

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

35th Legislative Day

May 6, 1981

Speaker Ryan: "The House will come to Order and the Members will be in their seats. The Chaplain for today is Pastor Johnson from the Calvary Temple Church in Springfield. Pastor Johnson."

Pastor Johnson: "We look to God in prayer to invoke his presence today. Our great and our eternal God, as we ask for Your presence, for Your guidance upon this House today, we're mindful of the fact that the apostle, Paul, told us that the powers that be are ordained of God. Even to the execution of judgement of the sword. And Solomon told us that the kings, the leaders and the kingdoms are raised up and put down by God himself. So keep us mindful of our mortality and of the fact, Lord, that as we travel through this life that if we profit anything it would be that that we've helped others and helped make life easier for others as we travel. We're also mindful of the boys and girls that travel through these halls daily. In their minds they esteem these halls to be sacred and these men and women to be giants of legislation. Help us to live up to their trusts for we feel that if we do and if we're always mindful of these facts that we will prepare and plan and work to build a better state and a better nation under God. Grant it now and give wisdom and knowledge today and we'll thank You for it Your name. Amen."

Speaker Ryan: "Thank you, Reverend. Representative Bower will lead the pledge."

Bower: "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, Mr. Clerk. 165 Members answering the Roll. A quorum of the

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House is present. On the calendar on page 34 under the Order of Consent Calendar, Second Reading, second day. Read the Bills, Mr. Clerk."

Clerk Leone: "House Bill 655, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 683, a Bill for an Act to amend the Illinois Pension Code. House Bill 752, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 811, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 843, a Bill for an Act to amend an Act in relationship to reserve mortgage loans. House Bill 884, a Bill for an Act to amend the Illinois Banking Act. House Bill 904, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1033, a Bill for an Act to amend the Public Aid Code. House Bill 1077, a Bill for an Act to amend the Election Code. House Bill 1081, a Bill for an Act to amend the Illinois Housing Development Act. House Bill 1141, a Bill for an Act in relationship to Principal and Income. House Bill 1262, a Bill for an Act to amend the Illinois Pension Code. House Bill 1391, a Bill for an Act to amend an Act to create sanitary districts and to remove obstructions in the Des Plains and Illinois river. House Bill 1397, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1399, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1412, a Bill for an Act to amend the Illinois Revenue Act. House Bill 1433(sic), a Bill for an Act to amend the Illinois Vehicle Code. Correction, House Bill 1413, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1414, a Bill for an Act to amend the Revenue Act. House Bill 1415, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1496, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1498, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1503, a Bill

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for an Act to amend the Illinois Municipal Code. House Bill 1652, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1672, a Bill for an Act to amend the Municipal Code and the Corrupt Practices Act. House Bill 1689, a Bill for an Act to amend the Illinois Pension Code. House Bill 1813, a Bill for an Act to amend the Illinois Pension Code. House Bill 1815, a Bill for an Act in relationship to guide dogs. House Bill 1830, a Bill for an Act to amend the State Employees Group Insurance Act. House Bill 1838, a Bill for an Act to revise the statutory references relating to the Department of Rehabilitation Services, Second Reading of these Bills together with attached Amendments."

Speaker Ryan: "Representative Daniels, do you seek recognition?"

Daniels: "Yes, Mr. Speaker, I'm advised that there are objections to House Bill 1077 being on the Consent Calendar and would ask that that be removed from the same and place on short debate, Second Reading."

Speaker Ryan: "You need five Members to join you, Representative."

Daniels: "There they are."

Speaker Ryan: "There you've got all kinds of people, Mr. Clerk. House Bill 1077 will be removed from the Consent Calendar and placed on the short debate calendar."

Daniels: "Thank you."

Speaker Ryan: "Are there any other objections? Third Reading. Representative Younge, do you seek recognition?"

Younge: "Yes, Mr. Speaker, I was seeking recognition in reference to House Bill 1081 that was on the Consent Calendar."

Speaker Ryan: "What's your pleasure on 1081, Representative?"

Younge: "I want to be joined by five Members to take that off."

Speaker Ryan: "Representative, I understand if you come to the well and sign a form it will come off. All we did was move

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these Bills to Third Reading. You can still take it off if you sign the right form. Representative Dunn, do you seek recognition?"

Dunn, R.: "Thank you, Mr. Speaker. If it weren't against the rules I'd like to introduce some people from Carbondale. Carbondale Lincoln Jr. High School over in the gallery on my left on the Democrat side represented by Representative Richmond, Representative Alstat and myself from Carbondale. I'd like for them to stand up if they would. The Lincoln Jr. High from Carbondale."

Speaker Ryan: "On the calendar on page four. First of all let me tell you it's the intention of the chair to work until about 6:00 this evening. We'll spend part of the day, start off on Second Reading and later on maybe around 1:30 or 2:00 or 3:00 we're going to move into Third Reading and hopefully be out by 6:00 for adjournment for the evening. On page four of the calendar under the Order of House Bills, Second Reading appears House Bill 16, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 16, a Bill for an Act to abolish the Chicago Transit Board, 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: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 22, Representative Cullerton."

Clerk Leone: "House Bill 22, a Bill for an Act relating to indigent criminal defendants, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to

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Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 65, Representative Davis. Out of the record. House Bill 76, Terzich. Read it? Read the Bill."

Clerk Leone: "House Bill 76, a Bill for an Act to amend the Illinois Human Rights Act, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 79, Representative Catania. Out of the record. House Bill 103, Representative Abramson. Out of the record. House Bill 113, Representative Kosinski. Roman Kosinski, Representative Kosinski on House Bill 113. Do you want it read? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 113, a Bill for an Act to amend the Code of Criminal Procedure and the Unified Code of Corrections, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Stuffle, amends House Bill 113 on page one, line three and so forth."

Speaker Ryan: "Representative Stuffle on Amendment #1. Representative Stuffle on the floor? Take the Bill out of the record, Mr. Clerk. House Bill 114, Representative Currie. Representative Currie on the floor? Out of the record? Out of the record. House Bill 128, Representative McGrew. Out of the record. House Bill 144, Representative Zwick. Representative Zwick, do you want to call House Bill 144. Representative Zwick. House Bill 144? Out of the record. House Bill 155, Representative Stearney. Read

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the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker Ryan: "Representative Stearney."

Stearney: "As to House Bill 155, dealing with the Metropolitan..I'm sorry, what page is that on please?"

Speaker Ryan: "It's on page five, Representative. It's your RTA Bill."

Stearney: "Would you take it out of the record?"

Speaker Ryan: "Out of the record. House Bill 156, Representative Stearney."

Stearney: "You can call that, please."

Clerk Leone: "House Bill 156, a Bill for an Act to amend an Act concerning fees and salaries, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Stearney, amends House Bill 156 on page one, line one and so forth."

Speaker Ryan: "Representative Stearney on Amendment #1 to House Bill 156."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #1 to House Bill 156 would give a judicial pay increase to the judges of the Appellate Court. Now mind you, this does not deal with the Supreme Court but with the Appellate Court alone. So I'd ask for a favorable Roll Call."

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

Pullen: "Would the Gentleman please tell us how much the pay increase is? From what to what and the total."

Stearney: "It's from \$53,000 to \$73,000."

Pullen: "That's twenty thousand dollar pay increase?"

Stearney: "Yes."

Pullen: "Thank you."

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

Stearney: "I just ask for a favorable Roll Call as to the pay increase for the Appellate Judges."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #1 to House Bill 156. All in favor will signify by saying 'aye', all opposed. The Gentleman moves for the adoption of Amendment #1 to House Bill 156. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Stearney, did you want to explain your vote? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue, on this question there are 43 voting 'aye', 51 voting 'no' and six voting 'present'. Representative Stearney, do you request a poll of the absentees? Representative Stearney? Poll the absentees."

Clerk Leone: "Poll of the absentees. Ackerman. Alstat. Balanoff. Bartulis. Beatty. Bluthardt. Bower. Bradley. Braun."

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

Pullen: "Mr. Speaker, if this should receive enough affirmative votes I'd like to verify the Roll Call."

Speaker Ryan: "Representative Johnson."

Johnson: "Vote me 'no'."

Speaker Ryan: "Record Representative Johnson as 'no'. Representative Stearney."

Stearney: "I withdraw my request for a poll of the absentees."

Speaker Ryan: "The Gentleman withdraws his request. Representative Bullock, 'aye'. Representative Ewing, does that mean 'no', Representative? 'No' on Representative Ewing. Representative Pechous, 'aye'. Representative Rea, 'no'. Representative Hannig, 'no'. Are you caught up yet,

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Mr. Clerk? Representative Breslin, 'no'. Representative Murphy, Representative Murphy wants to be changed from 'aye' to 'no'. Representative Stuffle, 'no'. Why don't we dump this one and start over. Dump the Roll Call. The Gentleman moves for the adoption of Amendment #1 to House Bill 156. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Stearney, do you seek recognition? Representative Epton, to explain his vote."

Epton: "Thank you, Mr. Speaker. I have a conflict of interest but as always I'll vote my conscience."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 32 voting 'aye', 70 voting 'no' and three voting 'present' and the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Stearney, amends House Bill 156 on page one and so forth."

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

Stearney: "Amendment #2 to House Bill 156 would give an increase in salary of twenty thousand dollars to the Members of the Supreme Court."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #. Is there any discussion? Representative Johnson."

Johnson: "Representative Stearney, since the majority of the Supreme Court seems to feel that they are Members of the Legislature I wonder if this, I wonder if this pay raise is an addition to the twenty-eight thousand dollars a year we receive as Legislators or whether it's simply a gross salary."

Stearney: "Vote your conscience, Mr. Johnson."

Johnson: "Thank you."

Speaker Ryan: "Any further discussion? Representative Huskey."

Huskey: "I just wanted to point out, Mr. Speaker and speaking to

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the Amendment in the responsibility of the Supreme Court. We passed a Bill out of here last year, House Bill 24, for the Supreme Court to administer and they refused to put this money in their budget because they don't want the responsibility to administer the child support payments and so therefore, Mr. , I urge everyone to vote 'no' till these people learn to accept the responsibility that they have more responsibility to put their on their black robe and sit on that court. I would urge a 'no' vote."

Speaker Ryan: "Representative Schraeder."

Schraeder: "Well, just following with the previous speaker's comments, I just wonder if this is an attempt to bribe the state, the Supreme Court so they open up their books to the Auditor General. Now as you know they won't even let us see what they're doing with the money and maybe with this contribution they'll open up their books but it's a bad policy and they don't deserve a penny more than they're getting now."

Speaker Ryan: "Any further discussion? The Gentleman from Cook, Representative Stearney, to close."

Stearney: "I ask for a favorable Roll Call."

Speaker Ryan: "Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. Just as an addendum I think all lawyers should refrain from voting."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #2 to House Bill 156. All in favor will signify by voting 'aye', all opposed by voting 'no'. 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 32 voting 'aye', 90 voting 'no'. Representative Pullen, do you seek recognition?"

Pullen: "Mr. Speaker, I was hoping enough Members would add their 'no' votes to bring the 'no' total up to exactly 118."

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Speaker Ryan: "On this question there are 32 voting 'yes', 90 voting 'no' and three voting 'present' and the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Stearney, amends House Bill 156 on page one, line one and so forth."

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

Stearney: "Well, as to Amendment #3 I would ask that that be tabled since it"

Speaker Ryan: "The Gentleman withdraws Amendment #3. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Dwight Friedrich, amends House Bill 156 on page one, line thirteen and so forth."

Speaker Ryan: "Representative Friedrich, on Amendment #4. Is the Gentleman on the floor? Representative Stearney, Representative Friedrich is not on the floor. We'll have to hold the Bill on Second Reading. Representative Stearney."

Stearney: "Yes, I'm asking that the Bill be moved to Third Reading."

Speaker Ryan: "Representative Stearney, we have an Amendment that has to be disposed of in some manner. Representative Friedrich is not on the floor."

Stearney: "Well, Mr. Speaker, when Representative Peters was in the chair yesterday a Bill was called in which I had an Amendment to, House Bill 617. Since I wasn't there Representative Peters in the chair tabled my Amendment and the Sponsor refuses to take his Bill back to Third Reading. Now if they can table my Amendment on one day because I'm not on the floor at the time it's called then I ask that the same rule apply on today's date. When I am the Sponsor of the Bill and the proposer of the Amendment is not here."

Speaker Ryan: "Representative Brummer."

Brummer: "Representative Stearney is absolutely correct in what

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occurred yesterday. I would reiterate my objection to that occurring because I think that is poor policy. There are many times that Bills are called on Second Reading, the Sponsor of the Amendment is not here. Unless this is the last day before the deadline I just don't think that ought to occur."

Speaker Ryan: "I just want to tell you we've got 275 Bills on Second Reading and I think it's everybody's obligation to be here if they've got an Amendment to a Bill. Representative Davis."

Davis: "Thank you, Mr. Speaker. It's rare I get a chance to concur with Representative Stearney but in this case he's absolutely right. The reason the rule and it's in the rules that was adopted that if a Sponsor of an Amendment is not on the floor the Bill's in control of the Sponsor of the Bill itself and he loses his Amendment. That's in the rules, Mr. Speaker, and your Parliamentarian can cite the appropriate rule. I don't have a book with me but it was designed to encourage people to stay through the Second Reading process if they added Amendments to other Members' Bills."

Speaker Ryan: "Representative Friedrich, on Amendment #4 to House Bill 156."

Friedrich: "Yes, Mr. Speaker, this is just a little adjusting Amendment which puts the salaries of the judges a little more in keeping I think with what their time and requirements are. They have recently been legislating and I considered making their salary twenty-eight thousand which I think would be more in keeping but this reduces the sixty-five thousand to build a forty-seven thousand in both cases. I think with the amount of time the judges spend and with all the security they have without having to run for election and so on that this would be a good

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Amendment."

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

Stearney: "Would the Gentleman yield?"

Speaker Ryan: "He indicates he will."

Stearney: "As to Amendment #4, you're dealing with on page one, line thirteen, you're reducing the salaries from \$70,500 to \$52,000. What judges would that effect? Are those the trial judges, the Appellate Judges or the Supreme Court Judges?"

Friedrich: "I believe the Supreme Court. That's the one that's been doing the legislating."

Stearney: "Do you believe or are you certain?"

Friedrich: "Well, I'm fairly certain, Mr. Sponsor."

Stearney: "Well, as to page two, line fourteen deleting 65 and inserting thereof 47 thousand, who would that affect? The trial judges, the Appellate Judges, or the Supreme Court Judges?"

