now, is there further discussion? The Gentleman from MacLean, Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Ryan: "Yes."

Ropp: "Mr. Sponsor, would it not be easier or/and quicker to modify the state and federal EPA regulations relative to this matter?"

Rea: "The...no, because we have no control over the federal regulations. We did pass House Bill 516 a couple of years ago, which did lower the state standards down to the federal standards, but that was as far as we could go as far as state legislation."

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Ropp: "Well, don't we have Representatives that live in southern Illinois and in the coal mining areas that serve us in Congress?"

Rea: "There are discussions that are going on in Congress on this...this area, but this is...is only one of...of the problems that...that we're faced with."

Ropp: "Well, it seems to me that we have people that we could look to in order to resolve some of these problems in Washington that represent us, and on a second point, as has been represented very adequately by Representative Vinson, and that pertaining to the fact that where we've got some 10 to 11 months delay from the Commerce Commission, we're paying a sizeable amount of interest that we, as consumers, will be having to pick up; and, certainly, we're not getting any value from any of the energy by the burning of Illinois coal, when we have to pay for that interest. Therefore, I urge a 'no' vote on this Bill."

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

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

Speaker Ryan: "The Gentleman moves the previous question. All in favor will signify by saying 'aye', all...all...all opposed by saying 'no'. The 'ayes' have it, and the Gentleman's Motion prevails. Representative Rea, to close."

Rea: "Mr. Speaker, I would ask that Representative Ralph Dunn, as a...as a hyphenated Sponsor, close." for that interest. Therefore, I urge a 'no' vote on this Bill."

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

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

Speaker Ryan: "The Gentleman moves the previous question. All in favor will signify by saying 'aye', all...all...all opposed by saying 'no'. The 'ayes' have it, and the Gentleman's

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Motion prevails. Representative Rea, to close."

Rea: "Mr. Speaker, I would ask that Representative Ralph Dunn, as a...as a hyphenated Sponsor, close."

Speaker Ryan: "The Gentleman...the Gentleman yields to Representative Ralph Dunn, the Gentleman from Perry, to close."

Dunn, Ralph: "Thank you, Mr. Speaker and Members of the House. I...we've heard a lot of discussion about this Bill. We've heard some red herrings thrown across the path. We've had people tell us that this Bill has something to do with scrubbers that cost millions of dollars. It doesn't have anything to do with scrubbers. It doesn't have anything to do with the Clean Air Act. All that this Bill says is that we will not allow, or the General Assembly will not allow utilities to just automatically pass through the cost of coal and buy it from wherever they want to buy it. If we can get this so that they will have to go to the Commerce Commission to get authorization to raise their rates, we have a strong suspicion that they will try to burn coal that will not cost them as much. If this is going to be a burden to the utilities in some manner, so that, as one of the speakers said, so that they will have to add on the interest, I'm sure they'll be looking for sources not so far away as some of the western sources that they have. We think that they'll be looking to burn low sulphur coal from the Midwest, and from our area. This Bill is a Bill that's been around for quite a while. It got out of Committee last week. I'd urge your support of it. It's a consumer Bill. It's not a Bill to hurt the utilities and it's not a Bill to censure the Commerce Commission. It's a Bill to help the coal industry in Illinois. Some of the speakers talked about how much business we're losing, how our coal mines are closing down. We, in the Illinois Energy

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Resources Commission; and I'm the Chairman of that Commission this year...we support the Bill, we've had it around for quite a while. The Bill is endorsed by the United Mine Workers of Illinois. They strongly support the Bill and the concept of it. It is sponsored by several consumer groups. The South Counties Action Movement supports the Bill. I'd urge an 'aye' vote on House Bill 327. Thank you."

Speaker Ryan: "The Gentleman...the...the question is, 'Shall House Bill 327 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. One minute, Representative Levin, to explain your vote."

Levin: "Yes, Mr. Speaker, in explaining my 'aye' vote, I was pleased to support the Bill in Committee and to vote for it on the floor. I would point out just two facts in support of the Bill. One is, that the cost of Illinois coal is substantially less than western coal, so that, you know, economically, it can be done. And secondly, the figures that we got from the Energy Resources Commission suggests the amount of Illinois coal burned by Illinois utilities has decreased dramatically in the last ten years. Ten years ago, 98% of all coal that was burned by utilities came from Illinois. It is now down to 52%. I don't represent a district downstate, but I'd like to help out the downstate mine workers and the coal industry by supporting this legislation."

Speaker Ryan: "Representative Birkinbine, one minute to explain your vote."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Every proponent of this Bill has indicated that its ultimate goal is the further use of Illinois coal. Well, to be able to use Illinois coal, we must have scrubbers on the stacks of the utilities. Why don't we address the

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problem directly. If, indeed, that's what we want, why don't we direct the power companies to install scrubbers and either pass the cost directly on to consumers, or we in the Legislature will float funds to cover the cost? The cost is going to be about 2.3 billion. The annual cost of maintaining them is about a quarter of a million dollars a year, but if that's what we want, let's do it directly. Let's not force the power companies to have to take this back to one of the bureaucratic commissions. Any such rate re...increase request takes about 11 months to process. You pay for that and I pay for that. This is sort of a Rube Goldberg type of approach to solve a problem. It's not direct, and it's not the correct way to go at it."

Speaker Ryan: "The Gentleman from Effingham, Representative Brummer. One minute to explain your vote."

Brummer: "Yes, and in explaining my 'yes' vote, I would like to hopefully cut through all the rhetoric we've had regarding this issue. It seems to me, it's a very simple issue. If you're with the consumers and the United Mine Workers and the AFL-CIO, you'll vote 'yes'. If you're with the public utility companies, you'll vote 'no'."

Speaker Ryan: "Representative Rea, one minute to explain your vote."

Rea: "Thank you, Mr. Speaker. In explaining my vote, I would like to point out there's a misconception in terms of the interest rate costs. I know this has been used a number of times, but this is not the case, because what can happen is that you still get your adjustment cost by making your projection ahead of time, and then you are not going to have to pay that additional interest rate. So...it...you know, as we look at the Illinois coal and we look at all the out of state coal coming in, and over the last ten years we see the amount of replacement of out-of-state coal

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going up all the time, and the Illinois coal going down. This is a Bill that...that can help us, both in the short range and in the long range, and I would ask that you give this serious consideration. In Illinois is a time when we have the..."

Speaker Ryan: "Representative Leverenz, one minute to explain your vote."

Leverenz: "Thank you, Mr. Speaker. Just for clarification, the pass through of cost would have to be justified to the ICC under the Bill. It does not simply prevent pass through, but makes them justify. That's got to give consumer benefits. You may have problems getting the ICC to act fast, but that can be dealt with at a later date, and it provides competitive atmosphere for the Illinois producer. Thank you."

Speaker Ryan: "Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, I believe this Bill might be appropriate to verify, and I want to indicate my intention to make that request at this time."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 98 voting 'aye', 59 voting 'no', 9 voting 'present'. The Gentleman from DeWitt, Representative Vinson, has requested the verification. The Gentleman from Franklin, Representative Rea, requests a Poll of the Absentees. Call the Absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Braun. DiPrima. Flinn. Hoxsey. Katz. Krska. Kucharski. McCormick. Murphy. Stearney and Telcser. No further."

Speaker Ryan: "Are there any changes? Representative Kelly?"

Kelly: "Thank you, Mr. Speaker. No, there isn't a change, but I'd like to have permission to be recorded as 'yes'."

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Speaker Ryan: "I believe you are. How is the Gentleman recorded?"

Kelly: "Well, I want...I'd like to leave."

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

Speaker Ryan: "You want to be verified, Representative?"

Kelly: "I want to be verified as 'yes'."

Speaker Ryan: "Representative Kosinski, Representative Vinson, and Representative Kelly and Representative Findley would all like to be verified. And Representative John Dunn. The rest of you are going to have to check with Representative Vinson if you want to be verified. All right, on this question, Representatives, there are 98 voting 'aye', 59 voting 'no', and 9 voting 'present', and the Clerk will call the affirmative vote."

Clerk Leone: "Poll of the Affirmative. Alexander. Alstat. Balanoff. Bartulis. Beatty. Bell. Bower. Bowman. Bradley. Breslin. Brummer. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Deuchler. Domico. Donovan. Doyle. John Dunn. Ralph Dunn. Farley. Findley. Dwight Friedrich. Garmisa. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Huff. Jackson. Jaffe. Johnson. Jones. Kane. Keane. Dick Kelly..."

Speaker Ryan: "Just a minute, Mr. Clerk. Representative Levin, for what purpose do you seek recognition?"

Levin: "Yes, may I have leave to be verified?"

Speaker Ryan: "You'll have to ask Representative Vinson that question. Representative Vinson, Representative Levin would like to have leave to be verified. Read...Mr. Clerk."

Clerk Leone: "Dick Kelly. Klemm. Kornowicz. Kosinski. Kulas. LaHood. Laurino. Lechowicz. Leon. Leverenz. Levin. Loftus. Madigan. Martire. Matijeovich. Mautino. McAuliffe. McBroom. McClain. McPike. Ted Meyer.

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Hulcahey. Oblinger. O'Brien. O'Connell. Pechous.
Pierce. Pouncey. Preston. Rea. Reilly. Rhem.
Richmond. Robbins. Ronan. Saltsman. Satterthwaite.
Schneider. Slape. Margaret Smith. Stanley. Steczko. E.
G. Steele. Stewart. C. M. Stiehl. Stuffle. Tate.
Turner. Van Duyne. Watson. White. Winchester. Sam
Wolf. Younge. Yourell and Zwick."

Speaker Ryan: "Representative Vinson, you start out with 98 voting 'aye', 59 voting 'no', and 9 voting 'present'. Do you have any questions?"

Vinson: "Representative Beatty."

Speaker Ryan: "At his desk."

Vinson: "I beg your pardon?"

Speaker Ryan: "At his desk."

Vinson: "Representative Balanoff."

Speaker Ryan: "Representative Balanoff's at her desk."

Vinson: "Representative Breslin."

Speaker Ryan: "Representative Breslin is here at the press box."

Vinson: "Representative Donovan."

Speaker Ryan: "Representative Donovan. Gentleman's in his... in his chair."

Vinson: "Representative Farley."

Speaker Ryan: "Representative Farley. Representative Farley in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Vinson: "Representative Johnson."

Speaker Ryan: "Representative Johnson. How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him. Representative Vinson, Representative Garmisa would like to be verified."

Vinson: "Verify him then, please."

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Speaker Ryan: "Remove Johnson from the Roll Call."

Vinson: "Representative Leon."

Speaker Ryan: "Representative Leon. Representative Leon. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Vinson: "Representative Martire."

Speaker Ryan: "Representative Martire. Representative Martire in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him."

Vinson: "Representative Matijevich."

Speaker Ryan: "Right here at the well."

Vinson: "Representative McAuliffe."

Speaker Ryan: "Representative McAuliffe. Representative McAuliffe. Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call and return Representative Leon."

Vinson: "Representative McGrew."

Speaker Ryan: "Representative McGrew. Representative McGrew in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Ryan: "Proceed. Gentleman's recorded 'no', Representative."

Vinson: "Representative O'Brien."

Speaker Ryan: "Representative O'Brien. Is Representative O'Brien in the chamber? How is the Gentleman recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Slape."

Speaker Ryan: "Representative Slape. He's at the back of the

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chamber."

Vinson: "Representative Winchester."

Speaker Ryan: "At his desk, as usual."

Vinson: "Representative Domico... Domico."

Speaker Ryan: "Representative Domico. Representative Domico.
The Gentleman in the chamber? How is the Gentleman
recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Jaffe."

Speaker Ryan: "Who did you say, Representative?"

Vinson: "Representative Jaffe."

Speaker Ryan: "Representative Jaffe. Representative Jaffe. Is
the Gentleman in the chamber? How is the Gentleman
recorded?"

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

Speaker Ryan: "Remove him."

Vinson: "Representative Lechowicz."

Speaker Ryan: "They tell me, Representative Vinson, that
Representative Lechowicz is in the nurse's station."

Vinson: "I beg your pardon?"