Friedrich: "That would be the Circuit Judges. I don't have a copy of the Bill here. I'm a little bit at loss because I've been down waiting for four hours in the Subcommittee. I wasn't quite prepared."

Stearney: "Well, I'm trying to be certain in my mind at least as to what you're doing. At least for the Members of the House."

Friedrich: "I think, Mr. Stearney, you're aware of what I'm trying to do."

Stearney: "Well, yes I know. You're trying to reduce the salaries."

Friedrich: "That's right."

Stearney: "It's just a question of who is affected. You're talking about Associate Judges."

Friedrich: "Right, that's in your Bill isn't it?"

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Stearney: "Well, in other words according to your Amendment, you're giving them a pay raise. Here I'll draw your attention. Let's do this here. On page two, line fourteen and for the Members of the House so that we'll know what Dwight Friedrich is doing. He asked that you delete \$65,000 and insert thereof \$47,000. Well, the present pay raise for those judges are \$44,500 so he's giving them a rate of \$3,000 or \$2,500. That's the effect of your Amendment. I want you to know what you're doing. You're giving them a pay raise by that."

Friedrich: "This is taken directly out of your Bill and the figures that I have are lower than the ones you have."

Stearney: "Yes, but what you're doing, Mr. Friedrich, so that you'll understand. I don't want to take advantage of you by asking, by not opposing your Amendment but what you're doing is deleting the figures that I wanted to give them which is \$65,000 and inserting thereof \$47,000."

Friedrich: "Right."

Stearney: "But the present Bill, the law is that the Associate Judges are getting \$44,500 so your Amendment would, in effect, would give them a pay raise. Now, I want you to know that so..."

Friedrich: "That one group of judges. Not the others."

Stearney: "So you're in favor of giving the Associate Judges a pay raise there."

Friedrich: "They're the ones that do the work in my area."

Stearney: "But you realize that you're giving them a pay raise by your Amendment?"

Friedrich: "I'm quite aware of that."

Stearney: "And you're giving the Supreme Court a \$2,000 pay increase by your Amendment."

Friedrich: "But I'm not giving them a \$20,000 pay raise like you want to."

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Stearney: "Okay, you're in favor of giving them a \$2,000 increase."

Friedrich: "I think that's appropriate, yes. I think that the cost of living has gone up and it would probably cost them a couple thousand dollars more to live than it used to."

Stearney: "Okay, so long as you understand.."

Friedrich: "Oh, I quite understand, Mr. Stearney. I just thought that your raise was exorbitant. That's what I'm trying to do. Adjust it down to somewhere where the people are."

Speaker Ryan: "Representative Bower."

Bower: "Thank you, Mr. Speaker. I have a question for the Sponsor."

Speaker Ryan: "He indicates he'll yield."

Bower: "Representative Friedrich, is the net effect of your Bill is to lower the salaries for the other judicial officers? Is that correct?"

Friedrich: "The net effect is not to raise them as much as Mr. Stearney would like to. He seems to think they're a privileged class and I think they're public officials. I don't know why they should get \$25,000 more than the Governor or \$50,000 more than we do."

Bower: "But does the Bill lower their current salaries?"

Friedrich: "Mr. Stearney's raises them and I am putting an Amendment on."

Bower: "But would your Amendment lower them below what they are currently making?"

Friedrich: "No, it would raise them slightly."

Bower: "Okay, thank you."

Speaker Ryan: "Any further discussion? Representative Bullock. Representative Friedrich, to.. Representative Barkhausen."

Barkhausen: "Yes, Representative Friedrich, I thought it might be helpful to clarify for the Members for each judge that you're talking about beginning with Associate, then

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Circuit, then Appellate and then Supreme. How much are you talking about raising salaries over their current levels?"

Friedrich: "A couple thousand dollars."

Barkhausen: "\$2,000 in each case?"

Friedrich: "Yes. I'm not sure that's exactly right. This is just Circuit and Associate Judges. I'm sorry."

Barkhausen: "It would raise them \$2,000 for Associate and Circuit but it wouldn't raise them at all for Appellate and Supreme? Is that correct?"

Friedrich: "Right."

Barkhausen: "Thank you."

Friedrich: "May I close, Mr. Speaker? May I close, Mr. Speaker?"

Speaker Ryan: "Representative Friedrich, to close."

Friedrich: "Mr. Speaker and Members of the House, I think being a judge is an honor just like being a Member of this General Assembly is. I don't think it was ever intended to be a get rich quick scheme or anything else. I don't think they should be a special class of citizens and I think that those who seek the judgeship probably recognize that they might make more in private practice but I don't know any reason in the world why a Circuit Judge should make \$20,000 more than the Governor of this state who works eighteen hours and six or seven days a week. I don't even know really why it should make any more than a Member of this General Assembly, but Mr. Stearney seemed to think that a judge is worth about three times as much as a Member of this General Assembly. We've put them in a category the people of Illinois have, where they are literally in for life. It's impossible to beat a judge on the retention basis, so if they've got that kind of a deal and their pension provisions I think that the salary of the Governor is adequate for Circuit Judge and I think you ought to all agree."

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Speaker Ryan: "The Gentleman moves for the adoption of Amendment #4 to House Bill 156. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Deuster, do you seek recognition?"

Deuster: "Yes, to simply explain my 'yes' vote."

Speaker Ryan: "One minute to explain your vote."

Deuster: "I would like to dispel a myth and that is a myth that lawyers give up lucrative law practices and take a pay cut to go on the bench. I don't want to mention names but I think there are a lot of lawyers in Illinois who go to the bench because they're tired of the low income and the practice and that they view going on the bench as an opportunity for a pay increase. And I think that Representative Friedrich's Amendment which gives them a modest pay increase is reasonable. And there's no reason that we have to believe that our lawyers, that our judges, rather are starving. Many lawyers do go on because it represents an increase from a law practice that's not doing too well."

Speaker Ryan: "Representative Preston, to explain his vote."

Preston: "Thank you, Mr. Speaker. I have a conflict of interest and nonetheless voting my conscience."

Speaker Ryan: "Representative Huskey, to explain his vote."

Huskey: "Well, Mr. Speaker, I think we're in a new day here in the House of Representatives. In the past we have been, in the past we have been, this General Assembly has been loaded with probably a lot of lawyers that had a future dream of being a judge. We've come to the point now that this General Assembly isn't so much loaded with lawyers. Now's our chance and the judges have always gotten what they want. Now maybe ones of us have got enough guts to stand up and say look Mr. Judge I'm just an ordinary citizen and maybe you can't use all that weight against me,

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so my vote is going to be 'yes', Mr. Speaker."

Speaker Ryan: "Representative Flinn, to explain his vote."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, I agree with Representative Friedrich and what he's trying to do simply because the cost of living that he mentioned but I also agree with Representative Deuster that very often lawyers are not giving up a lucrative practice to become judge. I don't know about the judges up in the northern part of the state but many of our judges down our way take the judges job simply because they can't make a living as lawyers. And in spite of that fact I'm going to vote 'yes'."

Speaker Ryan: "Representative Fawell."

Fawell: "I am explaining my vote. I think it should be remembered by the Members of this Assembly that judges are prohibited of making money any other way except for being judges which is not the case as far as our Legislators are concerned. I believe that they are entitled to at least the \$2,000 raise. I feel they work hard. If we don't start giving them this kind of raise we are going to lose some of our best judges because they just can't afford it."

Speaker Ryan: "Anybody else care to explain their vote? Have all voted who wish? Representative Bullock."

Bullock: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, could we have a little order. I think this is a very important Bill and I think if this Amendment goes on the Bill.."

Speaker Ryan: "Proceed, Representative."

Bullock: "This is a very important Amendment to the Sponsor but I don't think it is awfully important to the Sponsor of this Bill and some of you may have your green lights on unnecessarily. I think you should put a red light on this Amendment. Representative Stearney is conscientious in his effort to say to the Supreme Court and to say to the other

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judges that we want the best quality individuals that we can find to serve on our courts. Many of them are literally being burnt out because of the work load. Also because of the pay that they're receiving. And I don't think there's any shame in that saying that we believe that we in Illinois deserve the best judiciary possible and as a result we ought to vote 'no' on this Amendment because I don't think the Amendment is offered with any positive effect."

Speaker Ryan: "Representative Barkhausen, explain your vote."

Barkhausen: "In brief explanation of my vote, Mr. Speaker, I feel that even a small pay increase at this time is inappropriate. I don't think that judges should be singled out for special treatment at the same time that we're telling other state employees that we need to hold the line and are cutting people off from their jobs in many cases. I have mixed emotions about not supporting this Amendment because a modest pay increase is certainly better than a whopping one, but I think the chances of defeating this Bill will be better if the Bill contains an inordinate pay increase than if it does simply contain a small one so I vote 'no'."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 54 voting 'aye', 72 voting 'no' and 13 voting 'present' and the Gentleman's Motion fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 181, Representative Pullen. 181, Representative. Do you want it read, Representative Pullen? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 181, a Bill for an Act to amend the School Code, Second Reading of the Bill. No Committee Amendments."

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Speaker Ryan: "Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 183, Representative Jaffe. Read the Bill."

Clerk Leone: "House Bill 183, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "Motion, I move to table Amendment #1 to House Bill 183, Representative Jaffe."

Speaker Ryan: "Representative Jaffe, on your Motion."

Jaffe: "Yes, Mr. Speaker, Amendment #1 is technically incorrect so we filed Amendment #2 to make it technically correct so I would move that we table Amendment #1 and then I will make a Motion that we adopt Amendment #2 which is technically correct."

Speaker Ryan: "The Gentleman moves to table Amendment #1 to House Bill 183. All in.. Representative Ebbesen."

Ebbesen: "Yes, would the Representative explain the difference in the two Amendments?"

Jaffe: "Okay, on the State Mandates Acts requires that a disclaimer from liability be explicitly stated in the Bill. Amendment #2 does not specifically state that so Amendment #1 does not specifically Amendment, however, Amendment #2 does."

Speaker Ryan: "The Gentleman moves to table Amendment #1 to House Bill 183. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Jaffe, amends House Bill 183."

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

Jaffe: "Mr. Speaker, Amendment #2 corrects the error that was had

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in Amendment #1 by stating the explicit basis for exclusion under the State Mandates Act and so I would move the adoption."

Speaker Ryan: "The Gentleman moves the adoption of Amendment #2 to House Bill 183. 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 186, Representative O'Brien. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill, 186, a Bill for an Act to abolish urban transportation districts, Second Reading of the Bill."

Speaker Ryan: "The Gentleman from Cook, Representative O'Brien."

Clerk Leone: "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: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 198, Representative O'Brien. Read the Bill."

Clerk Leone: "House Bill 198, a Bill for an Act to amend the School 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 228, Representative Schuneman. Out of the record. House Bill 239, Representative Davis. Out of the record? Out of the record. House Bill 240, Representative Davis. Out of the

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record. House Bill 244, Representative Yourell.
Representative Yourell."

Yourell: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,
Committee Amendment #1 was adopted in Committee. I don't
know of any other Amendments."

Speaker Ryan: "Do you want to read the Bill? Read the Bill, Mr.
Clerk."

Clerk Leone: "House Bill 244, a Bill for an Act to amend the
Civil Administrative 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 Amendments from the floor?"

Clerk Leone: "Floor Amendment #2, Yourell-Davis, amends House
Bill 244."

Speaker Ryan: "The Gentleman from Cook, Representative Yourell,
on Amendment #2."

Yourell: "Mr. Speaker, is Representative Davis on the floor? I
believe that..."

Speaker Ryan: "You yield to Representative Davis?"

Yourell: "Yes."

Speaker Ryan: "Representative Davis, on Amendment #2 to House
Bill 244."

Davis: "Well, thank you, Mr. Speaker. I'm somewhat at a loss. I
do not have the Amendment in front of me. Oh, yes indeed.
Amendment #2 was requested by the Department of Personnel
so that indeed the provisions of House Bill 244 would not
conflict as it was drafted with conflict with the Personnel
Code. It's an agreed Amendment by us and certainly
accepted."

Speaker Ryan: "Any discussion? The Gentleman moves the adoption
of Amendment #2 to House Bill 244. All in favor will

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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: "House Bill 249, Representative Yourell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 249, a Bill for an Act to amend the Code of Criminal Procedure, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Mr. Clerk, move House Bill 244 to the Order of Third Reading. Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment to House Bill 249, Amendment #1, Yourell, amends House Bill 249 on page one, by the leading lines one through five and so forth."

Speaker Ryan: "The Gentleman from Cook, Representative Yourell, on Amendment #1 to House Bill 249."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 to House Bill 249 was suggested by the Department of Law Enforcement, State of Illinois. It does several things. When a person has been found guilty of a drug related offense involving possession of controlled substance or marijuana. The fine, in addition to any other penalties shall be levied by the court at the full street value of the substances seized and that street value is determined by the court on the basis of testimony of law enforcement personnel as to the amount of seize and the testimony relating to the case. It also provides that the proceeds of all the fines received on all the provisions of this Amendment shall be transmitted to the State Treasurer and deposited in a fund known as the Drug Traffic Prevention Fund. These funds shall be used by the Department of Law Enforcement, the State of Illinois and any and all of the other agencies in the state that had something to do with the arrest in the prevention of drug

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trafficking in the State of Illinois. It's, as I've indicated an Amendment was suggested by the Department of Law Enforcement, I move the adoption of Amendment #1 to House Bill 249."

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

Stearney: "Will the Gentleman yield?"

Speaker Ryan: "He indicates he will."

Stearney: "Mr. Yourell, under Chapter 38, 56 1/2, dealing with narcotics drugs, isn't there fines already required?"

Yourell: "There are fines required as I understand it but what we're trying to do is comply with information that I and others have received from the Drug Enforcement Agency as to the amount of those fines. I've been in conversation with Peter 'Benzigrew' who's the Director of the Department of Drug Enforcement and he has assured me and suggested to me that something has to be done not only with the bail but with the fines as well. And we felt that it's mandatory that the fines levied in these cases where guilt has been proven would be in the amount and value of the drugs confiscated. And that's what we're doing. We're mandating the courts to put that fine on these controlled substances and the distribution of them."

Stearney: "Let me give you an example. Assuming that an individual has been found guilty of the sale or manufacture in the possession with the intent to deliver of drugs worth assuming \$2,000 in street value. Under this Amendment if it became law, the judge would be required to fine that defendant \$2,000. Am I right?"