Speaker Ryan: "They tell me that he has gone to the nurse's
station to get..."

Vinson: "Representative Lechowicz?"

Speaker Ryan: "Yes."

Vinson: "Well, if that's the case, then I won't question his
presence on the Roll Call."

Speaker Ryan: "Alright. Proceed."

Vinson: "Representative Pechous."

Speaker Ryan: "Representative Pechous, at his desk."

Vinson: "Representative Preston."

Speaker Ryan: "Representative Preston. Representative Preston.
Is the Gentleman in the chamber? How is the Gentleman

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recorded?"

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

Speaker Ryan: "Remove him from the Roll Call."

Vinson: "Representative Cullerton."

Speaker Ryan: "At the well."

Vinson: "No further questions."

Speaker Ryan: "Representative Preston. Return Representative Preston to the Roll Call. On this question there are 91 voting 'aye', 59 voting 'no', and 9 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 668, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Having voting on the prevailing side, I would now move to reconsider the vote by which House Bill 327 passed."

Speaker Ryan: "The Gentleman, having voted on the prevailing side, moves to reconsider the vote by which House Bill 668(sic, 327). Representative Rea moves that that Motion lie on the table. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Motion carries. House Bill 668, Representative Catania. Out of the record. House Bill 6..869, Representative Reilly. Read the Bill."

Clerk Leone: "House Bill 869, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Ryan: "Representative Reilly, on House Bill 869."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 869 simply deals with a problem some of the smaller school districts in our state are having. It amends the school aid formula to say that the very small schools get whatever little bit of state aid they're entitled to, under the formula. Currently, there's a floor; and, if they don't have a minimum number of

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students, they don't get anything. The fact is they'll get almost nothing, under this Bill; but, as a matter of principle, it seems to me and to those Representatives around the state, who represent areas with such small schools, that they ought to get what they're entitled to, under the formula. I'll be glad to answer questions, but I would ask for a favorable Roll Call on House Bill 869."

Speaker Ryan: "Is there any discussion? Question is, 'Shall House Bill 869 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 144 voting 'aye', 8 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 891, Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 891, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Ryan: "Representative Reilly, on House Bill 891."

Reilly: "Thank you, Mr. Speaker. House Bill 891 deals with a problem that's been brought to us on the Education Committee by a lot of elementary teachers around the state who are, essentially, saying that, by a small degree, too many of the kids that are in the entering class; that is kindergarten or first grade, whichever you're looking at, are not quite old enough, not quite mature enough. What this Bill does is move the date for entrance back from having your birthday by December 1st. It moves it back in stages to take care of whatever school aid problems that it might otherwise cause back to September 1. The research on the subject would suggest this ought to be done; that you get a better age group. The teachers that have testified and that have brought this to my attention, in meetings around the state, indicate that that would be better. This

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does not, in any way, change the present situation whereby the exceptional child, who is exceptionally mature or exceptionally bright at an early age, can still be admitted to school. It simply changes the mandatory entrance age. Again, I'd be glad to answer questions, and I would ask for a favorable Roll Call on House Bill 891."

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

Getty: "Will the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Getty: "Do I understand that this would require that you must have attained the age of six by September 1st?"

Speaker Ryan: "Turn on Representative Reilly, would you please?"

Reilly: "In a... In a series of... it would be one month at a time; but, in over a four-year period, it would move it back to September 1st."

Getty: "I'm not sure I understand why this is such a good idea."

Reilly: "Well, the... I don't know that I can add a great deal to what... what I said. The feeling is among elementary teachers that I've talked to. The research also is among those who've done educational research on this; that, by having Decem... Any date is arbitrary. I'll concede that right off the bat, but that by having December 1st, which is a relatively late or early date; I mean, you get.. you get relatively young kids into the class, that an awfully big percentage of them are not mature enough to deal with the school situation. They aren't ready for it, in terms of reading readiness. They're not ready for it, in terms of maturity; and so it's just my feeling and the feeling of a majority of the Committee that, while the change isn't going to make a revolutionary amount of difference, that it would be better; and, we're on solid ground to move it back to September 1."

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Getty: "Well, the result of this would be to reduce enrollment.

Is that right?"

Reilly: "No."

Getty: "Well..."

Reilly: "It would not reduce enrollment at all; and, once you got to September 1st, it would have no effect on enrollment at all."

Getty: "But it would have an interim effect over the phase in period of every year reducing a percentage of those students who would go that year, under present law, would have to wait to enroll until the following year. Is that correct?"

Reilly: "They wouldn't be... They wouldn't be required to be admitted that year. Again, whatever test... readiness testing the district does; if they found a child that was specially qualified, they could. Now, if I could take a liberty in answering your question, I... part of the question that's come up before, in terms of reducing enrollment, deals with the formula; and, if... My argument here is a little complicated, but I think true, in terms of our experience. So long as you reduce... Whatever reduction there is, and it's very slight. After all, we're talking about one month. But so long as whatever enrollment is, the fact is that around here, in deciding what money to put in the formula, we decide a gross amount. Okay? Whatever that may be, a billion and a half, a billion, eight. Whatever it may turn out to be, and then, in fact, we end up amending the formula. To some extent, the formula automatically amends itself, and whatever amendments we do are to the end of spending a billion, eight. What I'm saying to you is, any given school district, whether it's a city, or Jacksonville or any other school district will get, to the dime, exactly the same

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amount of state aid, so long as we proportionately reduce the enrollment. It will not... If that's where you're coming from, and that's a perfectly legitimate concern; is not going to reduce aid to any district, so long as they're all in the same situation."

Getty: "But the number of... the average enrollment in a school district having a disproportionately large number of very young students would result in affecting their aid, as compared with a school district made up of a more average or less number of young students."

Reilly: "That's... That's almost unimaginable, though, Representative Getty, that there is a significant variation; and, statistically, it's just impossible for the city. I mean, the city is such a huge proportion of all the school kids in the state that it's just statistically impossible for that large a sample to vary from the statewide average. That's ... That's just not something to worry about."

Getty: "Could you tell me what, if any, groups support this? School boards, the IEA, if any."

Reilly: "In... In Committee... In Committee the School Board Association and Ed Red' both supported this. I really don't know the whole group. I know that the... some of the groups that are concerned with education of very young kids have indicated, personally, to me support. I don't have the witness slips here. I don't know what all the groups were. There was no major opposition in Committee."

Getty: "Nobody testified against it?"

Reilly: "The Chicago Board, I am told, filed against it but did not testify."

Getty: "Alright. Thank you."

Reilly: "The IEA, I am told, did file for it but, again, did not testify."

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Getty: "I'm sorry. I didn't hear that, Sir."

Reilly: "The IEA was another group you asked about. They did file in favor, but they did not testify, however."

Getty: "Alright. Thank you."

Speaker Ryan: "Is there any further discussion? The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for some questions?"

Speaker Ryan: "He indicates he will."

Satterthwaite: "Jim, in your opening remarks, I believe you alluded to some possibility for waiving the age requirement at the local school district level."

Reilly: "Yes."

Satterthwaite: "Is that currently part of the law?"

Reilly: "Yes."

Satterthwaite: "So there's nothing in here dealing with the waiver provision?"

Reilly: "No, we still allow that. A lot of school districts do readiness testing of one kind or another; and, whatever the results of that show, they're still able to take into account."

Satterthwaite: "Do you know whether that is specifically allowed by law or not? My impression is that, while some school districts do that, many school districts refuse to do that, because they don't feel that there is explicit authority for them to make that kind of waiver."

Vinson: "Alright. I'm getting advise over my shoulder here. It's my understanding that that is explicitly allowed, at the current time, by regulation, not by statute. Now, I feel, very strongly, that that is something school districts ought to look at, and I know you hear this all the time; but, I was just aware of that. I mean, I thought it was in the statute. It turns out it's in the regs and not in the statute. I know you hear it all the time; but,

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if you can see your way clear and the Membership sees its way clear to move this Bill over to the Senate, and that is certainly something I'm willing to try to deal with. Because, if there's a problem of school districts claiming they don't have the authority to do that, I'm certainly willing to clarify that."

Satterthwaite: "Well, I am concerned about that provision, specifically, since this Bill would, in fact, move the age up to a higher age at which people could be accepted. The input that I've had in my district is that, in the rural areas, many people are suggesting this higher-age limit. However, in the more urbanized areas, where, in some cases, we already have all-day kindergarten programs available, exactly the opposite seems to be true. I think, if we were able to provide all-day kindergarten programs as an alternative, not a mandatory thing, but an alternative, then moving the age limit up might, in fact, be beneficial. But, to do one without making the provision for the other, also seems to me to be a problem. We now have many children who spend all day in nursery school programs for a couple of years before they go to kindergarten. Going to kindergarten to a half-day program is a step backwards from what they've had previously; and, so, to put an additional handicap for parents in trying to keep their children in a consistent flow of educational opportunities, seems to me to be going backwards."

Vinson: "Well, two responses. One is, and we're not talking about a year. We're talking about four months, but I... if there are some school districts that are hiding behind the fact that the allowance for situations is only in the regulations and not in the statute, you have my word that we'll deal with that in whatever final form this Bill has."

Satterthwaite: "I would certainly think that would be an

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improvement. At this stage, I don't feel I can support the Bill; but, if it should get to the Senate, I think we would definitely need that improvement."

Speaker Ryan: "Is there any further discussion? The Lady from DuPage, Representative Fawell."

Fawell: "Thank you... Thank you, Mr. Chairman(sic, Speaker). I think I can perhaps shed a little bit of light on this. I have taught kindergarten for a few years, and you will find that most kindergarten teachers agree, especially if the males were kept home longer, rather than just the males and females. It would work out a lot better. The problem is that the children, particularly the boys, at this age do not have proper eye-hand coordination. They do not have... They are not as mature as the girls, at this age. I realize this sounds rather sexist, and I realize we cannot pass a law just saying that the boys should stay home and the girls should continue at the age we've got them now. But I do, honestly, think, as a former school teacher, as a former kindergarten teacher, this is an excellent Bill. It should be passed, and I think, if you will take a poll among kindergarten teachers, you will find that they do agree with me, and I ask for a favorable vote for this Bill."

Speaker Ryan: "Further discussion? Representative Yourell."

Yourell: "Will Representative Reilly yield to a question?"

Speaker Ryan: "Indicates he will."

Yourell: "Jim, in... when you put the Amendment to this Bill, did you provide that, in order for a child to be enrolled in the first grade, that he must be six by September 1st and, in kindergarten, must be five by September 1st?"

Reilly: "Yes. Now, to lessen... to lessen..."

Yourell: "Thank you."

Reilly: "To lessen the fiscal impact, we do it by months, but

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that's the eventual result."

Yourell: "Yeah. Thank you, very much. You were fortunate you got your Bill out of Rules. I couldn't get mine out."

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

Hallstrom: "Thank you, Mr. Speaker. Would the Sponsor yield to..."

Speaker Ryan: "Indicates that he would."

Hallstrom: "Representative Reilly, I asked this question in Committee, and I want to make sure everyone else understands. Isn't it true that there still will be a chance for exceptions, as there is now, within our present law?"

Reilly: "Yes."

Hallstrom: "Thank you."

Speaker Ryan: "Further discussion? Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just two points. Number one, the research, unequivocally, supports this legislation. A number of other states have already moved to this. The phase in, over a three-year period of time, has a tendency to mitigate any financial considerations. Also, the fact of the matter is that it is the way the formula is presently written. All money that is appropriated will be distributed. It merely will move the dollar support up per pupil. So the argument that there's a big financial pain in this legislation will not hold up, on the basis the way we distribute the money. Therefore, I rise in support of this legislation and would ask the Body to support it, likewise."

Speaker Ryan: "Is there any further discussion? Representative Reilly, to close."

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Reilly: "Thank you, Mr. Speaker. I think we've had an adequate discussion. The Bill deals, in good faith, with an important subject and would help the educational system. I would ask for a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall House Bill 891 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 132 voting 'aye', 22 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 955, Representative Vinson. Want the Bill heard, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 955, a Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Speaker Ryan: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I would move to table Amendment #1. Oh, yes, Mr. Speaker, I would like to return the Bill to Second Reading for purposes of Amendment."

Speaker Ryan: "Representative Vinson, the Bill's on Third Reading now, and you want to return it to the Order of Second Reading?"

Vinson: "Yes, Sir."

Speaker Ryan: "Gentleman asks leave to return House Bill 955 to the Order of Second Reading. Representative Younger, for what purpose do you seek recognition?"

Younger: "The subject matter of the Amendment is."

Speaker Ryan: "Pardon me?"

Younger: "I want to know what the subject matter of the Amendment is, when we get to that stage."

Speaker Ryan: "Well, is it okay with you if he takes it back to the Order of Second Reading? You don't object to that?"

Younger: "I don't object to that, no."

Speaker Ryan: "Alright. The Gentleman asks leave to return House

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Bill 955 to the Order of Second Reading. Are there objections? Hearing none, leave is granted, and the Bill is now on the Order of Second Reading."

Vinson: "Mr. Speaker, I would move to table Amendment #1."

Speaker Ryan: "Would you explain, for Representative Younger, what Amendment #1 does to the Bill that you want to table?"

Vinson: "Amendment #1 was a defective Amendment, the substance of which was to require reimbursement for three classes of drugs; but, because of the way it was drafted, it was defective."

Speaker Ryan: "Alright. The Gentleman asks leave to table Amendment #1. Representative Kane, did you want to talk on Amendment #1?"

Kane: "To ask a question."

Speaker Ryan: "On the Motion."

Kane: "On the Motion."

Speaker Ryan: "Certainly."

Kane: "You mean, isn't it moot, since Amendment #2 deletes everything after the title and, basically, rewrites the Bill? Amendment #1 no longer exists after Amendment #2."

Speaker Ryan: "Representative Vinson."

Vinson: "Well, I'm glad to find that Mr. Keane's (sic Kane's) on his toes. My intention is to amend... or is to table Amendments #1 and 2, to make sure that the Bill is in pristine posture; to withdraw Amendment #3, and then to adopt Amendment #4, which your staff drew, which is the preferred language for the substance of Amendment #2."

Kane: "It's always nice to know what your intentions are, Sam."

Speaker Ryan: "You're absolutely right about that, Representative. Your point is well taken. Representative Conti."

Conti: "Mr. Speaker, I... I'd say either the analysis is wrong or Vinson was wrong, because I noticed that Amendment #1 was

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tabled. That's all I was going to call to attention."

Speaker Ryan: "The Gentleman asks leave to table Amendment #1. Are there any objections? Hearing none, leave is granted. Amendment #1 to House Bill 955 is tabled. Representative Vinson."

Vinson: "Now, Mr. Speaker, I would ask leave to table Amendment #2."

Speaker Ryan: "Now, the Gentleman asks leave to table Amendment #2. Are there objections? Hearing none, leave is granted. Amendment #2 is tabled."

Vinson: "Now, Mr. Speaker, I would ask leave to withdraw Amendment #3."

Speaker Ryan: "Withdraw Amendment #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Vinson, amends House Bill 955..."

Speaker Ryan: "Representative Vinson, on Amendment #4 to House Bill 955."

Vinson: "Thank you, Mr. Speaker. After extraordinary collaboration among the lawyers and staff in this General Assembly, on both sides of the aisle, we have an Amendment that we believe is technically accurate and satisfies the esthetic concerns of everybody involved in the process. Amendment #4 would put the Bill, substantively, in the same position it was on when it was on Third Reading, but it would do it in a much more elegant form. And, so I would move for the adoption of Amendment #4."

Speaker Ryan: "Any discussion? The Gentleman moves for the adoption of Amendment #4 to House Bill 955. Representative Giorgi, do you seek recognition? Representative Giorgi. Oh, Representative Satterthwaite."

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

Speaker Ryan: "Indicates that he will."

Satterthwaite: "As I read this Amendment now, the only way that

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it would have any effect is if we pass another law. Why do we need to pass a law saying we would have to pass a law to provide for reimbursement?"

Vinson: "Representative, you read the Amendment improperly. This Amendment says that we will have reimbursement, and there will not be the necessary... the necessity for any further Amendment or law."

Satterthwaite: "We already have a law that provides for this reimbursement."

Vinson: "We already..."

Satterthwaite: "Is that what you're saying?"

Vinson: "We already have a law that provides for Medicaid reimbursement for drugs. This Amendment amends that law and specifies how that reimbursement will operate in certain cases."

Satterthwaite: "If we already have the law that provides for reimbursement for these drugs, why is this law necessary to change that?"

Vinson: "Well, because the current law is not a good law, and this will improve the current law."

Satterthwaite: "How would this operate differently from the current law?"

Vinson: "Ah, to the substance of the Amendment. The way in which this will operate differently from... from current law is that this will strip the Department of Public Aid of certain elements of discretion in their operation of the Medicaid reimbursement for drugs program. It will strip them of their discretion in how they will reimburse for certain drugs, for the treatment of hypertension, cardiovascular or arthritic disease. Now, you might ask, 'Why is that a good idea', and I would suggest to you that it's a good idea because it will keep many people from being incarcerated in long-term care facilities; because

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these drugs, which this Amendment will mandate the Department reimburse for, are the kind of drugs that make it possible for senior citizens, particularly, to be ambulatory rather than to be incarcerated in such facilities."

Satterthwaite: "But, if the law already requires reimbursement for these particular drugs, what does this law do different from what we already have in the books?"

Vinson: "Your error is in your assumption that the law does require reimbursement for these particular drugs now."

Satterthwaite: "Do we also require, for instance, that reimbursement be made for anti-convulsants?"

Vinson: "For what?"

Satterthwaite: "Anti-convulsants."

Vinson: "I... I'm sorry, you're going to have to repeat that."

Satterthwaite: "Drugs... drugs that keep people from having convulsions."

Vinson: "I have no idea as to what the status of the law is on that particular kind of drug, Representative. Essentially, what the issue is is that the Department has a restricted formulary. What that means is, that there are only certain drugs that the Department will reimburse for. Now, some people argue that the Department ought to reimburse for all drugs. Some people argue that the Department ought to only reimburse for those drugs the Department wants to reimburse for. All I'm saying is that the Department shall reimburse for this specific, limited group which have particular application to keeping the senior citizens ambulatory and out of long-term care institutions."

Satterthwaite: "Would these have to be prescribed?"

Vinson: "Yes."

Speaker Ryan: "Are you through, Representative Satterthwaite?"

Satterthwaite: "Well, I really still don't see that this provides

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us with a mechanism for reimbursement other than through the law that we currently have. If we simply need to add specific drugs to a list that's already approved, why aren't we doing it that way instead of putting in a whole new paragraph?"

Vinson: "Because that's what we're doing by putting in the new paragraph."

Satterthwaite: "Have these been funded, previously?"

Vinson: "Well, the...that's.. There's a complex answer to that question. Number one, there was a time, a long time ago, when the Department of Public Aid was not too concerned about costs in Medicare... Medicaid reimbursement, where they reimbursed for virtually everything. At that time, those drugs... these drugs were reimbursed. Relatively recently, we have been concerned about cost control in the Medicaid item. Now, what the Department has done is gone to this restrictive formulary, in the reimbursement program, for these drugs. One of the things that they have done is to remove certain drugs for the treatment of hypertension, cardiovascular and arthritic disease from that formulary. So, they will not reimburse for those particular drugs. Now, it is my position that we might be going too far by requiring the Department of Public Aid to reimburse for each and every drug that a physician prescribes. That's a basic policy argument that other people will raise with you. All I am raising with you is that we really ought to require Public Aid reimbursement for this limited group of drugs, because with this limited groups of drugs; number one, the likelihood is we're going to save money by requiring reimbursement for them, because we will keep people out of long-term care facilities and; number two, many drugs, in these... in this.. these classes, fall into the wonder drug sort of treatment where

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there really isn't a legitimate substitute."

Satterthwaite: "Well, Mr. Speaker and Members of the House, I'm still not convinced in the need for this Amendment; but, perhaps, since it looks as though this is the total substance of the Bill, we should allow it to go on and worry about Third Reading instead of Second."

Speaker Ryan: "Further discussion? Representative Getty."

Getty: "Mr. Speaker, Members of the House, yesterday I raised a couple technical questions concerning the Amendments that had been on here. One of those questions went to... purely technical question, and the other one had to do with a negative in the Act that would have, if that Amendment stayed on the Bill or was on the Bill, then we would have had no ability, in the Department of Public Aid, to deny a fraudulent claim, to deny a duplicative claim or such things as that. Amendment #4 would clear that difficulty up and make the Bill straightforward. Now, regardless of your question on the merits of the issue, and some people may be opposed to it on its merits, Amendment #4 does put the Bill into a proper technical shape to present to the Body. And, for that reason, I think, in good faith, I'm going to support Representative Vinson's Amendment, which was done at my request, in order to have an intelligent Bill before the Body. So, I'm going to vote 'aye' on this Bill, and I would encourage those who would not want an Amendment to be on it that would permit fraud to vote 'aye' with me."

Speaker Ryan: "The Lady from Marshall, Representative Koehler. Oh, you turned your light off. Alright. The Gentleman from Bond, Representative Watson."

Watson: "Thank you, Mr. Speaker, I'd like to ask the Sponsor a few questions. I'd like to ask the Sponsor a few questions."

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Speaker Ryan: "Pardon?"

Watson: "I'd like to ask the Sponsor a few questions."

Speaker Ryan: "It's certainly alright with me."

Watson: "Is it alright with the Sponsor?"

Vinson: "I'm game, too, Mr. Speaker."

Speaker Ryan: "There you are."

Watson: "This is for the pharmacists. How does this affect generic drugs, Sam?"

Vinson: "This has no impact on the Generic Drug Law in this state. The Generic Drug Law in this state is carried in a separate statute; and, in fact, I would construe the language, in line 12 of the Amendment, that language that says 'according to law', as requiring the gene... that this be read in tandem with the Generic Drug Law."

Watson: "So, currently, the Department tells us, as pharmacists, that we can use certain medication, but we are only going to be reimbursed at a certain cost. What you're going to do is take away that cost and we can use whatever drug we so wish, as long as the doctor prescribes. Is that true?"

Vinson: "I didn't... I didn't catch the question."

Watson: "We have a generic drug."

Vinson: "Yes."

Watson: "The doctor prescribes, let's just say, Darvon Compound, which is an ethical manufacturer made by Lilly, but the... it is also made generically, which is considerably less expensive. Currently, the Department says that we will only be reimbursed for that generic drug and not for the cost of Darvon, the original cost. So, we have to use the generic drug, in order to... naturally, to regroup our costs. How will this be... affect that?"

Vinson: "Okay. There are two points in response to your question. Number one, the Department may restrict reimbursement for these drugs, pursuant to the Federal

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Maximum Allowable Cost Program. Number two, if the proper boxes are checked and signed by the doctor in the prescription, according to the Generic Drug Law, then a generic may be substituted."

Watson: "I've heard you refer to this, it's going to save money. How... Has the Department established any kind of a cost figure on this?"

Vinson: "The Department alleges that the immediate operation of the Bill would cost two million dollars. They do not take into account any savings, for making patients ambulatory."

Watson: "Well, let me just address the Bill, just for a moment, if I might. We, currently, can buy Darvon Compound from our wholesaler for about 50 dollars a five hundred. We can buy the generic equivalent for \$17.50 a five hundred. The Department tells us, as pharmacists, that we will be reimbursed at the lesser amount. So, naturally, we use the generic. If we are allowed to use the ethical firm, the 50 dollar per five hundred; and, naturally, this is going to be a considerable amount of cost passed on to, not only the taxpayer... or the Department of Public Aid, but to the taxpayer. They're going to have to be paying the difference. Often times the generic drug is manufactured by the same firm and the same company that makes the ethical drug, the original brand name, as we so call it. So, it's the same drug, in a lot of cases; but, for... in this particular case, about a third the price. So, I believe that, if we pass your Amendment and, ultimately, pass your Bill, this is going to be a considerable cost, not only to the Department, but the taxpayers of Illinois. And I would urge that we vote 'no' on your Amendment and also on the Bill on Third Reading, if the Amendment is successful. The Illinois Pharmacists' Association is also opposed to this concept of open formulary and the chipping

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away that you have done with the three areas of drugs that you're concerned with. So, I just want that to be read into the record and would wish that the Members vote 'no' on this Amendment; and, if it is successful, vote 'no' on Third Reading. Thank you."