Yourell: "That's correct."

Stearney: "But Section 1401 of Chapter 38 says a fine of up to \$200,000 can already be levied so if the judge, now under your Amendment, were to assess a fine of \$2,000 would he be

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precluded then from levying a fine against that same defendant in an amount up to \$200,000 as already prescribed by statute?"

Yourell: "There is nothing that would preclude the judge from assessing a fine greater than he wants to but it has to be at least in the amount of the drugs confiscated."

Stearney: "Well, your Amendment says that it shall be done in addition to, in addition to any other penalty imposed."

Yourell: "That's correct."

Stearney: "The fine shall be levied. Well, it just seems to me how many times can you fine an individual. You sentence them once to prison, then you fine them \$200,000 and now you fine an amount equal to the street value of the drug. Is that your thinking, Mr. Yourell?"

Yourell: "Well, as you read the statute and the Amendment correctly it indicates that in addition to any fine imposed by the judge it has to at least be in the amount of the drugs confiscated and that's what we're after. I can tell you cases on cases, Representative Stearney. For example, Mr. 'Gualeris' in the City of Miami was picked up with \$10,000,000 worth of cocaine and the bail and the fine, the bail was levied at an amount of three million dollars and later reduced by the judge and he walked in and deposited one million dollars in cash and walked out and they haven't seen him again. So they didn't then have an opportunity to even a levy fine of one dollar so we want to be absolutely certain that with drug trafficking as it is and rampant throughout the country and throughout the world we at least give the agencies that are responsible for the control of this kind of traffic the revenue and the facilities that combat it. The D.A. in testimony has told me that they have no monies to fight this problem with and this is what they suggested. This Amendment, along with the substance

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of the Bill itself."

Stearney: "Well, I suggest your example is not apropos because you're dealing with a question of an individual arrested. Well, all I'm saying is that I think, what you may do is preclude the courts from fining that defendant up to \$200,000 as provided by statute because it becomes a question really of double jeopardy. How many separate times can you fine an individual for the same offense? To get that mere \$2,000 you may preclude the judge from levying a fine of up to \$200,000. But if that's your will, so be it."

Yourell: "That's not how the Amendment reads."

Stearney: "In effect, you may be negating the present Act by this Amendment, although it's good intentioned."

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

Yourell: "Thank you, Mr. Speaker, just to ask for a favorable Roll Call on Amendment #1 to 249."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 249. 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 253, Representative Yourell."

Clerk Leone: "House Bill 253, a Bill for an Act to amend an Act in relationship to revenue sharing with local governmental entities, 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: "Representative Yourell, I've just been informed by

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the Clerk that there's just been an Amendment filed to this Bill. Out of the record? Out of the record, Mr. Clerk. House Bill 262, Representative Levin. Representative Yourell."

Yourell: "At this time withdraw an Amendment to the Bill and then proceed later at a later date tomorrow or the next day."

Speaker Ryan: "Why don't we handle it all at once. We've got an Amendment that's not been printed and distributed at this point. House Bill 262, Representative Levin."

Clerk Leone: "House Bill 262, a Bill for an Act relating to the filing (sic) of vacancies in the office of alderman in the City of Chicago, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Stewart, amends House Bill 262 on page one and so forth."

Speaker Ryan: "The Lady from Cook, Representative Stewart, on Amendment #1 to House Bill 262."

Stewart: "Thank you, Mr. Speaker. I withdraw the Amendment."

Speaker Ryan: "Amendment #1 is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 264, Representative Van Dwyne. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 264, a Bill for an Act to amend the Waukegan and Joliet Metropolitan Exposition and Auditorium Authority Act, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Representative Van Dwyne, the Clerk requests that you take this out of the record temporarily. The calendar indicates that there's a Committee Amendment that's not filed with the Bill. Out of the record. House Bill 281, Representative Deuster. Read the Bill."

Clerk Leone: "House Bill 281, a Bill for an Act to repeal an Act

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regulating wages of laborers, mechanics and other workmen employed in any public works, Second Reading of the Bill.

Amendment #1 was adopted in Committee."

Speaker Ryan: "Representative Deuster, I've just been informed by the Clerk that there's just been an Amendment filed that is not printed and distributed. Out of the record. House Bill 282, Representative Stuffle. Representative Stuffle on the floor? Out of the record. House Bill 291, Representative Capparelli. Is the Gentleman on the floor? Representative Capparelli. House Bill 291, Representative. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 291, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 328, Representative Leverenz. Read the Bill, Mr. Clerk. Representative Leverenz, I understand that there's just been an Amendment filed that's not printed and distributed. Representative Leverenz."

Leverenz: "What is the number of that Amendment?"

Speaker Ryan: "What's the number, Mr. Clerk? Of the Amendment that was just filed. Number one."

Leverenz: "That is printed and distributed I understand."

Speaker Ryan: "It was just filed."

Leverenz: "I filed that yesterday or the day before. We have it in our files here. I think it's distributed. With all due respect to the Speaker and the Clerk, it inserts the effective date."

Speaker Ryan: "It has not been printed and distributed, Representative. Out of the record. House Bill 341, Representative Deuster. Want the Bill called,

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Representative? Read the Bill."

Clerk Leone: "House Bill 341, a Bill for an Act to provide for the safety inspection, licensing and regulation of amusement rides and attractions, 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: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Deuster, amends House Bill 341 on page.."

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

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, it is my intention to ask leave to table Amendment #1 and to substitute for it Amendment #2. The two Amendments are identical except the first one which was adopted in Committee was typed by me and I made a couple of mistakes. Besides the clerical errors the only other errors the Reference Bureau thought the title of the Act ought to be changed to more correctly reflect the substance of the Amendment that was adopted in Committee. So at this time I would ask leave to table Amendment #1."

Speaker Ryan: "The Gentleman moves to table Amendment #1 to House Bill 341. All in favor will signify by saying 'aye'. Representative Schneider."

Schneider: "Just on a matter of procedure, it seems to me that I had the Amendment a minute ago and it said that it strikes everything after the enacting clause and if you table Amendment #1 you're not striking everything after the enacting clause. It would seem like the best way to go is just to adopt Amendment #2 and that would have the effect of eliminating Amendment #1. Am I right on that, Don? I'm just recalling it from what I saw."

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Speaker Ryan: "Representative Deuster."

Deuster: "Amendment #1 in Committee struck the whole Bill and put the insurance requirement in. Amendment #2 does the same thing but in the proper language. So the substance of effect is the same."

Schneider: "I'm not talking about substance. I'm just saying if Amendment #2 strikes everything after the enacting clause it is in effect striking Amendment #1 and I think for procedural purposes that would be more accurate. Otherwise, we'll get jumbled up on the whole thing later on."

Deuster: "Well, if you can roll back the House and do it all over again and put Amendment back on..."

Speaker Ryan: "All in favor of the Gentleman's Motion to table Amendment #1 signify by saying 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Amendment #2, Deuster, amends.."

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

Deuster: "This is the same as Amendment #1 but in correct form and I would move the adoption of Amendment #2."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 341. 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: "Representative Deuster, the Parliamentarian informs me that that Amendment that was just adopted changes the title of the Bill and this Bill will have to be returned to the Order of Second Reading, first Legislative Day. Representative Deuster."

Deuster: "I haven't figured out the time table. How much time we have left. That doesn't kill the Bill any way, does it,

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that I know of? Otherwise I would back track. We have enough time don't we, legislatively, Mr. Speaker, to handle this?"

Speaker Ryan: "Yes."

Deuster: "I'm sorry it slows the Bill down but I want it to be in proper form and unless I could move to suspend the provisions of the rule.."

Speaker Ryan: "Representative Darrow, do you seek recognition?"

Darrow: "Yes, Mr. Speaker. In order to clarify this point for later days I believe that the Clerk cannot make the demand. The demand has to be made by a Member according to 34D so therefore, if no one made the demand, Mr. Deuster need not comply with this."

Speaker Ryan: "You're absolutely right. Third Reading on 341. House Bill 369, Representative Robbins."

Clerk Leone: "House Bill 369, a Bill for an Act to amend the Illinois Municipal 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, Robbins, amends House Bill 369.."

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

Robbins: "On Amendment #1 made the requirement that the Assistant Police and Fire Chiefs come from the ranks then the unions objected and I ...to this so I agreed to offer Amendment to limit this to towns of five thousand or under. This really hurts the Bill but I agreed to offer the Amendment and it is for the people on the floor to decide whether they wish to vote this up or down."

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

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Wikoff: "Thank you, Mr. Speaker. Representative Robbins is exactly right in his comments. This Bill was heard in Cities and Villages and the agreement was made that he would place this, present this Amendment on the floor for consideration and I would see to his wishes."

Speaker Ryan: "Any further discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 369. All in favor will signify by saying 'aye', all opposed 'no'. The 'nos' have it and the Amendment is defeated. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 371, Representative Birkinbine. Read the Bill."

Clerk Leone: "House Bill 371, a Bill for an Act to repeal the State prevailing Wage Law, 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: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 403, Representative Levin. Read the Bill."

Clerk Leone: "House Bill 403, a Bill for an Act to amend the Election 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 406, Representative Steele. Read the Bill."

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Clerk Leone: "House Bill 406, a Bill for an Act to amend the School 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 Amendments from the floor?"

Clerk Leone: "Floor Amendment #2, Schuneman, amends House Bill 406 as amended."

Speaker Ryan: "Representative Schuneman on Amendment #2."

Schuneman: "Thank you, Mr. Speaker. Amendment #2 to House Bill 406 would delete one of the mandates on our local School Districts. It would relieve the School Districts of providing mandatory physical education classes for every kid, every day, in such a way that they would now have to provide those mandates for eleven of the twelve years. In other words this only rolls back the mandate for one year. So in other words those youngsters who are now required to take physical education every day of every school year would still have to do it except in the last year of high school. This subject matter was a matter of a Bill which, or the subject matter of a Bill which I introduced and which was given a favorable hearing by a Subcommittee but because of the crush of the last few days of our Session did not get out of Committee but I suggest to you that the State of Illinois should begin to relieve our local School Districts of some of the mandates we've placed upon them. This is no big step in that direction but at least it is giving the School Districts some relief. And I would urge a favorable vote on this Amendment."

Speaker Ryan: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Mr. Speaker, I would question the germaneness of this

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Amendment."

Speaker Ryan: "Representative Deuster, the Clerk just informs me, Representative Schuneman, the Clerk informs me that there's been an Amendment filed to this Bill that has not been printed and distributed."

Schuneman: "So what's your pleasure, Mr. Speaker?"

Speaker Ryan: "I guess we'll have to ask Representative Steele if he'll take it out of the record."

Steele: "Sure. Fine."

Speaker Ryan: "Out of the record. House Bill 411, Representative Reilly. Out of the record. House Bill 418, Representative Birkinbine. Representative Birkinbine. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 418, a Bill for an Act in relationship to strikes by certain labor organizations, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 422, Representative Deuster."

Clerk Leone: "House Bill 422, 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 429, Representative Pechous. Is the Gentleman on the floor? Representative Pechous, House Bill 429. Do you want it heard? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 429, a Bill for an Act to amend the

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Illinois Pension 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 441, Representative
McGrew. Is the Gentleman in the chamber? Out of the
record. House Bill 470, Representative Steele. Read the
Bill."

Clerk Leone: "House Bill 470, a Bill for an Act to amend an Act
concerning public utilities, 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 482, Representative
McClain. Is the Gentleman on the floor? Out of the
record. House Bill 490, Representative Kane. Out of the
record. House Bill 519, Representative Horsey. Read the
Bill."

Clerk Leone: "House Bill 519, a Bill for an Act to amend the
Workers' Compensation Act and the Workers' Occupational
Diseases 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 531, Representative
Catania. Out of the record. House Bill 535,
Representative Catania. Read the Bill."

Clerk Leone: "House Bill 535, a Bill for an Act to amend the
Illinois Human Rights Act, Second Reading of the Bill.
Amendments #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to
Amendments #1 or 2?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 555, Representative Schuneman. Out of the record. How about 556, Representative. Out of the record. House Bill 584, Representative Stuffle. Out of the record. House Bill 592, Representative Grossi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 592, a Bill for an Act creating the Compensation Review Board, 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 594. Read the Bill."

Clerk Leone: "House Bill 594, a Bill for an Act creating the Illinois Compensation (sic) Budget Reform 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: "None."

Speaker Ryan: "Third Reading. House Bill 597, Representative Dunn (Ralph). Representative Dunn? Out of the record. House Bill 598, Representative Chapman. Out of the record. House Bill 607, Representative Donovan. Out of the record. House Bill 609, Representative Kelley, Jim Kelley. Out of the record. House Bill 615, Representative Swanstrom. Is the Gentleman on the floor? Out of the record. House Bill 618, Representative Topinka. Out of the record. House Bill 623, Representative Friedrich."

Clerk Leone: "House Bill 623, a Bill for an Act to amend the Environmental Protection Act, Second Reading of the Bill."

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Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions, 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: "Floor Amendment #2, Dwight Friedrich, amends House Bill.."

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

Friedrich: "Mr. Speaker and Members of the House, Amendment #1 left municipalities in counties of over three hundred thousand still under the EPA for the purpose of this Act. I would like to table Amendment #1 and put in Amendment #2 because it just changes the figure to two hundred thousand, in other words it would leave Winnebago County, say, Clark County and Madison County out of the jurisdiction of the EPA in connection with the burning of landscape waste. So I would like to at this time table Amendment #1 and offer Amendment #2."

Speaker Ryan: "The Gentleman moves to table Amendment #1 to House Bill 623. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Dwight Friedrich, amends House Bill..."

Speaker Ryan: "Representative Friedrich."

Friedrich: "I've explained this Amendment. This would leave all the cities and counties of over two thousand under the jurisdiction of EPA in connection with burning of landscape waste. I move the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman moves the adoption of Amendment #2 to 623. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 627, Representative Fawell. Out of the record. House Bill 629, Representative Rigney. Does that mean out of the record, Representative? Out of the record. House Bill 637, Representative Vinson. Out of the record. House Bill 659, Representative Deuchler. Do you want it heard? Read the Bill."

Clerk Leone: "House Bill 659, a Bill for an Act to amend an Act relating to fire escapes, 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 663, Representative Christensen. Want the Bill read, Representative? Out of the record? Out of the record. House Bill 665, Representative Catania. Out of the record. House Bill 666, Representative McPike. Do you want the Bill heard? Representative McPike."