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

Leverenz: "Quick question of the Sponsor."

Speaker Ryan: "He'll yield."

Leverenz: "With the Amendment, would this cause additional monies that would have to be spent? Do you foresee that this would increase costs?"

Vinson: "No, Sir. I would foresee that this would reduce costs by making patients ambulatory."

Leverenz: "I understand it might have just the opposite effect. Thank you."

Speaker Ryan: "Further discussion? Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker. I believe, quite innocently, one Member who spoke in regard to the Amendment misrepresented the position of a group. The Illinois Pharmacy Association testified in favor of the Bill, as amended, in Committee. This Committee... This Amendment is the substance of what they were testifying on in Committee. Now, in regard to the substance of the Bill, some people will argue to you this Session that all drugs that any doctor prescribes ought to be reimbursed for by the Department of Public Aid, if they're for a Medicaid Eligible recipient. I am suggesting that there might, in fact, be a medium ground that virtually everybody, in this General Assembly, can agree on; that, in this particular area of drugs for hypertension, cardiovascular and arthritic diseases, we are in an area that is very likely

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that the proper drug can make a patient ambulatory, can keep a person out of a nursing home. We are in an area where, because of the wonder drug and because of the breakthroughs in the field, where it's a mistake to have a bureaucrat in the Department of Public Aid say that that's an inappropriate drug for the treatment of an individual when the doctor, who has looked at the individual and who knows the drug, says, in fact, that is the appropriate drug to treat that individual with. For those reasons, I would move for the adoption of Amendment #4."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #4 to House Bill 955. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1271, Representative Hoffman. Representative Peters in the Chair."

Speaker Peters: "It's the intention of the Chair to go through, at least one time, all of the Bills on Third Reading. House Bill 1271, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1271, a Bill for an Act in relationship to the Total English Immersion Program. Third Reading of the Bill."

Speaker Peters: "Representative Hoffman."

Hoffman: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. The title on this Bill is a misnomer. This Bill has nothing to do with the Total English Immersion Program. The Bill was changed from the enacting clause... costs on to provide relief to three school districts whose... where the assessed valuation went up so much that their dollar extension levy forced their rates down below the qualifying rates. This addresses the school district

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in Quincy... Elementary District, in Bell Val...the Bell Valley District and affects the O'Fallon High School District. And we changed those rates, which affect the 1980 rate for qualifying for state aid, to deal with this. We did the same thing last year for two other districts, the Casey District and the Galatia District, and I would ask for your support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 1271 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all vote... Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this.. Slape 'aye'. On this question... Younge 'aye'. Pechous 'aye'. Greiman 'aye'. Mr. Clerk, do you have the read out? It's Greiman 'aye', Pechous 'aye', Slape 'aye', LaHood 'aye'. Who else? Stewart 'aye', Younge 'aye', Ackerman 'aye', Conti 'aye'. What's the count, Mr. Clerk? On this question there are 161 'aye', 2 voting 'nay', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Findley, for what purpose do you seek recognition, Sir?"

Findley: "To make an announcement, Mr. Speaker."

Speaker Peters: "Proceed."

Findley: "When I was a college student, in the late '60's, there was a common expression on campus, 'Don't trust anyone over 30'. Well, today, a Member of the House joins those ranks of the untrustworthy, and I'd like to extend my greetings at the 30th birthday of my colleague, friend and running mate, Representative Mays."

Speaker Peters: "Happy birthday, Representative Mays. Representative Hoffman, what purpose do you seek recognition?"

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Hoffman: "As someone approaching 50, I can vouch for the fact that youth is wasted on the young."

Speaker Peters: "House Bill 1434, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1434, a Bill for an Act creating the Design Professionals' Administration and Investigation Fund. Third Reading of the Bill."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1434 would create a special fund known as the Design Professionals' Administration and Investigation Fund. It is similar to the Medical Disciplinary Fund and Dental Disciplinary Fund. It would enforce the four different Acts; the Illinois Architects' Act, the Illinois Land Surveyors' Act, the Illinois Professional Engineering Act, the Illinois Structural Engineering Act. It would not go into effect until Fiscal Year 1985. But what it does, it does have increased fees, which are put in by Amendment #2. These increased would... fees would be segregated until that time, with one-half going into the General Revenue Fund and the other half into this special Fund. The reason...the importance for this is to enforce the...these four Acts I just referred to, in their disciplinary proceedings. It would be of no cost to the state. I think it's an important thing. It does have the support of the Department of Registration and Education, and I'd be happy to answer any questions and ask your support of the Bill."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 1434 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Is

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everyone on? Take the record, Mr. Clerk. On this question there are 161 voting 'aye', 4 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1600, Representative Keane. Out of the record, request of the Sponsor. House Bill 1841, Representative Karpziel. Out? Out of the record. House Bill 1921, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1921, a Bill for an Act to amend the Boiler and Pressure Valve Safety Act. Third Reading of the Bill."

Speaker Peters: "Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, this is a Bill that exempts traction engine boilers and certain other boilers strictly for exhibition purposes only. It affects about 125 to 150 engines. They're used, basically, to be used on display purposes; and, currently, when some of these engines go out of state to perform for some other show and they come back into Illinois, they can't even show at an Illinois show. And this would exempt the current inspections. A lot of these are owned by people who were in the business a long time ago, and they're good, solid people that take care of these old-type engines for exhibition purposes only. I urge your favorable support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 1921 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Everybody on? Take the record, Mr. Clerk. On this question there are 147 voting 'aye', 12 voting 'nay', and 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House

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Bill 1938, Representative Kulas. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1938, a Bill for an Act to amend the General Not-For-Profit Corporation Act. Third Reading of the Bill."

Speaker Peters: "Representative Kulas."

Kulas: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1938, as amended, amends the Not-For-Profit Corporation Act. It provides that no certificate of incorporation shall be issued by the Secretary of State to any organization seeking incorporation under the Not-For-Profit Corporation Act whose articles of incorporation would permit the sale or consumption of alcoholic liquors, unless they comply to the stat... local ordinances and state laws, as far as liquor is concerned. Now, the reason for this Bill, Mr. Speaker and Ladies and Gentlemen of the House, is that a lot of these so-called social clubs are only storefront taverns which use this corporate charter to evade the state and local liquor laws. These places are usually run by gangs, which hide their extortion, narcotics and burglary operations out at these so-called social clubs. This would require that the Secretary of State would also notify all these so-called social clubs that, if they do not comply with the local or state laws concerning liquor, their charters would be revoked. I'll be glad to answer any questions, if anybody has any."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 1938... Representative... Representative Smith.'"

Smith: "Would..."

Speaker Peters: "He indicates he will."

Smith: "Would the Gentleman yield to a question?"

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Speaker Peters: "He indicates he will."

Smith, Harry: "On this matter, isn't this really a local liquor commissioner who should be enforcing this; and the fact that they are subject to the state law and the local laws already should be eminently clear. And what will the cost of this be, and what effect do you think, that this, merely telling them that they are subject to these ordinances and statutes have upon the people that you have referenced to?"

Kulas: "Well, the cost to the state would be minimal, because all it would require is that, in a... for future charters, and it would just be notification by the Secretary of State. Now, the Illinois Liquor Control Commission is for the Bill. Secretary of State has no objections to the Bill. Now, the reason you're saying that the problem right now, like in my area in Chicago, just in my single ward there are about 20 or 30 of these so-called clubs; and, when the police raid these clubs, they can't do anything because these people say, 'Well, we're not selling the liquor. It's just paid out of the members' dues.' So, unless the police actually see them selling the liquor, their hands are tied."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Bill. Representative Kulas does have a fine idea. It has the support of the Illinois Liquor Control Commission, and the Amendment, which was put on in Committee, does put teeth into...teeth into the Bill. And the Secretary of State does support it and says he can absorb the little extra cost. So, I ask... urge an 'aye' vote."

Speaker Peters: "Any further discussion? If not, Representative Kulas, to close."

Kulas: "I would just appreciate a favorable Roll Call."

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Speaker Peters: "The question is, 'Shall House Bill 1938 pass?'.

Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 161 voting 'aye', 2 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1992, Representative Yourell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1992, a Bill for an Act concerning land titles. Third Reading of the Bill."

Speaker Peters: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this legislation applies only to Cook County and provides for an increase in the fees from five dollars to ten dollars for the cancellation of a memorial. It costs ten dollars to place a memorial on a certificate of title, or ... an instrument of conveyance, or a lien or any such memorial, and it costs just as much to have to have it removed from the certificate of title. And that's the reason for the Bill. We tried to standardize the fees two or three years ago in legislation. We did that; and, inadvertently, we left this one off. I ask for a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 1992 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 voting 'aye', 1 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. House Bill 2044, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2044, a Bill for an Act to amend Sections of the Regulatory Agency Sunset Act. Third Reading of the Bill."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, this is a very simple Bill. All it does, It...it changes the date, the effective date of the repeal of the various Acts, under the Sunset Act, from October 1 of...of the year until December 31st, at the end of the year. The reason for that, we found last year, when we had seven of the various professions up, one of the professions was the Structural Pest Control Act which we agreed to keep in, and we passed legislation to keep it in. However, the Governor had an amendatory veto which he put onto that Bill. What happened was, we didn't act on that amendatory veto until sometime in November and; therefore, from October 1 until we acted, the structural pest control people were really not regulated. All this does is to extend that date so that this could not happen again. I don't think there's any controversy, and I would ask for a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 2044 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 166 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2056, Representative Yourell. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 2056, a Bill for an Act to amend Sections of the Real Estate Transfer Tax Act. Third Reading of the Bill."

Speaker Peters: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this legislation provides that tax exemptees and governmental property...governmental bodies also file a declaration, a transfer declaration so that we know when that property is exempt and when it is not. The City of Chicago presently has on their declaration of transfer declaration two boxes where it says exempt and not exempt. And all we're doing is trying to standardize it so that we know, when this property is sold, it is no longer exempt from a not-for-profit organization or a governmental body and should be placed on the tax rolls. I...I would be glad to answer any questions and ask for a favorable Roll Call."

Speaker Peters: "Any discussion? Representative Conti."

Conti: "Yes, would the Gentleman yield?"

Speaker Peters: "He indicates he will."

Conti: "It says it merely requires governmental bodies and non-profit organizations to file a declaration. What's the penalty if they don't?"

Speaker Peters: "Representative Yourell."

Yourell: "I don't think there's a penalty, Representative Conti. The Recorder in the City of Chicago will not...not file the transfer of the declaration, unless it shows in the box marked exempt. And I would assume that the Recorder would do likewise; and, you wouldn't be able to file the property or sell the property 'til that procedure takes place."

Speaker Peters: "Further discussion? There being none, Gentleman to close. Question is... The question is, 'Shall House Bill 2056 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 voting 'aye', 1 voting 'nay', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2075, Representative McMaster. Representative Mc...Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2075, a Bill for an Act to amend an Act relating to simultaneous tenure of certain public offices. Third Reading of the Bill."

Speaker Peters: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I will accept this Roll Call, if that's possible. Thank you, Mr. Speaker. This Bill is to clean up some wrongs that were committed with the passage of a Conference Committee Report on Senate Bill 1104, I believe it was, last fall. What the Bill would do would be to allow township officials, who are on town boards, serve simultaneously on county boards, as elected county board members, in counties under the size of 300,000. 300,000 or under. It would not affect the counties over 300,000. This seems to be the figure that was mutually agreed upon between vari...various people who are working on the legislation, and I would be glad to answer any questions."

Speaker Peters: "Any discussion? Representative Leinenweber."

Leinenweber: "Representative McMaster, what's the difference between this Bill and 2076, which I guess is probably coming down the line?"

McMaster: "Well, quite frankly, if I pass 2075, I will not move 2076."

Leinenweber: "What happens if you lose 2075?"

McMaster: "Then I've got 2076 as a back-up Bill."

Leinenweber: "Thank you."

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Speaker Peters: "Further discussion? There being none, Representative McMaster, to close. I'm sorry. Oh, Representative Satterthwaite."

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

Speaker Peters: "He indicates he will."

Satterthwaite: "Representative, why is the figure of 300,000 population there? Does the holding of these offices, simultaneously... is that improper for counties over that population now?"

McMaster: "Well, it is improper now in any county, regardless of size, for the... with the exception of the township trustee and the township supervisor. Township supervisors can serve on the county board, no matter what the size of the county. Township trustees in townships under 100,000 can serve on county boards, and this is trying to get the township clerk, assessor and road commissioner brought into the act, also."

Satterthwaite: "Well, my only concern is, if there is a conflict in counties over 300,000 population, why is there not a conflict in counties under 300,000 population?"

McMaster: "Well, Helen, I really think it is not on account of the conflict. It's on account of the desires of some people, should I say, on the other side of the rotunda who have, perhaps, some personal feelings in regard to the legislation and people serving on county boards. And it was their wish that we keep it in counties under 300,000, so they would exempt their counties from allowing this. I don't think it's a matter of ethics or anything else, Helen. It's some personal things, I believe."

Satterthwaite: "Are there matters that county board members would be voting upon that would influence the offices for these other office positions?"

McMaster: "Well, actually, as you know, that we do have laws in

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effect that allow people, who feel there is a conflict, to withhold their vote upon those issues."

Satterthwaite: "Well, Mr. Speaker and Members of the House, this reverses, in part, legislation that was passed fairly recently; and it seems to me that we would be in error, at this time, to be supporting legislation that reverses the attempt that was made to remove possibilities of conflict between various office holders within an individual county. I think, if there is any justification for keeping the current law on the books for counties of over 300,000 population, that that exists also in the smaller tow... the smaller counties, and I would urge a 'no' vote on the Bill."

Speaker Peters: "Further discussion? Representative Mautino."

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

Speaker Peters: "He indicates he will."

Mautino: "Tom, in some of these smaller counties, specifically Bureau County, there have been some Attorney General's opinions that eliminated members from the county board because of a conflict of interest when they also served on the municipal or village government, as well as the school boards, within the county. Would that... would that questions be designed to also put those township assessors, highway commissioners and clerks in the same position as what was previously decided by the Attorney General, as it pertains to school boards and municipal or village governments, as well as serving on the county board?"

McMaster: "Dick, I don't really know that there is a conflict, as far as a member of some board of a municipality or school board, either one, serving. I did not know there was a conflict or ruling in that regard."

Mautino: "Bureau County, the Ron 'Happock' case."

McMaster: "I don't know about it."

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Mautino: "Okay. Well, I... Originally, Tom, I had...had supported the concept of getting this squared away for those people that do serve in dual capacities; but, as I'm seeing, the decisions being addressed by the state's attorneys, in those smaller counties, I'm afraid that what we're going to do is put a lot of people in conflict by eliminating certain people from serving on the county board, as well as serving in township positions. And I think maybe we should correct it by not having any dual office holders in either township or county government, and would probably solve that problem."

McMaster: "Or perhaps, Dick, in allowing the legislation to allow them to serve on those county boards, Mr. Mautino."

Speaker Peters: "Further discussion. There being none, the Gentleman from Knox, to close."

McMaster: "Thank you, Mr. Speaker. We have discussed this Bill. I don't think it's really so much new legislation. I think it is correcting a mistake that was made in the process of the heat of a Conference Committee last year. Let me point out that I have a township Clerk, in one of the counties that I serve, who is also chairman of his county board. I think it's obvious that the people of that county and of his township have a great deal of faith in him as an individual. And I think, to force him to resign from one office or the other, would be very, very wrong. In another county neighboring mine, we have the problem of a road commissioner serving on a county board, and this is one of the larger counties. I believe something in the neighborhood of 200,000. And, in that case, the road commissioner would not be able to serve on the county board, and this was brought to my attention by a member of the news media in that county. And, so I think that it's really a very good Bill, and I would certainly urge the

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support of all of you. And, quite honestly, if the people desire to elect people to these offices, I think that they deserve the right to serve in those offices, and I would urge a green vote."

Speaker Peters: "Question is, 'Shall House Bill 2075 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 118 voting 'aye', 31 voting 'nay', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2076, Representative McHaster. Out of the record? Out of the record. House Bill 2167, Representative Ronan. Representative Ronan, did you say not yet? Yes. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2167, a Bill for an Act to amend an Act concerning cities, villages and incorporated towns. Third Reading of the Bill."

Speaker Peters: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. This is a very simple piece of legislation. All we're trying to do is review the aldermanic elections coming up in the City of Chicago, to increase the number of signatures required to file for office."

Speaker Peters: "Any discussion? Representative Bowman."

Bowman: "Yes, Mr. Speaker, Representative Ronan is a very soft-spoken man. I couldn't hear a word he was saying. There is a little noise on the floor, too. Could Representative Ronan please repeat that? I think this is a Bill that we'd be interested in."

Speaker Peters: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker, yes. What...what this Bill does is it... it's an attempt, it's a bipartisan attempt to

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look at the aldermanic elections that are going to be coming up in the City of Chicago and to... to move in the vein that this General Assembly did last year. As we're all aware, last year we raised the number of signatures necessary to file for State Representative and for Senator, and now we're interested in doing this for aldermen in the City of Chicago. I'm sure all of our downstate friends know that's a non-partisan election. Our aldermen in the City of Chicago aren't Democrats or Republicans. They're non-partisan public officials."

Bowman: "I see. Let me... Let me make sure I got this now. This increases the number of signatures that are required to get on the ballot if you want to run for alderman in the City of Chicago. Is that... Is that what you said?"

Ronan: "That's..."

Bowman: "That sounded to me like what you said."

Ronan: "Well, excuse me, Representative Bowman. I had a Member asking me another question at the same time. Would you... Why don't you repeat your question."

Bowman: "Well, I mean, it sounds like what you're trying to do here is to make it harder for people to get on the ballot who want to run for alderman in the City of Chicago, especially people who may not be incumbents, who may want to challenge what is euphemistically known as the Democrat machine in Chicago. It sounds to me as if increasing the signature requirements might actually make it more difficult for them to get on the ballot."

Ronan: "No, not at all, Representative Bowman. What we're doing here is looking at the aldermanic elections, and we want to have some parity in this state. As you're aware, you probably led the charge, just like most Members of the General Assembly, to raise the number of signatures for candidates for State Representative and State Senate. The

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number of signatures required for alderman is still minimal. It's not a big problem, even under this Bill. What we want to do is we want to show parity between the General Assembly and candidates in the city council... of Chicago."

Bowman: "Well, except..."

Ronan: "As I said, non-partisan candidates."

Bowman; "Well, yes, you have repeated that a couple times. I presume the people from downstate are probably incredulous that the aldermanic elections in Chicago are non-partisan. I mean, that's what it says on the books; but, if I could speak to that, I can assure everybody here, after having been through the wards in Chicago, they are not non-partisan. In any event, I would dispute the need for creating parity between the Representative Districts and the aldermanic seats... or the wards; because, after all, the wards are smaller. It seems to me, furthermore, that,... you know, the aldermen are... it's much tougher... tougher political job. It's a much more political job than being a Representative. Many ward committeemen are also aldermen. It's really the source of power, and it seem to me that, if we really want to open up the process, we want to reduce the number of signatures, not to increase them. Representative Ronan, you are a man who has generated many fine ideas for legislation, and I would hate to see your record sullied with this particular aberration. So, I would suggest that maybe you want to withdraw the Bill, before we go to a Roll Call."

Speaker Peters: "Representative Collins."

Collins: "Mr. Speaker, will the Gentleman yield to a question?"

Speaker Peters: "He indicates he will."

Collins: "Representative Ronan, this Bill, I believe, would raise the signature requirement for aldermen to that greater than

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required for State Senator. Is that true?"

Ronan: "Yes, Representative. It's a nominal increase. It's for aldermen in the City of Chicago. It's approximately 800 signatures. For State Senator, right now, it's..."

Collins: "It would...It would...It would be greater than required for State Senator. Is that not correct?"

Ronan: "Yes, it is, Representative."

Collins: "And are you familiar with the decision 'Moore' versus 'Ogilvie'?"

Ronan: "Sure."

Collins: "Well, then why would you put a Bill in that a United States District Court has already held to be unconstitutional?"

Ronan: "Well I always don't go along with the District Court. I don't feel that they're elected to the Illinois General Assembly. I think we have certain responsibilities, and I feel that this is one of my responsibilities, as it is yours. If we're going to let the Federal Courts dictate what we do down here, why don't we close up shop? That way I don't have to waste all my time during May and June to be here. Let's just let the Federal Courts tell us what we want to do."

Collins: "Well, Mr. Speaker, it is the courts' responsibility to interpret the laws that we've passed; and, of course, it is clearly my responsibility, as elected Representative, to speak... to rise and speak out in opposition to such bad legislation. This is such a bad Bill that I'm amazed that one of the campaign staff of the gubernatorial candidate in this state, who always has held that he stands for open elections, would indulge in such a blatant attempt to freeze out candidates for alderman in the City of Chicago. I'm shocked, and I would think that the gubernatorial candidate for the Democratic Party would be shocked that

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one of his campaign aides would indulge in such blatant, partisan, political efforts as this Bill. I think it is a shocking example of power-hungry organizations within the City of Chicago attempting to lock out responsible candidates for alderman within the City of Chicago. I know that all clear-thinking people, in this Body, who realize their responsibilities on Bills like this, will join with me in an effort to overwhelmingly crush this Bill. It's bad legislation, and I call upon everyone. Vote down this very bad Bill."

Speaker Peters: "Representative Griffin."

Griffin: "With all...Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to Representative Ronan and his very creative legislation, I think the quietness with which this was advanced, in some ways, is a little bit like the quietness with which the District Court came down with a reapportionment map that all of us have had a lot of occasion to be concerned about. And to... that that wasn't enough or that the cut-back that would silence the Mayor...the Minority in this chamber wasn't enough; now we have to go a step further and silence minorities in the City even more than they already have been silenced. Where will it end? I think those of us who have seen the horrors of a few people manipulating millions of citizens in the City of Chicago, in this last reapportionment, have seen the manipulation that's happened statewide. If they tolerate this, then I think they deserve exactly what they'll get. I don't think anybody in this chamber should support this. It's just another step in the direction of taking the right to choose, the right to take part in our government away from the people of our city; and, I think, by extension, the whole state. Please vote 'no'."

Speaker Peters: "Representative... Representative Bullock."

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Bullock: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Peters: "He indicates he might."

Bullock: "Representative Ronan, is it your intention, with this Bill, to insure the permanent extinction of Republican candidates for alderman in Chicago?"

Ronan: "In deference to the speaker of this question, Representative Bullock, as you're aware, being a constituent of the 2nd Ward of Chicago, aldermanic candidates in the City of Chicago run on a non-partisan basis. For example, the alderman of my ward in the 33rd Ward, I don't really know if he's a Democrat or Republican. I've never asked him his voting preference. So, you know, he may be a Republican, for all I know. So, no, there is no attempt. I think the Republican Party in Chicago is alive and well. I think it's in excellent shape, at the present time, under the leadership of the fine county chairman who sits on the other side of the aisle, and I have no problems with the Republican Party. I urge them to get involved. In fact, the Republican ward committeeman of our ward is a very good friend of mine. Whenever he brings me a request, I try to service that, just like any constituent."

Bullock: "Well, Mr. Speaker and Ladies and Gentlemen of the House, some of my best friends are Republicans. Because they are Republicans, and the county chairman is a dear, personal friend of mine, I think, out of deference to him, that, if you believe in the two-party system, you'll vote 'no' on this Bill. If you're a good, regular Democrat, straight party line Democrat, you vote 'aye' on this Bill. But, as I said before, Chairman Barr and I have come through the battles together, and I'd really like to know how he feels about this Bill. I know he's trying to stimulate interest in Chicago, and perhaps we ought to hear

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from a Republican county chairman."