McPike: "Mr. Speaker, could you tell me if Amendment #2 has been printed?"

Speaker Ryan: "The Clerk informs me it has not been, so out of the record. House Bill 672, Representative Schuneman. Out of the record. House Bill 675, Schuneman. Out of the record. No, read the Bill. 675."

Clerk Leone: "House Bill 675, a Bill for an Act to amend the Unemployment Insurance 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 676, Representative Henry. Representative Henry, there's been a Floor Amendment just filed. Out of the record. House Bill 677, Representative Telcser. Representative Telcser, do you want to hear 677? Out of the record. House Bill 680, Representative Braun. Out of the record. House Bill 682, Representative Neff. Read the Bill, Mr. Speaker(sic)."

Clerk Leone: "House Bill 682, 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 Amendments from the floor?"

Clerk Leone: "Floor Amendment #2, Neff, amends House Bill 682, on page one, line two and so forth."

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

Neff: "Number 2 is just a technical Amendment. I move its adopted. It changes no wording in the Bill except..."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 682. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Schraeder, amends House Bill 682.."

Speaker Ryan: "Representative Schraeder, on Amendment #3 to House Bill 682."

Schraeder: "Mr. Speaker, this merely adds a slight change in the Bill but I would like to amend it on its face. The bureau left out the words 'an annuitant' and put a small 'w' rather than a capital 'w'. I'd like to amend it on its

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face in that regard."

Speaker Ryan: "The Gentleman asks leave to amend Amendment #3 on its face. Are there objections? Hearing none, leave is granted."

Schraeder: "Thank you, Mr. Speaker and Members. This would authorize that on signing of an authorization card an annuitant would be able to have a withholding from his check on the basis of the withholding statement. And I'd ask its adoption. There's no opposition that I know of."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 682. 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: "Representative Neff, there's been a request for a fiscal note filed on this Bill. It will have to remain on Second Reading. House Bill 703, Representative Watson. Representative Watson. Is the Gentleman on the floor? Read the Bill."

Clerk Leone: "House Bill 703, a Bill for an Act to amend the Illinois Pension 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 705, Representative Henry. Read the Bill."

Clerk Leone: "House Bill 705, a Bill for an Act in relationship to beautifying vacant and abandoned property, Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #2, Johnson, amends House Bill 705 on page two by deleting lines fourteen through seventeen and so forth."

Speaker Ryan: "Representative Johnson, on Amendment #2 to House Bill 705. Representative Henry."

Henry: "Yes, thank you, Mr. Speaker. I don't think Representative Johnson is on the floor but I do agree with the Amendment."

Speaker Ryan: "Do you move for the adoption?"

Henry: "Thank you very much."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 705. All in favor will signify by saying 'aye'. Representative Bullock."

Bullock: "What does the Amendment do, Mr. Speaker?"

Speaker Ryan: "The Gentleman indicates he'll yield."

Henry: "Yes, thank you, Mr. Speaker. The Amendment that Representative Johnson introduced only changed certain wording on the money damages and the abandoned residential and industrial property which a person may beautify. It only changes the money damages so a person cannot be sued for money damages on working on the property."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 705. 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 709, Representative Mulcahey. Read the Bill."

Clerk Leone: "House Bill 709, a Bill for an Act to amend an Act to revise the law in relationship to the sheriffs, Second Reading of the Bill. Amendment #1 was adopted in

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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: "Floor Amendment #2, Mulcahey, amends House Bill 709..."

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

Mulcahey: "Thank you, Mr. Speaker and Members of the House. Amendment #2 simply indicates that if there's a number of appointed auxiliary deputies they shall not increase, be increased after January 1, 1982 if vacancies exist within the certified ranks of that department. 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 709. 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 710, Representative Klemm. Read the Bill."

Clerk Leone: "House Bill 710, a Bill for an Act to amend the Workers' Compensation 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 712, Representative Terzich. Read the Bill."

Clerk Leone: "House Bill 712, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to

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Amendments 1 or 2?"

Clerk Leone: "No Motions filed."

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

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

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

Terzich: "Mr. Speaker and Members of the House, Amendment #3 is at the request of Mr. Ralph Couch who is the administrator of the IMRF Pension System. This has to do with reciprocity of transferring credits and what Amendment #3 simply states is that the credits that would be transferred that the amount would be equal to the Members' contributions, and it would be certified by the Department of Insurance in complying with his request."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 712. 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 714, Representative Klemm."

Clerk Leone: "House Bill 714, a Bill for an Act to amend the Workers' Compensation 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 725, Representative Vinson. Read the Bill."

Clerk Leone: "House Bill 725, a Bill for an Act to amend the Inheritance and Transfer Tax Law, 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 730, Representative Pierce. Read the Bill."

Clerk Leone: "House Bill 730, a Bill for an Act to amend the Illinois Income Tax Act, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Representative Pierce, there's been a request for a fiscal note filed on this Bill. It will have to remain on the Order of Second Reading. House Bill 731, Representative Robbins. Representative Robbins on the floor? Out of the record. House Bill 735, Representative DiPrima. Read the Bill."

Clerk Leone: "House Bill 735, a Bill for an Act to amend the Personnel 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: "Motion, I move to table Amendment #1 to House Bill 735, Representative DiPrima."

Speaker Ryan: "Representative DiPrima, on the Motion to table Amendment #1."

DiPrima: "Yes, Sir, Mr. Speaker, Amendment #1 was incorrectly drawn. Four lines were omitted. Amendment #2 corrects that error. So I move that we table Amendment #1 and adopt in its place Amendment #2."

Speaker Ryan: "The Gentleman moves to table Amendment #1. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and Amendment #1 is adopted or is tabled. Further Amendments?"

Clerk Leone: "Amendment #2, DiPrima, amends House Bill 735 on page one and so forth."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment

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#2 to House Bill 735. 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 753, Representative Neff. Read the Bill."

Clerk Leone: "House Bill 753, a Bill for an Act to amend the Civil Administrative Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Neff, amends House Bill 753..."

Speaker Ryan: "Representative Neff, on Amendment #1 to House Bill 753."

Neff: "Yes, Mr. Speaker. This Amendment #1 to 753 is a technical Amendment as well as a few other changes recommended by the Track Station Study Commission. I don't think there's any opposition to it."

Speaker Ryan: "Is there any discussion? Representative O'Brien, do you..Oh. Representative (sic) Ohler, do you seek recognition? Representative Getty. Representative Getty. I got the right one."

Getty: "Thank you. Would the Gentleman yield?"

Neff: "Yes."

Speaker Ryan: "Indicates he will."

Getty: "It's my understanding that previously some greatly...much more detailed information was required than this. Why should we eliminate that information?"

Neff: "Mr. Getty, I think in the Amendment we're not eliminating that. I think the Amendment adds that to it, some information."

Getty: "Well, in line 29 of page one, we're taking 'state' out. What is the purpose of that?"

Neff: "This repeals also the statutory requirement of cities over

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5,000....5,000 population have to repay this 20 year transportation plan also and I think that's where that..."

Getty: "Well, I'm not sure. I'm referring to on page one of line 29. Amendment #1 takes out the reference to the master plan for the state highway, waterway, aeronautic and mass transportation and railroad system and would leave it just reading, 'the highway, waterway and aeronautical mass transportation and railroad system', without reference to the state's plan. I'm just trying to see what the reason for taking the reference to the state...."

Neff: "Representative Garmisa asked me to put this in and he's Chairman of the Transportation Study Commission and his purpose of the Amendment was, he said it would make the Department of Transportation a little more ..listen a little more to the Legislators. That was his purpose. That's when he asked me to do it."

Getty: "Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 753. 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 772, Representative Hoxsey."

Clerk Leone: "House Bill 772, a Bill for an Act to amend the Township Zoning Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 779, Representative Stuffle? Read it."

Clerk Leone: "House Bill 779, a Bill for an Act to amend the

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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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House ..House Bill 780,
Representative Leinenweber? Representative Leinenweber?
Do you want the Bill read, Representative? Read the Bill."

Clerk Leone: "House Bill 780, a Bill for an Act to establish the
Uniform Information Practices Code. Second Reading of the
Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to
Amendments 1, 2 or 3?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #4, Leinenweber, amends House Bill
7..."

Speaker Ryan: "Representative Leinenweber on Amendment #4."

Leinenweber: "Thank you, Mr. Speaker. Amendment #4 merely
corrects two misspellings in the Bill and I move its
adoption."

Speaker Ryan: "Any questions? The Gentleman moves for the
adoption of Amendment #4 to House Bill 780. 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."

Leinenweber: "Mr. Speaker?"

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "Yes. I would ask you to move it to Third Reading.
There are several Members, Representative Jaffe and
Representative Getty, I think, who may come..want to place

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additional Amendments on the Bill. And I give them my word that I will take..I will move to bring the Bill back to Second Reading if they decide to go forward with Amendments."

Speaker Ryan: "Third Reading. House Bill 782, Representative Van Dyne. Read the Bill."

Clerk Leone: "House Bill 782, a Bill for an Act to amend an Act relating to alcoholic liquors. 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 797, Representative Stanley. Read the Bill."

Clerk Leone: "House Bill 797, a Bill for an Act to amend the School Code..."

Speaker Ryan: "Representative Stanley, there's been a Floor Amendment filed that's not printed and distributed. Out of the record. House Bill 804, Representative Macdonald. Read the Bill."

Speaker Ryan: "House Bill 804, a Bill for an Act to amend the Illinois Pension 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 807, Representative Schuneman. Read the Bill."

Clerk Leone: "House Bill 807, a Bill for an Act to amend an Act to provide for the safety of persons in and about the construction or repair of buildings. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. House Bill 808, Representative

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Darrow. Out of the record. House Bill 818, Representative Bowman. Representative Bowman, do you want to hear 818? Read the Bill."

Clerk Leone: "House Bill 818, a Bill for an Act to amend the Election 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 820, Representative McCormick. Read it."

Clerk Leone: "House Bill 820, 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, McCormick, amends House Bill ..."

Speaker Ryan: "Representative McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, the Amendment is the Amendment I agreed to in Committee. It changes the date of the cap from 79 to 80 in the Bill. I know of no opposition to it. It was agreed in the Committee we'd put that Amendment on. I move its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to House Bill 820. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Representative McPike, did you seek recognition? Proceed."

McPike: "Well, I simply didn't hear the explanation. And I wanted to ask the Sponsor to explain it."

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Speaker Ryan: "Representative McCormick, would you explain the Amendment then please?"

McCormick: "I'll be glad to explain anything you want me to do, Representative, if I can."

McPike: "Well, I couldn't hear it over here. There was a lot of noise. Could you explain the Amendment?"

McCormick: "We're trying...The original Bill put ..was putting a cap on the multiplier as of 1979. But that was when I put it in the Reference Bureau to get it drawn. And we didn't get it out until late, so I had to change it to 1980 because the Department of Revenue had already sent out some 25 or 30, maybe more, of the multipliers for 1980 and that would disrupt the whole system in most of the counties in Illinois."

McPike: "Thank you."

McCormick: "Yes, Sir. Thank you."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 829, Representative Stanley. What's your pleasure, Representative? Out of the record. House Bill 834, Representative Dick Kelly. Is the Gentleman on the floor? Out of the record. House Bill 837, Representative Oblinger. Out of the record. House Bill 839, Representative Karpiel. Read the Bill."

Clerk Leone: "House Bill 839, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendments #1 or 2?"

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 845, Representative

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Grossi. Out of the record. House Bill 847, Representative Klemm. Read the Bill."

Clerk Leone: "House Bill 847, 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 Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 855, Representative Tuerk. Is the Gentleman on the floor? Out of the record. House Bill 857. Out of the record. House Bill 859, Representative Karpiel. Read the Bill."

Clerk Leone: "House Bill 859, a Bill for an Act to amend the Workers' Compensation 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 877, Representative McPike? Read the Bill."

Clerk Leone: "House Bill 877, a Bill for an Act to amend an Act in relationship to the compensation of county officers. 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 Motion; filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 886, Representative O'Brien? Out of the record. House Bill 898, Representative Piel. Out of the record. House Bill 900,

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Representative Vinson. Out of the record. House Bill 907,
Representative Bowman? Read the Bill."

Clerk Leone: "House Bill 907, a Bill for an Act to amend the
Election 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: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 913, Representative
Giorgi. Out of the record. House Bill 918, Representative
DiPrima. Representative DiPrima on the floor? Want the
Bill read, Representative? Do you want to hear...You want
House Bill 918 read? Read the Bill."

Clerk Leone: "House Bill 918, a Bill for an Act to amend the
Senior Citizens and Disabled Persons Property Tax Relief
Act. Second Reading of the Bill. No Committee
Amendments."

Speaker Ryan: "Representative DiPrima, there has been a request
for a fiscal note filed on this Bill. It will have to
remain on the Order of Second Reading. Was that your
point, Representative Getty? House Bill 927,
Representative Davis. Read the Bill."

Clerk Leone: "House Bill 927, a Bill for an Act to regulate
private employment agencies. Second Reading of the Bill.
Amendment ...No Committee Amendments."

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

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

Speaker Ryan: "Representative Davis on Amendment #1 to 927."

Davis: "Well, thank you, Mr. Speaker. Amendment #1 is an
attempt, an agreed Amendment now with the Department of
Labor and the industry to increase the policing activity in

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the employment agency industry. Amendment #1 is now the Bill and I don't think there's any opposition from any quarter to this particular Amendment. It simply increases the regulatory activity within the industry itself and the Department of Labor's increased police..policing of that particular agency."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 927. 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 929, Representative Stuffle. Terzich, Representative Terzich. Out of the record. House Bill 931, Representative Terzich. Out of the record. House Bill 932, Representative Kociolko. Out of the record. House Bill 937, Representative Sandquist. Out of the record. House Bill 940, Representative Stuffle. Read the Bill."

Clerk Leone: "House Bill 940, 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: "Motion, I move to table Amendment #1 to House Bill 940, Representative Stuffle."

Speaker Ryan: "Representative Stuffle, on your Motion to table Amendment #1."

Stuffle: "Yes. I would move to table Amendment #1. It is technically in error. It'll be replaced by Amendment #2 which is in the proper order. I would move to table Amendment #1."

Speaker Ryan: "The Gentleman moves to table Amendment #1 to House

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Bill 940. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it. And Amendment #1 is adopted. Further Amendments?..er..is tabled, tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Stuffle-Wikoff, amends House Bill 940 on page one, line 17 and so forth."