Speaker Peters: "Representative Watson."

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

Speaker Peters: "Gentleman moves the previous question. All those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Representative Ronan to close. Representative Ronan to close."

Ronan: "Representative Kulas... Mr. Speaker, Representative Kulas had a question that he wanted to ask me. So, I said, 'Well, let's just wait till the question comes up'. So, I..."

Speaker Peters: "It comes too late, Representative Ronan."

Ronan: "Well, thank you, Mr. Speaker. Yeah, well, here's what I'd like to do. I don't want to deny the opportunity of a Member of the General Assembly to ask me a question. So, at this point, I'd like to take it out of the record until Representative Kulas has had a chance to discuss it with me."

Speaker Peters: "Out of the record. House Bill 2168, Representative Pullen. Representative Pullen. Out of the record. House Bill 2182, Representative Ralph Dunn. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2182, a Bill for an Act to amend Sections of the Illinois Coal and Energy Development Bond Act. Third Reading of the Bill."

Speaker Peters: "Representative Dunn. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 2182 is a Bill that is needed badly this year to amend the Coal and Energy Devel...Energy Development Bond Act so that we can sell bonds on the projects that we have before us in the Energy Resources Commission. It raises the ceiling from 7% to 15% or higher, as authorized by law. I think

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you will remember we passed a Bill just about like this, in fact it's the same Bill, just a few weeks ago out of this House, but it didn't apply, or we're afraid... or the attorneys are afraid that it didn't apply to the Coal and Energy Development Bond Act. So, this brings this into compliance, the same as we did with our other bonding authority. I'd be glad to answer any questions, and I urge an 'aye' vote."

Speaker Peters: "Any.. Excuse me, Sir. Any discussion? There being none, the question is, 'Shall House Bill 2182 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Representative Woodyard, would you get Representative Peters? Thank you. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 156 voting 'aye', 4 voting 'nay', 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2263, Representative Van Dwyne. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2263, a Bill for an Act to regulate solicitation and collection of funds to charitable purposes. Third Reading of the Bill."

Speaker Peters: "Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. This is an attempt to give the Lions' Club and the Kiwanis' Clubs and our other charitable organizations a little bit of relief in that, when they file their report with the Attorney General now, anything over 25,000 dollars has got to be... Well, if they go over 25,000 dollars, they have to accompany their report with a CPA's report. So, I'm merely changing the number, nothing else in the public law, from 25 to 50,000, in order to give them that relief. I would... It came out of Committee 13 to nothing. I'd appreciate your 'aye' vote.

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And, by the way, Harry and I are Cosponsors of the Bill."

Speaker Peters: "Any discussion? Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Peters: "He indicates he will."

Brummer: "Who... Who, currently, is required to file? Every charitable organization?"

Van Duyne: "Yes."

Brummer: "So, this would raise the exemption for fraternal organizations to 50, but would leave it at 25,000 for charitable organizations?"

Van Duyne: "No, it's ... to my knowledge, it raises all that come under the heading of charitable organizations."

Brummer: "Are there any Amendments on here?"

Van Duyne: "No."

Brummer: "Well, the... referring to line 12 of the Bill on page one, it says, 'every charitable organization, other than a fraternal organization, who shall receive, in any 12 month period ending June 30, any contributions in excess of 25,000 dollars'; and then, 'B)', it adds, 'every charitable organization whose fund raising functions are not carried on solely by persons who are unpaid'. And then you add, '(3) every fraternal organization which is registered, pursuant to Section 2 and who receives charitable contributions in excess of 50,000 dollars'. It seems to me that it creates a different standard for fraternal organizations than other charitable organizations, and I was wonder what the rationale for that distinction was."

Van Duyne: "Well, I don't have a copy of the Bill in front of me. Maybe we can dig it out, or maybe Harry has got something to add that I don't, but I didn't realize that we were creating any distinction, whatsoever. All we were doing is changing the numbers."

Speaker Peters: "Representative Leinenweber, to enlighten us."

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Leinenweber: "Well, I think the...this is a squeaky wheel approach. The fraternal organizations were the ones that wanted this, and I didn't hear from any charitable organizations that they had a problem. I think the fact of the matter is that most charitable organizations are considerably larger, but fraternal organizations almost all fall within the smaller group. So, Representative Van Dwyne and I have received many, many demands from the Lions' Club and the other fraternal organizations, because it's felt by them that the cost they incur, in obtaining the CPA audit, is such that... that they should raise this to 50,000 so that most of these smaller groups could not get out. The Attorney General, as I understand it, does not oppose the Bill."

Brunner: "No, my question is, though, why create the distinction between charitable organizations other than fraternal organizations? I mean, why require the other charitable organizations, which are non-fraternal, to still have this expensive audit if they raise money in excess of 25,000 dollars, but create a distinction of 50,000 dollars for fraternal organizations? Why not just raise all of them, as a result of the inflation which has occurred?"

Leinenweber: "Well, I don't think either Representative Van Dwyne or I would...would object to that. Certainly, in the Senate, it could be done; however, as I pointed out, I haven't heard from any charitable organization that it's a problem. I think the fact of the matter is they're all so big or much bigger than this, and the only ones that come in near the threshold are the fraternal ones, which... I don't really see any problem with making it uniform."

Brunner: "Okay, and the second question is, the definition of fraternal organization. Does that...does that appear at any other place in the statute?"

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Leinenweber: "I didn't hear you."

Brummer: "The definition of fraternal organization, who developed that definition?"

Leinenweber: "The Legislative Reference Bureau, I guess."

Brummer: "I was wondering if the Illinois General Assembly would fit within the definition. It's an organization having a common interest, a primary interest of which is to promote the welfare of its members and provide assistance to the public."

Leinenweber: "Well, we deal with much vast... such vast sums of money, in this Body, that it wouldn't be a problem."

Brummer: "Is a fraternal organization defined in the Not-For-Profit Corporation Act, for example, and does this.. is this definition consistent with that definition that's contained therein?"

Leinenweber: "I would hope that it was."

Brummer: "Well, I mean, do you know?"

Leinenweber: "No, but I would assume that the... whoever drafted the Bill, when asked to come up with a definition, would... I mean, they're... these people down there in the Reference Bureau are good at this sort of thing."

Brummer: "Okay. Well, I think the idea to raise the threshold is probably a well-advised one. I just don't understand why we don't do so with regard to charities... other charities as well. You know, there are a lot of small, charitable organizations, also, that would fall between the thresholds of 25,000 and 50,000 dollars, and it would seem to me advisable, for the sake of consistency, and seem to me that the same arguments would apply to other charitable organizations, as it would to the fraternal organizations if one can determine from this definition what fraternal organizations really are."

Speaker Peters: "Further discussion? Representative Leinenweber,

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to close."

Leinenweber: "Well, thank you, Mr. Speaker. The smaller fraternal organizations need this. It's a needed expense. I think the local Lions' Club pointed out to us, I think it cost them 1400 dollars to comply with the Act. This took money right out of their charitable pocket and gave it to a CPA, which, I guess, is good for the CPA's, but it's hardly along the lines of people who intend their money, when they donate it to the...these fraternal organizations, for their various charitable purposes. So, I think it's a good Bill. It, possibly, could be better if we made it broader, but it certainly does what Representative Van Duyne and I want it to do. So, I urge an 'aye' vote."

Speaker Peters: "Question is, 'Shall House Bill 2263 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Representative Van Duyne, what purpose do you seek recognition?"

Van Duyne: "I just wanted to indicate to Representative Brummer and all the rest of our colleagues that we would be only too happy to do that in the Senate."

Speaker Peters: "Wonderful. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 160, 160, 160 voting 'aye', 2 voting 'nay', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2274, Representative Tuerk. Out of the record. House Bill 2285, Representative Piel. Out of the record. House Bill 2289. The distinguished Gentleman from Stevenson, the towering oak, Representative Rigney."

Clerk Leone: "House Bill 2289, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Peters: "Representative Rigney."

Rigney: "Mr. Speaker and friends of the General Assembly, I want

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to talk to you a bit today about the problem of burden taxation. One... The Illinois Constitution, in the Revenue Article, allows for the apportionment of taxation, and we enacted the appropriate legislation here some years ago. I think Representative Cal Skinner was the author of that legislation that provided the process for assessing burden rates when it is felt that there are inequalities, as far as assessed valuations are concerned across county lines, in overlapping school districts, fire districts and so forth. Well, the result was that about three years ago situation developed between Cook County and Will County, where Representative Leinenweber, at that time, modified that legislation to say that a district itself, such as that school district, if the apportionment formulas, who were apparently not working correctly across county lines; that that school district or taxing district could opt out of that apportionment process. All we are attempting to do, under House Bill 2289, is simply to extend that same principle to the downstate counties, because we are finding now, for a variety of reasons, the apportionment process is simply not working in some of our downstate counties. In our Legislative District, for instance, in the Pecatonica School District last year, we had a situation where one side of that School District was paying a burden rate in excess of a dollar a hundred more than the other side of the county line. This has proved to be an intolerable situation. We need a way out of the woods, and this provides for it. We are not destroying the burden rate process. We are simply letting the local school districts and other taxing districts decide whether or not they want to have a burden tax rate."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 2289 pass?'. Those in favor will

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signify by voting 'aye'... I'm sorry. Representative
McPike."

McPike: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Peters: "He indicates he will."

McPike: "Harlin, who can opt out of this? Is this up to the
entire school district, or is it up to a ... to individual
townships or individual counties? I wonder if the staff
could sit down there a minute. Lee?"

Rigney: "It is the process... In the process, the overlapping
district, whether it be a school district, a fire district
or what have you that overlaps the county lines, those
districts, individually, now, by Resolution, could opt out
of that process. And, for instance, the experience in the
Pecatonica School District; they'd be more than happy to
opt out. It simply isn't working there."

McPike: "Well, I wasn't clear as to your answer. The school
district or the individual county votes to opt out?"

Rigney: "No, the school district or an overlapping district that
crosses those county lines."

McPike: "You have a school district, for example, that overlaps
county lines. Correct?"

Rigney: "Yes."

McPike: "Okay, now..."

Rigney: "We also have a fire district."

McPike: "That overlaps county lines."

Rigney: "Yes."

McPike: "Now, one county may vote to opt out of this burden
rate?"

Rigney: "No. No, no. The district itself, the affected district
that lies in two counties, that district will file the
Resolution to opt out."

McPike: "By referendum or by both ..."

Rigney: "By a Resolution of their board."

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McPike: "By a Resolution of their board. And what are the arguments for opting out?"

Rigney: "Well, the problem is this, that, in these overlapping districts, the process is based, first of all, upon calculating the full value of the property on each side of that county line and then, instead of trying to adjust the valuations on this property, the Department of Revenue comes in after the fact and simply adjusts the rate. So, we do not do anything with the assessed valuation on either side of that county line, but you do it by an adjustment of the rate. And, in the particular case of the Pecatonica School District, the result was that, after the calculation was raised... was computed, the one side of that District was raised about two dollars a hundred on their rate and exceeded the other side of the District by over a dollar a hundred."

McPike: "Does this ha.. or, did this have something to do with the new farmland assessment Bill that we passed last year?"

Rigney: "That can be one of the problems. That can be one of the problems. It was not the particular problem, for instance, in the case involving Will County and Cook County. In that..."

McPike: "No, that was years ago; but, in your case was that it was... was the farmland because of the assessment then was going to get some type of multiplier to bring them up?"

Rigney: "And one of the problems was, of course, that once this is calculated it affects every, single piece of property in that particular school district. The result was, interestingly enough, the residences on the Stevenson County side, in this particular case, were assessed slightly higher than the residences on the Winnebago side; and, under the burden formula, all property on the Stevenson County side received another dollar a hundred on

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their... on their rate. So, they not only started out with a higher assessed valuation; but, in addition to that, got the burden rate on top of it."

McPike: "And, under that circumstance, which was the more rural district and which was the more urban district?"

Rigney: "In that particular case, the Stevenson County side of the district was the more rural. The Winnebago side had the Village of Pecatonica in it, the more urban."