Speaker Ryan: "Representative Stuffle."

Stuffle: "Amendment #2 is simply an Amendment agreed upon in Committee. It cleans up what was technically wrong with Amendment #1 as a limitation on the earnings power of annuitants in the university retirement system. I would move its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #2 to House Bill 940. 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 942, Representative Winchester. Read the Bill."

Clerk Leone: "House Bill 942, a Bill for an Act to amend the Election 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 943, Representative Tuerk? Out of the record. House Bill 944, Representative Tuerk? Out of the record. House Bill 947, Representative Winchester. Read the Bill."

Clerk Leone: "House Bill 947, a Bill for an Act to amend the Election 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 959, Representative Younge. Is the Lady on the floor? Out of the record. House Bill 970, Representative Nelson. Read the Bill."

Clerk Leone: "House Bill 970, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. 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: "Floor Amendment #2, Johnson, amends House Bill 9..."

Speaker Ryan: "Representative Johnson on Amendment #2. Representative Nelson?"

Nelson: "Mr. Speaker, in the absence of Representative Johnson I would like to move Amendment #2 which is his Amendment. I agreed to it in Committee and it cleared up some problems that he had with the Bill. It deletes 'filing fees for downstate lawyers'."

Speaker Ryan: "Representative Leinenweber."

Leinenweber: "Would the Lady yield to a question?"

Speaker Ryan: "Indicates she will."

Leinenweber: "I remember Representative Johnson discussing this and specifically what...As I recall your Bill, this provides certain increased fees plus a fee for bringing a case up in court for docketing. Is that correct?"

Nelson: "That is correct, Representative Leinenweber. This is a Bill that I was requested to submit by DuPage County, who have..."

Leinenweber: "Yes, I remember that. But what is...Amendment #1, I remember what that was. But what does Amendment #2 do?"

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Nelson: "Amendment #2, at the request of Representative Johnson, deletes the \$50.00 filing fee for a jury trial only in counties under 500,000 population."

Leinenweber: "That's all counties but DuPage, possibly Lake and Cook. Is that correct?"

Nelson: "That's correct."

Leinenweber: "And do you know what the fiscal impact would be with that Amendment?"

Nelson: "I should think it would have ...I don't know."

Speaker Ryan: "Any further discussion? Representative Stearney?"

Stearney: "Will the Lady yield?"

Speaker Ryan: "She indicates she will."

Stearney: "I take it then that this would exempt counties under 500,000 from paying this fee?"

Nelson: "Yes."

Stearney "What is the rationale for exempting the downstate lawyers whereas we're penalizing the lawyers...and the individuals..the clients in counties over 500,000?"

Nelson: "The Bill as amended by Amendment #1 has nothing to do with Cook County. It increases certain filing fees for court appearances only in DuPage County in the amount of \$10.00 and for Small Claims Court in the amount of \$3.00, Representative Stearney."

Stearney: "So this only affects DuPage County?"

Nelson: "That's correct."

Stearney: "Well, why should we be exempting DuPage County from an Act that would affect every other county in the state?"

Nelson: "We're not exempting them. We're increasing the fees in DuPage County."

Stearney: "Over and above what they would pay in Cook County?"

Nelson: "That's correct."

Stearney: "Well, if you wish to do it, it's all right with me."

Speaker Ryan: "Representative Giorgi."

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Giorgi: "Mr. Speaker, did you say this was Tim Johnson's Amendment?"

Speaker Ryan: "Yes, it is, Representative."

Giorgi: "Well, is Tim Johnson in the room? I want to ask him a question on it."

Speaker Ryan: "Representative Nelson is the Sponsor of the Bill and...."

Giorgi: "What does this do to Cook and Winnebago County, a quarter of a million people? You don't make case..file there. How much money are we going to lose off of this? Who pays this fee incidentally? The lawyer or the client?"

Nelson: "Does not affect you."

Giorgi: "Oh, it doesn't affect me? Just a minute. I've got conflicting opinions that it does affect Winnebago County."

Nelson: "Winnebago County is a county under 500,000 population. Is that correct?"

Giorgi: "Yes. Yes."

Nelson: "Well then it would affect Winnebago County by removing the \$50.00 filing fee for jury trial."

Giorgi: "Okay. To what extent is that going to cost my county money? How many cases are filed yearly that would come under this \$50.00 fee? Do you know?"

Nelson: "No, I don't."

Giorgi: "Well, Johnson...the Sponsor of the Amendment should know what he's doing here...."

Speaker Ryan: "Representative Nelson, I would suggest..."

Nelson: "...Representative Johnson's absence I moved the Amendment for him because it was an agreement between the two of us. May I at this time take it out of the record and discuss it with...."

Speaker Ryan: "Out of the record, Mr. Clerk. House Bill 974, Representative Steczo. Read the Bill."

Clerk Leone: "House Bill 974, a Bill for an Act to amend the

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School Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Barnes-et al, amends House Bill 974 on page one and so forth."

Speaker Ryan: "Representative Barnes on Amendment #1 to House Bill 974. Representative Barnes."

Barnes: "I would move for the adoption of Amendment #1 to 974."

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

Mulcahey: "What is it? (What does it) do?"

Barnes: "It expandsIt expands the definition of textbooks to include books, reusable workbooks and manuals whether bound or in loose leaf form if the material is intended to be the principle source of study material for a given class or group. And each member of the class or group is expected to have a copy."

Mulcahey: "Thank you."

Speaker Ryan: "Any further discussion? Representative Schneider."

Schneider: "Will...How different is this from the original Bill? Steczko, maybe you can address that because I know we had it in Committee, it was using my word I guess, disposal materials? And now what Representative Barnes is adding sounds to me like you don't need to add it. Sounds like you've already got it in the original Bill and she's defining it. So maybe one of you two could answer it. Perhaps the Sponsor, out my own preference of his knowing.. at least the original Bill."

Speaker Ryan: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker. Amendment #1 just seeks to clarify the original intent and evidently there was a...This language comes from a court proceeding which

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defined..."

Barnes: "Right..."

Steczo: "...Exactly what we're trying to define in terms of textbooks, manuals and those kinds of workbooks which would be eligible under this program."

Speaker Ryan: "Any further discussion? Representative Barnes, to close on Amendment #1."

Barnes: "This Amendment merely makes the Bill Constitutional which is to change in some of the language that was needed. I would ask for a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall Amendment #1 to House Bill 974 be adopted?' 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 977, Representative White. Read the Bill. Representative White, I've just been informed by the Clerk that there is an Amendment that's not printed and distributed. We'll have to hold the Bill on Second Reading. Representative White."

White: "Mr. Speaker, this is a technical Amendment. All we're doing is changing a word from 'undertakes' to 'undertaken'. Can I have leave to amend the Bill...."

Speaker Ryan: "Representative, you can certainly ask leave. The Gentleman asks leave to"

White: "Change the word from 'undertakes' to 'undertaken'."

Speaker Ryan: "Well, you want to..you want to"

White: "...Amend it on its face."

Speaker Ryan: "To amend the Bill?"

White: "No. To amend..."

Speaker Ryan: "...The Amendment?..."

White: "...That particular word in the Amendment..."

Speaker Ryan: "Then you want to suspend the rules so you can have

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your Amendment heard without it being printed and distributed?"

White: "That is correct."

Speaker Ryan: "The Gentleman asks leave to have his Amendment heard without it being printed or distributed. Are there any objections? Hearing none, leave is granted."

Clerk Leone: "House Bill 977, a Bill for an Act to authorize financial assistance for cultural and racial integration of students within School Districts. 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: "Floor Amendment #2, White, amends House Bill 977 on page..."

Speaker Ryan: "Representative White? Would you care to explain your Amendment one more time now please? We're at that point in the proceedings."

White: "Mr. Speaker, all the Bill ...all I'm seeking to do is to change one word from 'undertakes' to 'undertaken' to make it grammatically correct."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #2 to House Bill 977. Representative Vinson."

Vinson: "A question of the Sponsor, Mr. Speaker?"

Speaker Ryan: "He indicates he'll yield."

Vinson: "Are you saying that you're just changing one word in the Amendment or that the Amendment just takes...changes one word in the Bill?"

White: "No. What we're doing is changing one word in the Amendment."

Vinson: "What's the Amendment do?"

White: "Well, it's not my Amendment. My Amendment...All my

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Amendment does is just to change that one word. That's all."

Vinson: "You're saying that the Floor Amendment would just change one word in the Committee Amendment? Is that what you're saying?"

White: "That is correct."

Vinson: "Wouldn't it be cleaner for you to withdraw the Floor Amendment and ask for leave to change the Committee Amendment on its face?"

White: "Representative Vinson, I think that it would be better to do it this way because all we're really trying to do is just change a word to make it grammatically correct. That's all."

Vinson: "Well, I don't care how we do it. It would just seem to me to be cleaner and whatever the Assembly's choice is fine with me."

Speaker Ryan: "Representative Schneider."

Schneider: "I don't think....I don't read that as a grammatical change, Jesse. I apologize. But I'm reading that quite differently. I'm reading it to say that those districts that have undertaken student reassignment measures consistent with the public policy stated here in proportion to the cost. It's my understanding that what I think we have in this Bill is a mechanism which will allow those schools which have already undertaken desegregation procedures to have an opportunity to be reimbursed, should there be such a funding. If you change it as you wish to change it, I think that would be eliminated. Now, I don't know if you want to do that. And if you would...If we have got time, I'd like to take it out and look at it. Does that sound right to you?"

Speaker Ryan: "Representative White."

Schneider: "I think it has a different impact with the grammatic

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change..."

White: "Mr. Speaker, I'd like to take it out of the record until I clear it with..."

Speaker Ryan: "Take House Bill 977 out of the record. House Bill 978, Representative Sandquist. Read the Bill."

Clerk Leone: "House Bill 978, a Bill for an Act in relationship to weather modification..."

Speaker Ryan: "Representative Sandquist, we also have the same situation here. There are some Amendments that have been filed that are not printed and distributed. Out of the record. House Bill 980, Representative Sandquist."

Clerk Leone: "House Bill 980, a Bill for an Act relating to the enforcement of water well construction codes, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Representative...Just a minute, Mr. Clerk. Representative Virginia Frederick, do you seek recognition?"

Frederick: "Yes. Mr. Speaker, I would like permission to introduce the west.. the Central Junior High School of Zion, Illinois and their very fine teacher, Mr. William Valaruda, who has come down here for seven years with the group of students. They're up in this balcony."

Speaker Ryan: "Welcome. Representative Friedrich."

Friedrich: "Mr. Speaker, you just passed up a Bill of Representative Sandquist's and I think that might have been my Amendment that you're talking about and if that's the only Amendment pending, I will table it. I know it hasn't had time to be printed. If there's no other Amendment I think this will solve Representative Sandquist's problem. If there's another one, it doesn't matter. But if I have the only Amendment on it..."

Speaker Ryan: "Representative Currie has an Amendment filed on that also. Alright. That House Bill 978 is out of the

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record and we're now on House Bill 980. Read the Bill again, Mr. Clerk."

Clerk Leone: "House Bill 980, a Bill for an Act relating to the enforcement of water well construction codes. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Currie, amends House Bill 980 on page one..."

Speaker Ryan: "Representative Currie on Amendment #1 to House Bill 980. Is the Lady on the floor?"

Currie: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to House Bill 980 which is an attempt to deal with water well construction codes. We've merely increased the enforcement power of the Department of Public Health who see to it that water wells are, in fact, safely dug."

Speaker Ryan: "Is there any discussion? Representative Friedrich, do you seek recognition? Turn your button off, would you please? Representative Sandquist."

Sandquist: "Yes, Mr. Speaker. I support Representative Currie in this Amendment and would ask the House to adopt it."

Speaker Ryan: "The Lady moves for the adoption of Amendment #1 to House Bill 980. 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 987, Representative McClain. Out of the record. House Bill 995, Representative Smith. Read the Bill."

Clerk Leone: "House Bill ..."

Speaker Ryan: "Just a minute, Mr. Clerk. Just a minute. Representative Deuchler, do you seek.... Representative Fawell, do you seek recognition?"

Fawell: "Mr. Speaker, I would like to introduce some bilingual

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students from Glen Bard North. They have come from all over the world to see our democracy in action. They are future citizens of our country and I would appreciate it if we would all give them a big hand."

Speaker Ryan: "Welcome to the group. Representative...House Bill 995, Mr. Clerk, read the Bill..."

Clerk Leone: "House Bill 995, 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: "Floor Amendment #1, Margaret Smith, amends House Bill 995..."

Speaker Ryan: "Representative Margaret Smith on Amendment #1 to 995."

Smith: "Mr. Speaker, the Amendment on 995 is merely to reenter the word 'forcible' on ..with felony on two occasions here. The first is on line...page one, line 17 by deleting 'forcible' and inserting in lieu of 'forcible', 'again'. And on line 22 on page two, line 1 and 30 by deleting 'forcible' and inserting in lieu of 'forcible', 'again'."

Speaker Ryan: "Is there any discussion? The Lady moves for the adoption of Amendment #1 to House Bill 995. 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 999. Representative Cullerton."

Clerk Leone: "House Bill 999, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

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

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Speaker Ryan: "Representative Cullerton on Amendment #1."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I promised in Committee to put this Amendment on in Second Reading. The Bill has to do with making it a criminal offense to interrupt an emergency CB broadcast over the emergency channel 9. What we do with this Amendment is to change the mental state necessary to commit the offense from 'negligently' to 'knowingly, intentionally and without lawful justification' and we changed the penalty from a class 3 felony to a class A misdemeanor. I would ask for the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 999. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it. And the Amendment's adopted. Further Amendments? Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1003, Representative Birkinbine. Read the Bill."

Clerk Leone: "House Bill 1003, a Bill for an Act to amend the Workers' Compensation 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 1020, Representative McPike. Read the Bill."

Clerk Leone: "House Bill 1020, a Bill for an Act to amend the Special Service Area 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?"

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Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. House Bill 1023, Representative Tuerk. Want it heard, Representative? Turn him on."

Tuerk: "Mr. Speaker, I understand an Amendment has been filed by Representative Hannig. I don't believe it's printed and you'd better take it out of the record for now."

Speaker Ryan: "The Amendment has been distributed...er..printed and distributed. Do you still want it out of the record? Out of the record. House Bill 1025, Representative Topinka. Is the Lady in the House? 1025? Does that mean 'yes' or 'no'? Read the Bill? Read the Bill."

Clerk Leone: "House Bill 1025, a Bill for an Act to amend the Workers' Compensation 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 1035, Representative Kociolko. Read the Bill."

Clerk Leone: "House Bill 1035, a Bill for an Act to amend the Workers' Compensation 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 1039, Representative McClain. The Gentleman is still absent. Out of the record. House Bill 1044, Representative McMaster. Read the Bill."

Clerk Leone: "House Bill 1044, a Bill for an Act to amend an Act relating to county boards. 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 1045, Representative?

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Read the Bill."

Clerk Leone: "House Bill 1045, a Bill for an Act to amend the Sheriff's 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 1046, Representative McMaster. Read the Bill."

Clerk Leone: "House Bill 1046, a Bill for an Act to amend the Illinois Highway 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: "Motion, I move to table Amendment #1 to House Bill 1046, Representative Getty."

Speaker Ryan: "Representative Getty. Is the Gentleman on the floor? Where is he? What's your pleasure, Representative McMaster? Representative Getty is not on the floor."

McMaster: "Mr. Speaker, I don't even know what his Amendment is. He hasn't talked to me about it."

Speaker Ryan: "Well it's a Motion to table the Amendment that was put on in Committee, Representative McMaster. Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Representative Getty had to step off the floor. There's a technical error in the Amendment and that's why we're asking that it be tabled."

Speaker Ryan: "Well, would you state the technical error, Representative Darrow?"

Darrow: "...Line, line 24 it appears that 'B' should be added."

McMaster: "Clarence, will you tell me again what the problem is

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with line 24?"

Darrow: "It appears that on line 24 a 'B' should be added as the case..."

McMaster: "'V'?"

Darrow: "'B', as the case may be."

McMaster: "Well, I'm not against that being added IN 2 LOCATIONS to it, but I see no reason to table the Amendment. Can we correct it on its face?"

Darrow: "Pine. If you want to amend it on its face we would have no objection."

McMaster: "Mr. Speaker, is there leave to amend it on its face?"

Speaker Ryan: "The Gentleman asks leave to amend House Bill 1046...on its face. Are there any objections? Hearing none, leave is granted. Representative Darrow, do you care to withdraw Representative Getty's Motion?"

Darrow: "Yes. We'll withdraw it."

Speaker Ryan: "The Gentleman withdraws the Motion. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative McMaster, for an announcement."

McMaster: "Thank you, Mr. Speaker. I would like to announce to the Members of the Counties and Townships Committee that there will be no meeting this afternoon at two o'clock as was scheduled. The mere purpose of scheduling a meeting was to permit action if it was necessary. We only had one Bill so that will be postponed until next week."

Speaker Ryan: "Thank you. It's the intention of the Chair to go through House Bill 1154 on the Order of Second Reading and then go to the Order of Third Reading. House Bill 1051, Representative Kulas. Out of the record. House Bill 1065, Representative Yourell. Read the Bill."

Clerk Leone: "House Bill 1065, a Bill for an Act to amend an Act

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concerning counties. 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 1067, Representative Yourell. Read it."

Clerk Leone: "House Bill 1067, a Bill for an Act to amend the County 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 1072, Representative Wolf, Jake Wolf. Read the Bill."

Clerk Leone: "House Bill 1072, a Bill for an Act that creates an Act in regard to reciprocal banking. 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 1078, Representative Bower. Read the Bill."

Clerk Leone: "House Bill 1078, a Bill for an Act to amend the Nursing Home Care Reform 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: "Floor Amendment #2, Bower, amends House Bill 1078..."

Speaker Ryan: "Representative Bower on Amendment #2."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There were two different Amendments that were distributed, #1 and #2 that are identical. I don't know

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what the Clerk's records show and which...It should be Amendment #2..should be the one we would take up."

Speaker Ryan: "Amendment #1 to this Bill was adopted in Committee."

Bower: "I know. But what I'm saying is that there were two identical Amendments, one numbered #1 and one numbered #2 that were distributed on the floor."

Speaker Ryan: "Mr. Clerk, would you read Amendment #2?"

Clerk Leone: "Amendment ...House Bill 1078, Amendment #2, amends House Bill 1078 on page two in line 33 by deleting 'state' and inserting in lieu thereof 'Department of Public Aid'."

Bower: "Mr. Speaker, this Amendment merely clarifies what agency of State Government would make a payment by deleting 'state' and making it clear that it's the Department of Public Aid. I would move for its adoption."

Speaker Ryan: "Is there any question? The Gentleman moves for the adoption of Amendment #2 to House Bill 1078. 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 1080, Representative Vinson. Read the Bill."

Clerk Leone: "House Bill 1080, a Bill for an Act to amend the County Home 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 1093, Representative Braun. Out of the record. House Bill 1097, Representative

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Swanstrom. Read the Bill."

Clerk Leone: "House Bill 1097, a Bill for an Act to amend an Act in relationship to public health. 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 1122, Representative McCormick. Representative McCormick. Read the Bill."

Clerk Leone: "House Bill 1122, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor? House Bill 1122, Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Stuffle-McCormick, amends House Bill 1122 on page..."

Speaker Ryan: "Representative Stuffle on Amendment #1."

Stuffle: "Yes, Mr. Speaker and Members. This Amendment was agreed to in Committee. Proposed by the Pension Laws Commission. It reduces the increase in the Bill for survivors benefits across the board by \$100.00. I move its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 1122. All in favor will signify by saying 'aye'... Representative Neff, do you seek recognition on this question?"

Neff: "Yes, Mr. Speaker. I'd like to make an announcement. We have with us this afternoon a Roseville Seventh Grade class under Mr. Don Farer and I'd like to have these folks stand up and be recognized."

Speaker Ryan: "Welcome to the group. The Gentleman moves for the adoption of Amendment #1 to House Bill 1122. All in favor will signify by saying 'aye'; all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1123, Representative O'Connell. Read the Bill."

Clerk Leone: "House Bill 1123, a Bill for an Act providing the submission of electors to Cook County certain questions concerning county boards. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Representative Daniels, do you seek recognition? Representative Telcser."

Telcser: "Mr. Speaker, were there...There are some Amendments being drafted to House Bill 1123. I wonder if the Sponsor could take it out and call it when the Amendments are ready?"

Speaker Ryan: "Representative O'Connell."

O'Connell: "Mr. Speaker, if it would please the Chair I would like to move it to Third Reading and I would move it back from Third to Second Reading for the purposes of adopting the Amendment if it's agreeable."

Speaker Ryan: "Representative Telcser?"

Telcser: "You don't mean if the Amendment is agreed. You mean it's okay with me if you'll take it back to Second so Amendments can be offered."

O'Connell: "Absolutely."

Telcser: "Thank you."

O'Connell: "If you like the Amendment. I'm very agreeable to bringing it back to Second Reading for purposes of offering Amendments, if that's what you mean."

Telcser: "Yes."

O'Connell: "I may not agree with the Amendment.."

Telcser: "Well, that's fine. You vote against it and speak against it, sure."

Speaker Ryan: "Third Reading. House Bill 1143, Representative McAuliffe. Out of the record on 1143. House Bill 1152,

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Representative Rhem. Want the Bill called, Representative? Out of the record. House Bill 1153, Representative DiPrima. DiPrima? Representative DiPrima? Do you want your Bill called? 1153? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1153, a Bill for an Act to amend an Act to provide for educational opportunities for children of persons who served in the Armed Forces. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, DiPrima, amends House Bill 1153 on page one line one and so forth."

Speaker Ryan: "Representative DiPrima on Amendment #1."

DiPrima: "The Amendment acts...concerning educational opportunities for children of deceased or totally disabled veterans by increasing from \$150 to \$250 the maximum benefit per child per school year. The present provision provides these educational benefits for children of servicemen who were killed or totally and permanently disabled from service connected disability during the Spanish-American War, World War I, World War II, to Korean Conflict. However, there's no mention of those servicemen who died or were permanently disabled during the Viet Nam conflict. This Amendment would also include children of the deceased or permanently disabled servicemen of the Viet Nam conflict among those who would be eligible for these benefit increases."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 1153. All in favor will signify by saying 'aye'; all opposed by saying 'no'. The 'nos' have it. Representative DiPrima."

DiPrima: "All right. You want to play games. I want a Roll Call. That's all."

Speaker Ryan: "The question is, 'Shall Amendment #1 to House Bill

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1153 be adopted?' All in favor will signify by voting 'aye'; all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this issue there are 144 voting 'aye', 2 voting 'no' and none voting 'present'. And the Gentleman's Motion prevails and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. House Bill 1154, Representative Stanley? Read the Bill."

Clerk Leone: "House Bill 1154, a Bill for an Act to amend the Cook County Commissioner's Act. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Representative Bradley, do you seek recognition?"

Bradley: "Yes, Mr. Speaker, if you would, I would appreciate it if you would go to House Bill 1880 on Second Reading. It deals with the Taiwan Government. Their 'Procuran Mission' will be in Springfield tomorrow afternoon in the Centennial Building in the Hall of Flags signing the contracts to purchase grain from Illinois. I would like to get this Bill in shape to pass it tomorrow."

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

Clerk Leone: "House Bill 1880, a Bill for an Act relating to the Taiwan office in Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Bradley, amends House Bill 1880..."

Speaker Ryan: "Representative Bradley on Amendment #1."

Bradley: "Yes, thank you, Mr. Speaker. What we're doing with

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Amendment #1 is putting the Act into conformity with the Vehicle Code and on...the Amendment has been distributed and what it says is it continues the language on line three just to say, 'including and applying for special Illinois registration plates, registration tickets...stickers and cards as provided in Section 3-1-615 of the Illinois Vehicle Code'. It's a cross reference between the Act and the Vehicle Code. I move the adoption of the Amendment."

Speaker Ryan: "The Gentleman ...Is there any discussion? The Gentleman moves the adoption of Amendment #1 to House Bill 1880. 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. Representative Greiman, do you seek recognition?"

Greiman: "Just if we're going on Third Reading..."

Speaker Ryan: "...Yes, Sir, we are..."

Greiman: "...366, Sir..."

Speaker Ryan: "...Now going to Third Reading. Representative McClain, do you seek recognition?"

McClain: "Thank you very much, Mr. Speaker. Mr. Speaker, just a suggestion to the Chair, if you don't mind. It seems to me because of the"

Speaker Ryan: "Have you been in the back room thinking up these suggestions all morning, Representative?"

McClain: "No..I'm..."

Speaker Ryan: "Proceed."

McClain: "I haven't been back in your office all day. Mr. Speaker, the suggestion is we can't really move onMy suggestion is that we finish Second Reading today so that we can get the Bills in shape so we can just handle Third Reading straight out unless there's some urgency to go to

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Third Reading. It just seems to be it would be a cleaner mechanism."

Speaker Ryan: "Your suggestion will be duly recorded, Representative. Representative McClain?"

McClain: "And ignored? Or just duly recorded."

Speaker Ryan: "Duly recorded. Taken under advisement and then ignored. On page 18, under the Order of House Bills, Third Reading appears House Bill 19...Representative Cullerton, out of the record. House Bill 33, Representative Neff. Out of the record. Representative Greiman, do you seek recognition?"

Greiman: "Yes. If I might have leave to have House Bill 366 called, Mr. Speaker?"

Speaker Ryan: "What was the number, Representative?"

Greiman: "366."

Speaker Ryan: "And your question is to have leave to depart from the Order of business to go to House Bill 366. The Gentleman asks leave to have House Bill 366 heard out of order. Are there objections? Representative Leinenweber."

Leinenweber: "I just wondered why? There's two or three pages of Bills before that and I don't really object. But why...I mean I've got..."

Speaker Ryan: "Representative Greiman."

Greiman: "Well, I have a personal difficulty that I have to respond to..."

Leinenweber: "Fine, I wouldn't object if that..you know..."

Greiman: "Thank you."

Speaker Ryan: "Are there objections? Representative Pullen? Do you object, Representative? Objections are noted, Representative Greiman."

Grieman: "Well, maybe I could...Perhaps I could have a moment to talk to the Representative and come back to you, Mr. Speaker."

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Speaker Ryan: "I didn't understand."

Greiman: "Perhaps I could have a second just to talk to the Representative and..."

Speaker Ryan: "All right..."

Greiman: "...Might withdraw her..."

Speaker Ryan: "Fine. I understand that there are several Members that have Bills on the Order of Third Reading that they would like to take back to the Order of Second Reading to be amended. If you'll bring your lists to the Clerk, we'll try to accommodate you here shortly. In the meantime, we will proceed on the Order of Third Reading. House Bill 36, Representative Kosinski. Read the Bill."

Clerk Leone: "House Bill 36, a Bill for an Act in relationship to dealers of antiques and used scrap jewelry and precious metals. Third Reading of the Bill."

Speaker Ryan: "Representative Kosinski on House Bill 36 and the timer is on."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, if you'll pay attention this is the Bill, the gold Bill as it's known, to put a clamp or help put a clamp on the theft of jewelry and precious metals and their resale. This has been called for by every sheriff in every county of Illinois to my knowledge. It's supported by every law enforcement agency in the Department of Law Enforcement. It's supported by the Chicago Jeweler's Association, the Illinois Smeller's and Refiners, the Illinois Retail Merchants Association, the Coin Dealers and got unanimous approval of Judiciary II on a 14 to 0 vote. There are no objections from the antique dealers any longer and there is no opposition on this Bill as amended. What it will do, of course, is to put a clamp, I repeat, on the possible sale of stolen jewelry from your homes. Presently we have a

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problem in suburban Chicago and all counties in the state than when a transient gold dealer comes into town he gets a hotel room and puts a full page ad in the newspaper saying that he will buy gold jewelry etc. with practically no questions asked implication. The sheriffs around the state tell me burglaries increase and muggings increase and the theft of necklaces off necks increases and they have a problem. In consequence law enforcement agencies supported by all of those whom I ...of whom I spoke have recommended we enact this piece of legislation. What it will do, it will prevent the purchase of such merchandise from minors unless accompanied by a parent. It will prevent the existence of a fly-by-night who's a one shot deal in a small town. It will provide for certain logging of purchases and identification of the peoples from whom purchased. I submit the Bill to you in the name of all the law enforcement agencies and I ask for your vote please."