McPike: "And the more urban district received the lower multiplier and the more..."

Rigney: "Yes, in this particular case, it did."

McPike: "The more urban district received the lower multiplier."

Rigney: "Yes, it did."

McPike: "Thank you. Mr. Speaker, I'd like to address the Bill."

Speaker Peters: "Proceed."

McPike: "Ladies and Gentlemen, we passed a new formula and assessment Bill last year, which many of us, including myself, opposed, and we opposed it on the basis that it would shift the taxing burden from the rural area to the urban area. Now, here is the first example of that. Here now is a school district that overlaps county lines, and we find that, because of the new farmland assessment, the rural area is... has a lower tax burden. And, in order to equalize it between the various counties in this district, the Department of Revenue applies some type of multiplier to it. So, now there's an immediate objection from the rural or from the farm community. I would say that, in general, that, if you represent urban areas, you should oppose this and, perhaps, if you represent more rural areas, you should be for it."

Speaker Peters: "Further discussion? Representative Brummer? Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

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Speaker Peters: "He indicates he will."

Brunner: "Does this apply to all districts including, for example, community college district that have overlapping county..."

Rigney: "Yes, it would. Yes, it would."

Brunner: "So, for example, in some of the areas where there are like ten, or twelve or fifteen counties in a single community college district, if the community college district passed this Resolution, in effect, there would be no multiplier over that 13-county area with regard to the tax rates of that community college district?"

Rigney: "With regard to that community college district, yes."

Brunner: "Well, how..."

Speaker Peters: "Further discussion?"

Brunner: "...how are we to achieve some... You know, I guess I disagree with prior speaker that said this is an urban-rural issue. In our area, we would have all rural areas; and, yet, it seems to me that the multiplier is necessary to achieve some equalization between the various counties because of differ...differing assessing practices."

Rigney: "Well, first of all, if your property is somewhat similar - you mentioned, in your particular case, it was, basically, all rural property."

Brunner: "Well, obviously, there's urban property. I mean, all of the property isn't assessed into the farmland assessment. I don't mean that. But this would apply with regard to both property that is required to be assessed into the farmland assessment Bill and property that's require to be assessed at 33 1/3% or be equalized at 33 1/3%?"

Rigney: "Yes, see, the burden rate, first of all, is calculated upon the selling price of all of the property that lies

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within the district. So, if you have property of a similar nature, really nothing much is going to happen. Chances are you wouldn't even want to calculate a burden rate. The problem that happened goes back a few years ago, at the time that Director Castle was the head of the Department of Local Government Affairs; and, on his own Motion, he began the process of calculating a burden rate in about 45 downstate districts. The result was that perhaps they did work or worked in various degrees of success throughout various parts of the state; but, there...in many cases, they are not working now. We had a situation, for instance, a couple of years ago up in the Forreston District that overlaps Stevenson and Ogle County, where they did not have enough sales, in the sales ratio study, to be able to make the apportionment based upon sales within the Forreston District. So, what they did, they used information from Ogle County and Stevenson County, at large; and, while it was, I think, largely agreed in the District, that perhaps the Ogle County side was assessing their farmland about 30 dollars an acre higher. When they came to the apportionment process and used figures from throughout the entire two counties, the whole thing went in reverse, and the Ogle County side received the burden rate. So, you know, this is far from being a perfect Bill. Now, we're not denying this process under this legislation to somebody that still wants it. The only people that are going to get out of this are those districts that are adversely affected and take positive action to file a Resolution with the Department of Revenue saying, 'Hey, we don't want it calculated'."

Speaker Peters: "Representative Brummer, more? Representative Brummer."

Brummer: "Does this apply with regard to urban property to which

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a multiplier is applied?"

Rigney: "Well, yes, certainly. It applies to everything..."

Speaker Peters: "Any further questions?"

Brummer: "Yes. The sum and substance of this is then that the multiplier would be abolished with regard to any district, at the option of the district. It would be the decision..."

Rigney: "The burden..."

Brummer: "... of the unit of local government as to whether the multiplier could be applicable or not."

Rigney: "Oh, no. Now, we're not talking about the multiplier, as it affects property values. You see, keep in mind now, this is done after the fact where the Department of Revenue comes in, after the equalization process has taken part and so forth, and they still find, perhaps, that there is a certain inequality or what they allege to be an inequality across county lines. And they come in, after the fact, and adjust the tax rate, rather than the assessed valuation."

Speaker Peters: "Further discussion? Representative Piel."

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

Speaker Peters: "Gentleman moves the previous question. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Representative Rigney, to close."

Rigney: "Well, I realize that this is not an easy subject to understand; because, perhaps in many of your districts, you have never witnessed the computation of a burden tax rate. I assure that sometimes, based upon the information that is available, for one reason or another, that some certain inequalities can exist. The farmland valuation law that was mentioned is, perhaps, a part of the problem here, but I assure you it is not the total problem. The situation right now, friends, is so bad in that Pecatonica District

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that, if the Stevenson County side cannot receive some kind of rate relief through this process, they really are not going to have any other choice except to petition to leave the Pecatonica District and go with one of the school districts in Stevenson County. They are not going to sit there and pay a dollar higher rate from now on in to eternity, as this thing is calculated. So, I point out to you, it's an optional Bill to be used at the local level, if they feel it's necessary. I think it's good legislation. All we are doing is extending what we provided for in the Leinenweber Bill a couple of years ago."

Speaker Peters: "Is that it? The question... The question is, 'Shall House Bill 2289 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 93 voting 'aye', 39 voting 'nay', 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. I am exhausted. House Bill 2314, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2314, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Peters: "Representative Huskey."

Huskey: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House 20... House Bill 2314 is a Bill more or less to clarify a Bill that we passed out which was House Bill 15, which later turned into PA82-0220. We passed out of..."

Speaker Peters: "Excuse me. I don't believe the Clerk got that number."

Huskey: "PA82-0220."

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Speaker Peters: "Thank you."

Huskey: "We passed out that Bill, in order to stop some of the home-rule communities from licensing vehicles that crossed into their border to pick up children, by school buses to pick up children in their community. Well, the school buses took this Bill and they says, 'Well, we've prohibited paying license in this community. We will no longer have to buy a wheel vehicle sticker.' And that was not the intent of the Bill. The Amendment to this Bill is merely to clarify the school bus companies do have to buy a vehicle sticker in their community of... in their home community... wherever they're based at, if that community requires a vehicle sticker."

Speaker Peters: "Any... Any discuss..."

Huskey: "What the hell's so funny?"

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 2314 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Representative Pullen, to explain her vote."

Pullen: "Mr. Speaker, you cut me off before I could ask the Sponsor whether this is a vehicle Bill."

Speaker Peters: "Have all voted who wish? Take the record, Mr. Clerk. Smith 'aye'. Irv Smith. On this question there are 155 voting 'aye', 5 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2335, Representative Sandquist. Out of the record. House Bill 2342, Representative Leinenweber. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2342, a Bill for an Act in relationship to land trusts. Third Reading of the Bill."

Speaker Peters: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, Members of the House."

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House Bill 2342 seeks to return the law, relating to land trusts, to what everybody thought it was, prior to a recent Supreme Court decision. Essentially, that Supreme Court decision provided that certain of the usual rules, regarding trustees and concerning conflict of interest, applied to land trusts, a concept which no one thought existed prior to that particular decision. Essentially, House Bill 2342 now permits land trustees to deal with or to accept security interests in, or assignments of beneficial interests from their beneficiaries, so that normal banking relationships can carry on between the land trustee and the beneficiaries of the land trust. If there are any questions; otherwise, I would ask that we pass this Bill out. It is supported by all the banking interests, and I think most of you probably have received information on the Bill."

Speaker Peters: "Any discussion? Representative John Dunn."

Dunn: "Thank you, Mr. Speaker. I was distracted. Is this the Bill that would allow a bank, for example, which would like to make a mortgage to one of its customers; and, in the bank, we wind up both as the land trustee and the mortgagor and make that... authorize that and make that legal? Is that what this Bill does?"

Leinenweber: "Yes."

Dunn: "Okay, thank you."

Speaker Peters: "Further discussion? Representative Getty."

Getty: "Will the Gentleman yield?"

Speaker Peters: "He indicates he will."

Leinenweber: "Yes, Sir."

Getty: "Representative Leinenweber, when we presented this Bill in Committee, we had quite a bit of discussion concerning the question of legislative intent here, and the distinction between this sort of trust and the land trust,

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the use of it and the use of it, as an instrument, and a traditional trust. That testimony that we had in Committee, especially that by Professor 'Keno', was relied upon, I believe, greatly in passing this Bill out of Committee. Is that not correct?"

Leinenweber: "That's correct, Sir."

Getty: "And you would refer, specifically, to the article submitted for the record before the Judiciary Committee, in considering this, and incorporate that into the legislative intent, in passage of this Bill. Is that correct?"

Leinenweber: "Yes, Sir."

Getty: "Thank you."

Speaker Peters: "Further discussion? There being none, Representative Leinenweber, to close."

Leinenweber: "Please vote for the Bill."

Speaker Peters: "Question is, 'Shall House Bill 2342 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 163 voting 'aye', 1 voting 'nay', none ... 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2357, Representative Grossi. Out of the record. House Bill 2381, Representative Pullen. Out of the record. House Bill 2392, Representative Woodyard. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2392, a Bill for an Act to amend the Code of Criminal ... or Civil Procedure. Third Reading of the Bill."

Speaker Peters: "Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2392 was drafted in response to a symposium that was held last winter at Danville Community

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College before a group of nurses, and it was discovered, at that time, that nurses were not accorded the same privileges, under the law of the Statute of Limitations, as are accorded presently; doctors, dentists and hospitals. So, 2392, basically, puts in the context 'nurses' and includes them in the same Statute of Limitations and Statutes of Repose that doctors, and dentists and hospitals now enjoy. I'd be happy to answer any questions."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 2392 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2406, out of the record. House Bill 2499, Representative Telcser. Out of the record. House Bill 2507, Representative Mays. I can't see. Out of the record. House Bill 2511, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2511, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2511 is corrective measures to House Bill 1409 of last year. It would repeal driver qualifications that are in the law now. It would repeal hours of service for drivers. It would repeal the requirement for law enforcement to do the fingerprinting on drivers that are arrested and changes it from a Class B to a Class C misdemeanor. As amended, the Bill now provides the exemption for the farm vehicles. I understand that has

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been totally worked out. I'd ask for your 'aye' vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall House Bill 2511 pass?'. Those in favor will signify by voting 'aye', those opposed by voting ... I'm sorry. Representative Winchester, you had a question. Representative Winchester."

Winchester: "Would the Gentlemen yield for a question?"

Speaker Peters: "He indicates he will."

Winchester: "I think that, Representative Leverenz, I think most of the Members, while many of them may want to still support the Bill, they should be reminded that this is the original piece of legislation that got so many of us in trouble back home in our districts with the trucking industry, because this is the one where the State Police are enforcing, very strictly, and are pulling over many, many of our local trucking industry people and writing tickets for little things, such as windshield wiper blades not being there or mud flaps too short, or detaining the truck for anywhere from 20 to 45 minutes. And I don't think, Representative Leverenz, that that's what your intention was last year when you introduced this Bill, and many of us voted for the original Bill just because lobbyists from the Department of Transportation came behind us and said, 'This is okay. All we're doing is coming in compliance with the Federal Government.' Would you care to go into a little bit more detail, Representative Leverenz, as to what you're trying to do here, so that I don't make the mistake and many others don't make the mistake of voting for a Bill that makes us even in worse trouble than what we got into for supporting that Bill last year?"

Speaker Peters: "Will the Gentleman between the Sponsor of the Bill and the questioner..."

Leverenz: "That's a Lady, Mr. Speaker."

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Speaker Peters: "Proceed."