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

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House. I arise in support of this measure. As originally introduced I realize that it garnered a great deal of opposition. However, we did get two extensive hearings to this on two separate days in the Judiciary Committee and did try to remove the objections. As you know, it affected the future's markets and a great deal of other industries in the State of Illinois. But all of that has been deleted and the Bill is in superb form now, even the coin dealers are no longer in opposition. So, what we're doing is on one hand, attempting to attack the problem of stolen property burglarized that could be easily then fenced off to these people that are setting up shops in hotel rooms. And on the other hand, however, we are at least satisfying

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the objections of the legitimate businesses here in the State of Illinois. So, as it is, I think it is a fine Bill and we have eliminated the objections to it. And so I would ask your support."

Speaker Ryan: "Is there any further discussion? Representative Fawell."

Fawell: "I rise to support this Bill also. My sheriff, 'Sheriff Joya', originally came to me and asked me if I would present a Bill that is similar to this. I have been working with the Representative on the other side about this Bill. The retailers no longer object to it. I know our sheriff wants it. I'm sure if you go back and check with your sheriffs they're all going to find that they have the same problem that we did in DuPage and I would urgently support that you...ask for support for this Bill. Thank you."

Speaker Ryan: "Representative Hallock. Representative O'Connell."

O'Connell: "Very briefly, Mr. Speaker. I, too, had introduced similar legislation. And I rise in support of Representative Kosinski's Bill. He has worked very extensively with many groups including the sheriffs and the business people that are affected by this type of legislation. My purpose in introducing the Bill is the alarming increase in home burglaries. I think what this Bill will do is to prevent...er...present an effective deterrent to the amount of home burglaries that have been occurring in our suburban areas particularly. In close, Mr. Speaker, I ask for an affirmative vote. Thank you."

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

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

Speaker Ryan: "Indicates he will."

Vinson: "Representative, is there an Amendment on this Bill?"

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Kosinski: "The Bill is the Amendment, Sam. You'll have to look at the latest Digest to see the Amendment as written. I have a copy of the Amendment before me. But the Bill was scratched after the enacting clause. As it was originally existed, amended to satisfy all the problems and all the needs of anybody who was interested. And as Chairman Stearney indicated a moment ago, that was all satisfied through the Amendment. Now we have nothing but proponents for the Bill."

Vinson: "Our problem is we don't have a copy of the Amendment. Has the Amendment been printed and distributed?"

Speaker Ryan: "....Upon the Order of Third Reading, Representative..."

Kosinski: "...Yes.. on your desk, or should be. It's in the Digest also, the new Digest."

Speaker Ryan: "Any further discussion? Representative Bradley."

Bradley: "Hell, Mr. Speaker, Ladies and Gentlemen of the House, I just simply rise to support the Bill..what is now the Amendment is the Bill. I think it will do one thing specifically and that is we mandate in here that the dealer shall hold the metal for a period of time and also will keep...er..write a brief description of the object, a description of the stone if it might be a stone and the date of the transaction. And he will inform the...er.. have those ...that information available to the proper authorities in case of reported loss by somebody that they were broken into and the jewelry or the silverware was taken. What we found happening as you well know...you know as well as I that what's happening is the rapid turnover of the silverware. It's melted down. It's beyond any description. This Bill I think addresses that problem, a very serious problem we've had when the value of silver and gold escalated so rapidly. It's a Bill that we need now."

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Its time has come and I urge an 'aye' vote."

Speaker Ryan: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Ryan: "Indicates he will."

Richmond: "Representative Kosinski, I think in the original Bill, I just want to be sure that the amended version doesn't contain a reporting requirement daily or periodic that the original Bill did, where the buyer of the scrap gold or whatever had to report, I believe, to the Sheriff's Office or something of that nature. In the original Bill...."

Kosinski: "That's been removed from the Bill. He has to keep records of the transaction..."

Richmond: "...Right..."

Kosinski: "...And identification of the person. But the objection to the other which you have in mind has been removed."

Richmond: "Well that's fine. I support your efforts."

Speaker Ryan: "Representative Zito."

Zito: "Thank you, Mr. Speaker, just to move the previous question."

Speaker Ryan: "Well, I believe that Representative Richmond was the last ...last one so that won't be necessary. Representative Kosinski to close. Well, just a minute. Just a minute. Would you hold the request? There's one more, Representative Zito. Would you hold your Motion for the previous question? Would you hold your Motion? Representative Griffin."

Griffin: "Mr. Speaker, Ladies and Gentlemen of the House, I also rise in support of Representative Kosinski's Bill for two reasons. First, we have a very serious problem in our suburban communities of snatching of jewelry on the mass transit vehicles. I think Representative Kosinski's Bill has been shown to be a major deterrent to that problem and

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will help to have people who are going to experience this problem in the future I think to have a much greater peace of mind using mass transit vehicles. Our community I think supports this Bill. And secondly, because I think Representative Kosinski has done an amazing job of getting support from his original opponents. He's taken their objections, answered them, and I think, created a Bill which all people can live with, including some of his strongest antagonists. It's a masterful piece I think of legislation. I support the Bill enthusiastically. Thank you."

Speaker Ryan: "Representative Giorgi."

Giorgi: "Mr. Speaker, I have a question for the Sponsor."

Speaker Ryan: "Indicates he'll yield."

Giorgi: "I see that people that want to deal in this have to register with the police chief or the sheriff, right? So if they register with the police chief and the sheriff and they get a clean bill of health, and you find out later the stuff was hot, what happens?"

Kosinski: "If there's inadvertence in purchasing hot jewelry and I don't see how it could occur under this Bill if you get proper identification of the seller, and get a description of the seller ...er...a description of the merchandise, but if there's inadvertantly a purchase such as me in the jewelry business, if I'm hoodwinked and make a purchase, I still am clean of this...of fine situation because it was all in good faith."

Giorgi: "And then if you say there's a class C misdemeanorWhat's a class C misdemeanor? What's the most....the penalty of a Class C misdemeanor? What's the most objective penalty?"

Kosinski: "\$500.00."

Giorgi: "\$500.00? If a guy pulls \$100,000.00 a job, gets an okay

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from the sheriff, he pays a \$500.00 fine?"

Kosinski: "No, no, no, no, no. You misunderstand. I don't mean the fine for selling stolen jewelry is \$500.00. That would be ridiculous. The fine for stolen jewelry...or the charge for stolen jewelry is a felony depending whether it's over \$150.00 or not. This is only for a potential fine for anybody who doesn't adhere to the Bill in terms of purchasing...that they ...they adhere to the legislation this General Assembly passes for the protection of the citizenry."

Giorgi: "In other words, if a guy pulls a \$100,000 job; sees the sheriff; gets a clearance, then you fine him \$500.00 under this Act for lying to the sheriff? Is that it?"

Kosinski: "If he doesn't follow the Statute as we wrote it and deliberately attempts to evade the Statute, he would be subject to such a fine, of course, through a court action."

Speaker Ryan: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Brummer: "We have particularly in southern Illinois a large number of people that are part-time dealers in antiques, flea market items. They really do not operate out of any established place of business I suppose other than their home. They are collectors who occasionally go to some flea markets that are set up in malls or things of this nature and set up their own stand. Would this be applicable to them if they purchased the items referred to as decorative objects here?"

Kosinski: "If you'll notice page four, line 15, 'transaction by dealer during club or civic sponsored show or meeting', are excluded."

Brummer: "Yes. But, these are not club or civic sponsored

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meetings. There are not civic sponsored organizations at all..."

Kosinski: "Are they...Are they regular purchases of gold and scrap jewelry?"

Brummer: "They may not be regular, but they may be periodic....."

Kosinski: "...Are they registered....."

Brummer: "....The Bill refers to not only gold and scrap jewelry, but it refers to decorative objects, serving sets, servers, bowls..."

Kosinski: "That's silver."

Brummer: "...No. I'm reading the definition of decorative objects on line 13, page one. It doesn't refer to silver specifically."

Kosinski: "Candle holders, candelabras, eating utensils, sharpening utensils, cutting utensils, flatware, bowls, servers and so on and so forth."

Brummer: "There are a lot of bowls that don't have silver in them..."

Kosinski: "...These are silver..."

Brummer: "...It doesn't say they need to be made of silver at all....."

Kosinski: "...Well, ...in the gold Bill, wooden bowls certainly wouldn't be part of this situation."

Brummer: "Where is the exclusion?"

Kosinski: "Wooden bowls would not be a part of this obviously."

Brummer: "What about china?"

Kosinski: "About what?"

Brummer: "China. It refers to serving bowls, servers, serving sets, ashtrays...."

Kosinski: "Yes, but somewhere else in the Bill it indicates that this Bill is limited to gold, silver, platinum and 'aridium'....."

Speaker Ryan: "....Representative Kelly, for what purpose do you

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seek recognition?..."

Brummer: "...My question is..."

Kelly: "Yes, Mr. Speaker, point of order. I believe Representative Zito did make a Motion to move the previous question...."

Speaker Ryan: "He withdrew that, Representative."

Kelly: "Well, at the proper time I'd like to make that Motion."

Speaker Ryan: "Proceed, Representative Brummer."

Brummer: "Yes, my question is, do these individuals need to register, and if so, is there a principle place of business deemed their residence since that's where they ...I suppose would be the only place of business that they have?"

Kosinski: "Was that a question?"

Brummer: "I don't see any problem with them registering with the local sheriff or the local chief of police. But they go out, you know, into ten and 20 adjoining counties and obviously there would be a considerable burden if they have to register with the ...with the chief of police or the county sheriff in each of those counties that they go into."

Kosinski: "Well, Mr. Brummer, if that will stop theft, don't you think it's a good idea?"

Brummer: "No, I'm just ...I'm not asking about the merits. I'm trying to clarify the intent of the Bill and my question is whether they need to register in each of those 20 counties....."

Kosinski: "...If they buy gold and scrap jewelry, they need to register."

Brummer: "And where do they need to register?"

Kosinski: "Local police authority."

Brummer: "Yes. Which local police authority?"

Kosinski: "Any one of them. The local sheriff...."

Brummer: "Now wait a minute. The...the registration requirement

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indicates that they need to do so where their principle place of business is. My question very simply is, if these individuals only need to register where their residence is, because that's really the only place that they have a fixed place of business..."

Kosinski: "Well, they do have a place of business when they're operating this scam, this situation of which you speak, at that point in time, do they not? Because their residence, they don't do transactions necessarily through the residence. They do it in these markets of which you speak."

Brummer: "If you look on page two, line F, you have the definition of 'established place of business'."

Kosinski: "What line?"

Brummer: "Line F."

Kosinski: "Line what?"

Brummer: "I'm sorry. Section F, line 8."

Kosinski: "'Established place of business', that's right. 'Owned or leased by the dealer'."

Brummer: "Well, I simply do not want these individuals who go out...who attend auctions, who are buying at household sales or who may purchase directly with individuals in various rural areas an obligation to go to the sheriff in every county. I don't have any objection to them going to the sheriff and registering in a county in which they live. But I think there are a lot of individuals who engage in this as a hobby, as a part-time business, who have no regularly established place of business other than their residence. Now, I have no quarrel with them registering with the local sheriff or the local city police in the city in which they reside...."

Kosinski: "Thank you..."

Brummer: "And I simply want to determine from you, as a matter of

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legislative intent, that that is the intent of this legislation."

Kosinski: "Yes, Mr. Brummer."

Brummer: "Thank you."

Kosinski: "By the fact that in Chicago Jewelers' Association....."

Speaker Collins: "...Representative Kosinski..."

Kosinski: ".....Endorse this Bill. That's all been considered.."

Speaker Collins: "Representative Kosinski, you'll have the opportunity to close. The Gentleman from Cook, Representative Zito. Henry."

Henry: "Thank you, Mr. Speaker. I know you just arrived on the podium. There are some differences between Representative Zito and myself...."

Speaker Collins: "...Well, I didn't know..."

Henry: "Will the Sponsor yield?"

Speaker Collins: "....Pardon me?"

Henry: "Will the Sponsor yield?"

Speaker Collins: "The Gentleman indicates he'll yield."

Henry: "Representative, on the part of the sheriff and unincorporated areas, would this cost the sheriff's office, say Cook County, any additional funds? Would he help"

Kosinski: "No. No. I understand now, as a matter of fact, this Bill originally came into being because of the Sheriff's Association and Sheriff Elrod in Cook County and the Chief of Police...the Superintendent of Police in the city of Chicago and then was endorsed by the sheriffs throughout the state."

Henry: "So, therefore, it wouldn't cost the...."

Kosinski: "So, they're accepting whatever ...whatever is involved."

Henry: "Okay. The second question I ask will be very brief. As I see it, this Bill is designed to also deal with the

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fencing operation in and outside of Cook County. Is that correct?"

Kosinski: "Well, there are fencing laws presently existing, but this was an open door where people were buying and sometimes through inadvertence, stolen merchandise and increasing the theft. So we're closing the second door. Fences had already been included under the Statute."

Henry: "Thank you. Mr. Speaker, I'd like to address the Bill if I may briefly."

Speaker Collins: "Proceed."

Henry: "I agree totally with Representative Kosinski. The only disagreement I have is that he didn't make the penalty higher."

Speaker Collins: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Chairman (sic), I move the previous question."

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will indicate by saying 'aye'; those opposed 'nay'. The 'ayes' have it. Representative Kosinski to close."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, this has been well thrashed out as indicated by the Chairman Stearney of the Judiciary II. It took a tremendous amount of scrutiny. It has been endorsed by everybody. It's wanted by all the sheriffs and law enforcement agencies and your sheriff specifically and I would encourage you to vote 'yes'."

Speaker Collins: "The question is, 'Shall this Bill pass?' All those in favor will indicate by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question ...J.J.Wolf, 'aye'. On this

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question there are 159 voting 'aye'; 1 voting 'nay', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rigney, 'aye'. Representative Bartulis, 'aye'. House Bill 43, Representative Stanley. Out of the record. The Gentleman from Cook, Representative Greiman, for what reason do you arise?"

Grieman: "Representative Pullen was gracious enough to withdraw her objection to my Motion to take 360...366, for which I thank her."

Speaker Collins: "Representative Greiman asks leave of the House to consider House Bill 366 on Third Reading at this time out of order. Are there any objections? Hearing no objections, leave is granted. House Bill 366, Representative Greiman..."

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

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

Clerk Leone: "House Bill 366, a Bill for an Act concerning abuse between family and household members. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the courtesy extended to me. Last year, the Subcommittee on Domestic Relations of the House Judiciary Committee undertook to develop a responsible, thoughtful piece of legislation to respond to the terrible problem of inter-family abuse. We developed a very serious process that we hoped would involved many people. It is indeed a difficult task to, on the one hand, address the concerns of law enforcement agencies. On the other hand, the abused and civil libertarians and social service people and all the people who are in the act, as it were.