Leverenz: "Thank you. Yes, Representative Winchester, I think you have to separate the two issues that we're dealing with here. This Bill makes corrective changes but has nothing to do, per se, with that which the State Police are doing, as illustrated by the articles that appeared in the newspaper, distributed by, I believe, Representative Robbins. What we did last year was adopt, with all parties saying that they are in agreement, the Federal Motor Safety Carrier Act. That was the original action. The problem crops up that we expanded that to include intrastate trucks. The lobbyists representing the intrastate interests, those that deal solely in Illinois, was for the legislation. It did not occur to anyone, until it went into the implementation January 1st, that, indeed, the federal law has no provision for 18, 19, 20 year-old drivers. Thus, this is the repealer for Section, I believe it is, 390... or 391, rather, the qualifications of drivers and makes two changes; one, in the hours and the logs that the drivers must maintain, because they're different. We are repealing that so they will not have to qualify there. We have changed the requirement for the State Police to fingerprint those arrested because you can't afford to fingerprint people in the State of Illinois, and R & E can't even get fingerprints done on those applying for detective licenses. It lowers it..."

Winchester: "Well..."

Leverenz: "... from a Class B to a C misdemeanor, so the driver does not have to show up in court, and we did accept the Amendment that eliminates the problems for the farmers, in Illinois, and takes them and provides them an exemption. Representative Woodyard introduced a Bill to do that specific thing. That Amendment is not part of the Bill.

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What is happening in District 13 is that, in the majority of instances, those that are being stopped, those things that they are looking for in the trucks are already in the law prior to what we passed last year. Second to that, the State Police are writing warning tickets. The problem is with the implementation of it, apparently, in District 13, and the State Police indicate: one, the Superintendent has agreed to a meeting with you and all interested parties in southern Illinois; secondly, that they will produce some type of method to hand the drivers some type of identification, so that he would never have to go through two inspections in the same day. And that's about the majority of what I know about your problem with downstate."

Winchester: "Okay. First of all, let me say, Representative Leverenz, that this Bill, obviously, is making some changes in the law that we passed back in January, which I support. My problem is still perhaps maybe, after the meeting that we had with the Department of Law Enforcement in southern Illinois, some of those things will be corrected, but I do want to commend you on at least making some... some changes in the Motor Carrier Safety Regulations Bill. Thank you."

Leverenz: "Why thank you, Representative Winchester, for your fine remarks."

Speaker Peters: "Further discussion? There being none, the question is, 'Shall House Bill 2511 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 168 voting 'aye', 1 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2541, Representative Bower. Out of the record. There were... There were a couple of

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Bills on Second which we called and were passed because the Amendments were not prepared at that point. With fairness to those individuals who would like to call those Bills now, so that, if you would get the Chair's attention, we will recognize you in that order. Representative Sandquist, what is that number?"

Sandquist: "That is House Bill 2495."

Speaker Peters: "House Bill 2495. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2495, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Sandquist, amends House Bill.."

Speaker Peters: "Representative Sandquist, Amendment #1."

Sandquist: "Yes, Amendment #1 is one which we would have put on in the Committee, but this is one of the Bills from the Insurance that you know we took from Committee. All that the Amendment does is has to do with the retaliatory taxes on... in the insurance business, and I will go in... on Third Reading on that, but all this... this Amendment does is says that, in requiring estimated taxes on the retaliatory taxes, it gives the Director the power that he 'may' order it, rather than 'shall'. It just changes 'may' from ..."

Speaker Peters: "Further discussion? Representative Oblinger, on this Amendment? No. Further discussion? There being none, the question is, 'Shall Amendment #1 to House Bill 2495 be adopted?'. Those in favor will signify by saying 'aye', those opposed. Representative Kane, question?"

Kane: "Question.."

Speaker Peters: "On the Amendment?"

Kane: "On the Amendment."

Speaker Peters: "Of the Sponsor?"

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Kane: "Of the Sponsor."

Speaker Peters: "Representative Sandquist."

Kane: "Does this give the Director the authority to waive a particular tax?"

Sandquist: "No. No, it does not... No, to waive. All it does... where the present Bill, with the Amendment, says that he 'shall' have estimated tax payments made. And what the Director is saying, he's not sure he can set that up, and he wants to have it that he 'may'. But the tax would still be due, if we pass the Bill."

Kane: "He would just be allowed to allow them to pay estimated taxes, prior to it becoming due."

Sandquist: "Right."

Kane: "But, in no way, would this Amendment...out of the tax."

Sandquist: "In no way, no."

Speaker Peters: "Question is, 'Shall Amendment #1 to House Bill 2495 be adopted?'. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. House Bill 2513, Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2513, a Bill for an Act to amend the Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendment."

Speaker Peters: "Third Reading. Representative Oblinger, the number."

Oblinger: "1998."

Speaker Peters: "House Bill 1998."

Oblinger: "I'd like leave of the .."

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Speaker Peters: "Hold on. House Bill 1998. Mr. Clerk."

Clerk Leone: "House Bill 1998, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Peters: "Any Amendments... Any Motions with respect to Amendments 1 and 2?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #3, Oblinger, amends..."

Speaker Peters: "Representative Oblinger, on Amendment #3."

Oblinger: "Mr. Chairman, Members of the Committee.. of the Assembly, I'd like to table Amendment #2."

Speaker Peters: "... have to back up then. There is... There is a Motion... Does she have to file a Motion here? A Motion with respect to Amendment #2. The Lady asks to table Amendment #2. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is tabled. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, Oblinger..."

Speaker Peters: "Representative Oblinger, Amendment #3."

Oblinger: "Mr. Speaker and Members of the General Assembly, Amendment #3 is exactly as Amendment #2, except it meets the objections of Representative Getty. It now details the size of the letters that are to be placed on the side of the vans."

Speaker Peters: "Lady moves the adoption of Amendment #3 to House Bill 1998. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it, and Amendment 3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Representative Hallstrom, what's

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the number?"

Hallstrom: "2246. Thank you, Mr. Speaker."

Speaker Peters: "2246, Mr. Clerk. Read the Bill."

Clerk Leone: "House Bill 2246, a Bill for an Act to amend...
amend an Act creating the Board of Higher Education.
Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, McGrew - Hallstrom, amends..."

Speaker Peters: "Representative Hallstrom, on Amendment #1."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. Representative McGrew did explain the Bill...
the Amendment, but we had to take it out of the record
because it was not passed out. Actually, to explain to you
quickly again, all we're trying to do is to delete the
words, 'federations of independent colleges and
universities'; and, instead of having the federation ask
the Governor to consider certain personnel, all we're
saying is that it should be the association or organization
comprised of the largest number of independent colleges and
universities in Illinois."

Speaker Peters: "Lady moves adoption of Amendment #1 to House
Bill 2246."

Hallstrom: "I'm not finished."

Speaker Peters: "I'm sorry, Representative."

Hallstrom: "I'm sorry, I'm not finished. There's another part of
it. Of the two members, to be appointed by the Governor
pursuant to this amendatory Act, one shall be designated to
serve until July 31, 1985 and the other until January 31,
1988. It's just specifying the length of term. That's
part of the same Amendment."

Speaker Peters: "The Lady moves the adoption of Amendment #1.
Those in favor will signify by votin... by saying 'aye',
those opposed 'nay'. In the opinion of the Chair, the

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'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Representative Ewing, what's the number?"

Ewing: "2146."

Speaker Peters: "2146. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2146, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with... Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Mo... Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #2 was withdrawn. Amendment #3, Ropp, amends House Bill 2146..."

Speaker Peters: "Amendment #3, Representative Ropp. Representative Ewing."

Ewing: "Yes, Representative Ropp and I are Cosponsors of that Bill, and Rep... Amendment #3 is to be withdrawn. Amendment #4 replaces it. That's Ropp's Amendment also."

Speaker Peters: "Gentleman withdraws Amendment #3. Any further Amendments?"

Clerk Leone: "Amendment #4, Ropp - Vinson - Ewing..."

Speaker Peters: "Amendment #4, Representative Ropp. Vinson. Amendment #4?"

Ewing: "Ewing. Try Ewing."

Speaker Peters: "Ewing."

Ewing: "Yes."

Speaker Peters: "Representative Ewing, on Amendment #4."

Ewing: "When the Bill was presented to Committee, they pointed out a couple places where we talked about 'School Year' instead of 'Calendar Year', and we have put that in the

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Amendment to correct it. And it's purely a corrective Amendment."

Speaker Peters: "Gentleman moves the adoption of Amendment #4. Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have, and Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Representative Stearney, what's that number? 2280. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2280, a Bill for an Act creating the commission concerning prison discipline and incarceration. Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Peters: "Third Reading. Representative Matijevich. Representative..."

Unknown: "Turn me off."

Speaker Peters: "Watson. Representative Stearney, on 2466. Read the Bill, Mr. Clerk. House Bill 2466."

Clerk Leone: "House Bill 2466, a Bill for an Act to amend the Judicial Salaries Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Motions... Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Peters: "Third Reading. Representative Davis, what's the number, Sir? No? Anyone else? Any other Member? Representative... no. Yours ain't ready, Representative Tate. Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, I wanted to alert the Members, once again, about that testimonial dinner honoring the Members of the General Assembly tomorrow night at the Sheraton Inn,

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3090 Stevenson Drive. Now, if you've already made your reservations, you're all set, but those of you that haven't, I'm still picking up names. You don't have to be a veteran. As long as you support the veterans. That's all. Free dinner."

Speaker Peters: "Any other Members wishing to move their Bills from Second to Third? No, fine. Announcements? Announcements. Representative Davis. Inquiries of the Chair. For what purpose do you seek recognition?"

Davis: "An announcement, Mr. Speaker."

Speaker Peters: "Proceed, Sir."

Davis: "The Committee on State Government Organization, due to the lateness of the hour, will not meet until tomorrow morning at 10:00 in 122B."

Speaker Peters: "State Government will meet tomorrow..."

Davis: "Tomorrow morning at 10:00 in room 122B. State Government Organizations, Executive Orders I and II."

Speaker Peters: "Tomorrow morning 10:00 room... 122B. Representative Irv Smith, what purpose do you seek recognition?"

Smith: "Speaker, I just wanted to remind the Members of the House, the Governor's Prayer Breakfast is Thursday, May 13. I'm down to five choice seats left. So, if anyone wants them, and Representative Oblinger has two seats left. So..."

Speaker Peters: "Representative Collins, an announcement, Sir? Are... You've got the adjournment? No, hang on yet. Representative Friedrich, an announcement."

Friedrich: "Mr. Speaker, Members of the House, I'd like to remind the Members that, if they're going to be picking up Senate Bills that come over here, they should file their request for exemption with the Clerk or with me."

Speaker Peters: "Representative...Conti. Representative Conti,

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you got Agreed Resolutions? Proceed."

Clerk Leone: "House Resolution 852, DiPrima - et al; 855, Margaret Smith; 856, Boucek; 858, Terzich; 859, Bowman; 860, Irv Smith; 861, Steczo; 862, Steczo - et al; 863, Collins - Leinenweber; 864, McAuliffe - et al; 865, Van Duynes; 867, Rea; 868, Terzich; 869, DiPrima - et al; 870, DiPrima - et al; 871, Swanstrom - Rigney - Olson; 872, Yourell; 873, Yourell; and 874, Yourell."

Speaker Peters: "Representative Conti, the Gentleman moves adoption..."

Conti: "Mr. Speaker, I move the adoption of the Resolutions."

Speaker Peters: "Gentleman moves the adoption of the Resolutions read by the Clerk. Those in favor will signify by saying 'aye', those opposed 'nay'. The Resolutions are adopted. Representative Wolf, announcement."

Wolf: "Yes, Mr. Speaker, Members of the Appropriation Committee, the Appropriations Committee will meet in exactly 15 minutes after adjournment, and that means exactly."

Speaker Peters: "Representative Telcser. Who's... Telcser. Representative Telcser."

Telcser: "Mr. Speaker, I move the House stand adjourned until Wednesday, May 5th, the hour of 1:30 p.m..."

Speaker Peters: "You've heard the Motion. The House stands... All in favor will signify by saying 'aye', opposed. The 'ayes' have it. The House stands adjourned until the hour of 1:30. Appropriations meets 15 minutes after adjournment, promptly. State Government Reorg. tomorrow morning 10:00, the usual room. Representative Kustra invites one and all to dinner. The House is adjourned until the hour of 1:30, 1:30."