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Pursuant to that we had hearings where over 53 witnesses testified. We had the chiefs of police. We had state's attorneys. We had the clerks of the court. We had the sheriffs. We had abused spouses. We had abused people. We had the elderly people who were abused to focus on the problem, to focus on the law enforcement difficulties and to try and develop a reasonable and responsible remedy. Out of that came House Bill 366. It has... At the hearings of 366, the Department of Law Enforcement testified as to its workability. The chiefs of police had suggestions. We integrated their suggestions into the Bill. The sheriffs' support of the Bill, the sheriff of Cook County had some concerns. We responded to those concerns. The clerks had some concerns. We responded to them. The American Civil Liberties had some concerns. We responded to them, and have gotten a Bill that is a reasonable and thoughtful piece of legislation. What the Bill does it first to provide an order of protection which is civil in nature, but which can, in the end, if there is a serious violation, become, in part only, a criminal violation. It merges, therefore; the criminal and civil responsibilities. So often victims of domestic violence sort of fall through the cracks in our system. On the one hand they're told, 'That's sort of a civil matter'. On the other hand they are told, 'No, it's a criminal matter', and no one responds. In our society, when all too often when a woman calls and she says, 'Help. A man is beating me up', somebody responds immediately. If she says, 'My husband's beating me up', no one hears that... no one hears that. The order of protections requires a petition under oath, service of process, a very limited ex parte orders. It provides remedies. The order can only be for one year and the court can make it for less than one year. That's what

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the order of protection does. It also provides for direction and focus in law enforcement to provide the law enforcement with ease in handling these matters on the street. One of the witnesses from the Department of Law Enforcement said that, as a police officer, the toughest thing that he had ever done and the most dangerous thing is to be involved in domestic violence, and this, hopefully, directs the police and has some responsibilities for them. For example, to take the victim to a hospital if need be, to come back and get her clothes or his clothes if need be, to advise them, that victim, of the resources that might be available, to make an appropriate arrest if he finds... if the officer finds that there is a violation of the order of protection. And all, with the verification always of an electronic lead system that computerizes the state on orders of protection. The Bill also addresses to some lesser degree the right to end inter-spousal immunity, only on a very limited basis. Under the old common law, spouses couldn't sue each other. This Bill... I might tell you a Bill a lot similar to this passed in the Senate just the other day. It opens up some litigation for violent torts, for physical tort only. There can no longer... There cannot be any suits between spouses except for violent torts. That's basically what the Bill does. I think it will bring some kind of assistance, some kind of direction to people who are the victims of abuse. And abuse is not just the one who's stricken. Abuse is the child that sees it in the house. Abuse is the child that's driven out of the house. Abuse is the elderly person that is at risk in a house. And, in the end, in the end this Bill gives people an opportunity to stay together, to not get a divorce. All these... most of these remedies, many of them could be handled in a divorce setting. This gives them an

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opportunity to try and stay in their situation without getting a divorce. It is good for people. It is good for families. I ask you to support it and I'm prepared to answer any questions."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Stearney."

Stearney: "I'd like to ask the Gentleman a few questions, if he would yield. You first mentioned that you had consideration for the civil libertarians, but as I look at the analysis I see that first an individual for the same offense can be prosecuted under the Criminal Code. And second, he can be incarcerated pursuant to an injunction. Is my reading of the Bill right?"

Greiman: "Well, if you're asking me, does the court retain civil contempt? It retains the civil contempt that it has now. If you're asking me whether it... if an individual violates the order of protection? Indeed, he can ultimate...the order of protection... strikes, threatens, harrasses or does those other things, indeed he could go to jail, but only afater he's had a full trial and a full... and a right to jury. That is retained in the Bill."

Stearney: "Well, under this Bill, an individual who is found guilty, let's say of battery, can be sentenced from six months to one year in the county jail. True?"

Greiman: "If that's what the charge is, yes."

Stearney: "And that's a Class A misdemeanor. And second of all, the judge can not only find him in contempt, he shall rule to show cause and then incarcerate him for a period in addition to that one year. True?"

Greiman: "No, I don't think he can do that. I don't think he..."

Stearney: "Well, the Bill says he can do it. Am I right?"

Greiman: "No. I don't think that's the case. I think that when they move him and he violates the criminal remedies that he

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probably would be guilty... that would be guilty of double jeopardy if..."

Stearney: "Does the Bill say that?"

Greiman: "The Bill doesn't have to. The law... The Constitution of Illinois and the United States says that, Representative Stearney."

Stearney: "I'm concerned with the civil liberitarian right record on that..."

Greiman: "We did run this through and that issue was not considered to be a problem."

Stearney: "Well, I do. Now I ask you the question of inner-spousal suits. What is the state of the law in Illinois now between a husband or a wife suing each other?"

Greiman: "He... My recollection is that there were some cases that first allowed inner-spousal suits of a general nature, not just tort suits. There were... The Legislature, back in the 50's, then changed the law to say, no, there can't be any inner-spousal suits and this would now open the door very slightly. In other words, this doesn't apply to liable and slander or anything else. This only applies to physical violence torts. That's all it applies to. I'm not sure how anybody could quarrel with..."

Stearney: "This would allow a spouse, either a husband or a wife to sue the other spouse for an intentional tort, namely battery even though it was committed during the period of the marriage."

Greiman: "That's right."

Stearney: "Now, one other thing here on page 9 and page 10, as to an arrest without warrant of one of the spouses. In Section B beginning on lines 32 on page 9 going onto page 10, it seems to me you're making a very marked, radical change in the law as to an arrest without a warrant and for an offense not committed in the presence of a police

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officer. Namely, you're saying that as to a battery which is a misdemeanor the officer could arrest one of the spouses, even if the violation did not occur in the presence of the officer. That's the way the Bill reads and it's my understanding of the law now that a police officer cannot arrest an individual on a misdemeanor for a crime not committed in his presence. If that is the law, why are we making such a distinction just for a tort committed between one of the spouses?"

Greiman: "Firstly, have you noticed that was amended in Amendment #6, that language amended in Amendment 6, I believe. Page 9, 29 through 31 and so that, as I understand it, this... If I understand your question, it would respond... I would respond that it doesn't change the law as it presently is and even if it did, it would make some sense. There have been so many problems... Now remember there has been an order of protection already entered in this situation. So what he is doing is essentially a follow up on the order of protection rather than a new matter being called out. And that makes a big difference. The court has already determined that this abused person needs protection and that's a very wide range of allowing him and a very wide change."

Stearney: "That may be the case, but nevertheless, this is new language on page 9 and 10. So you're carving out an exception to the existing law and applying it to every other criminal offense."

Greiman: "... this is an exception, Representative Stearney. I think it's a valid reason. There's already been a hearing and a finding that this particular abused person needs some protection. So that makes a difference."

Stearney: "We agreed to that but we're talking about the subsequent offense that was not committed in the presence

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of anyone and you're allowing a police officer to go out and arrest without a warrant, without any probable cause being established. That is the marked change in law. No matter for what reason you're doing it. I have no other questions."

Greiman: "I don't think it's changed the law, by the way. I think that is the law now."

Speaker Collins: "Representative Leinenweber."

Leinenweber: "Will the Gentleman yield for some more questions?"

Speaker Collins: "He indicates that he will."

Leinenweber: "Representative Greiman, as I understand, the order of protection is a new term which replaces either injunction, or the current term for restraining order. Is that correct?"

Greiman: "Well, in a sense, yes. That's right."

Leinenweber: "The current practice is that if there appears to be a problem of some domestic violence then the... a party's attorney would apply to the court for an injunction restraining the other party from let's say abusing them or entering on the premises, etcetera. Is that correct?"

Greiman: "That's one of the remedies, yes."

Leinenweber: "Now, currently, if that is violated, as Representative Stearney pointed out, if there is a violation, for example, of battery which occurs in the presence of an officer, that person is subject to arrest for violating the Criminal Code of battery. Is that correct?"

Greiman: "I'm sorry, what...would you repeat the question?"

Leinenweber: "If a subsequent battery occurs which may or may not be in violation of an existing court order under current practices, the person can be subject to arrest for violating the statute prohibiting battery. Is that correct?"

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Greiman: "Yes."

Leinenweber: "And if it's not done in the presence of the officer, then it would be on the complaint of the battered person. That's current law?"

Greiman: "Yes."

Leinenweber: "So, under the scheme of House Bill 366, how would the battered spouse be dealt with assuming there had been a order of protection entered prohibiting battery?"

Greiman: "Well, okay, first the court... First the officer would have to make a determination based on some reasonable facts. Secondly, he would have to verify that there was, in fact, an order. The problem with all the remedies that we have now is they don't work. The civil remedy as a lawyer who's practiced for some 26 years, I can tell you that when a client calls and is battered, I don't respond very well to that client. I rather tell her, 'Well, we'll see how it works out next week' and we'll put it on court call and that's three weeks and it's a very different situation. Plus, we're talking about people who may be in imminent danger at that point. As far as a criminal remedy, they have not shown to be very effective. This remedy would allow that person who is abused to go forward, get an order of protection, hopefully have the order protection. Maybe that's as far as it goes and then after that have that order of protection stand for the period of the injunctive order as a sort of a frame work. The officer could then make the judgement that there's been a violation and there would be an arrest. Just as he would in dozens of other situations. The police wanted to have all kinds of powers and we turned them away. They tell us that they need plenary powers on the street and we thought that's not the kind of thing that we would be willing, that I certainly would be willing to Sponsor. And so, this was,

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in a sense, a compromise to allow there to be speedy administration of justice without violation of any significant rights."

Leinenweber: "Do you know of any other situation in the Illinois law or United States law or any other state where a court injunction... the violation of a court injunction is made a separate violation of the criminal law? Is there any other?"

Greiman: "I just don't have the answer to that. That's not to suggest that there aren't. There are many states that have been adopting domestic violence laws and there are different kinds of laws and different response approaches. I don't know that answer to that, Harry. I just don't know the answer to it."

Leinenweber: "One of the things that occurs to me that under the injunction, current injunction practice you can have a relatively quick, relatively summary hearing after an alleged violation of an injunction where if a person is arrested under the provision making a violation of criminal law, a person presumably would be entitled to file a jury demand and put the thing off for a lengthy period of time. It just seems to me that if you proceeded that way by other criminal law rather than through the court's power to enforce its own orders, that you're going to be slowing down rather than speeding up and making less of a deterrent. I really wonder whether or not..."

Greiman: "In response to that, Harry, I would just say that you and I are lawyers and as lawyers we tend to slavishly hold to all the distinctions of criminal and civil. In the old days it was whether it was trespass, or trespass on the case, or what the remedy was, and we must, I think, use our intelligence and our imagination to fashion remedies and to allow courts to fashion remedies to really take care of the

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needs of people in the real world. In the world of the street and in the world of violence, in the world of the battered family member."

Leinenweber: "I do know and I think most people who get involved in domestic situations are concerned, this is a peculiar type of violence because domestic cases, unfortunately, involve a peculiar type of hatred and I just...it seems to me that we're mixing apples and oranges here. You're joining the courts equitable powers on one hand with the criminal law on the other hand. To my knowledge, that's never been done before. It certainly is novel. I question whether or not there might be some constitutional problems. For example, in effect, the judge by drafting or signing a order or protection which would undoubtedly be prepared by one of the lawyers that you're in effect even creating a private law which becomes, in effect, a criminal law, the violation of which is a Class A misdemeanor. A person, I think, would be subject to arrest on three different things. He could be punished for contempt of the order of protection. He could be punished by being charged with violating the order of protection as a Class A misdemeanor and in addition, he could be punished if it happened to involve battery with a charge of battery. I think certainly there... it is a novel approach. I'm not aware that it's been tried before, which I suppose does not mean necessarily we shouldn't go forward. But, I think there are a lot of questions here."

Speaker Ryan: "Representative Bradley. Representative Bradley, do you seek recognition?"

Bradley: "Question... two short questions of the Sponsor. In looking through the Bill there's four or five Amendments and I'm wondering. Are we limiting this legislation to battery only?"

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Greiman: "Well, there's a definition of..."

Bradley: "The second question is, what about slander?"

Greiman: "No, that's not part of it."

Bradley: "Slander is not part of it. What else is involved besides battery if there are other things?"

Greiman: "Well, abuse means the act of striking, threatening, harrassing or interfering with the personal liberty of the family or household member but excludes reasonable discipline of a minor child. So it is within that context that is, but you know, things like liable and slander and that sort of thing. That doesn't have any ..."

Bradley: "That doesn't have anything to do with this legislation then?"

Greiman: "No."

Bradley: "Thank you."

Speaker Ryan: "Representative Piel."

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

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

Greiman: "Well, thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House for the questions. I think there may be some novelty because when things don't work, when our civil and criminal remedies don't exactly work, then we have to fashion new kinds of remedies, thoughtful kinds of remedies. I ask for your affirmative vote. Thank you."

Speaker Ryan: "Question is, 'Shall this Bill pass?'. House Bill 366. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Representative Dunn, one minute to explain your vote."

Dunn(John): "... to waste your time explaining my vote on this,

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Mr. Speaker, but I would just like to go on record as being in favor of the concept advanced by this legislation but concerned about some of the details including, but certainly not limited to, language in the Bill which can subject one to a court order for what may or may not be reasonable discipline of a minor child. I heard no discussion of that and I think that language is still in the Bill. I don't know what that has to do with the concept we're talking about here. I don't know what it means and I don't know what the implications are. And I think before you get an order under this Bill you must, as I read it, provide a verified affidavit and I don't know how many spouses who are concerned for their personal safety will take time to write an affidavit themselves or see a lawyer and have a lawyer draft one for them. What we really need are half..."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 152 voting 'aye', 7 voting 'no', and 6 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 46, Representative Wikoff. Call the Bill. Read the Bill."

Clerk Leone: "House Bill 46, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Ryan: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. House Bill 46 is a rather simple Bill I think is long overdue. There is a similar Bill which Representative Cullerton has that has some different wordage in it. But I am in support of his and vice versa. But the premise of this Bill is indigent defendants who use the services of a court appointed council provided by the criminal justice system should pay whatever is fair for that use. A taxpayer should be

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required to pay for such services only to the extent that these defendants cannot pay for the services themselves. This Bill was amended on the floor as I said I would do in the Committee. There was some question that we might be penalizing as was used in the Committee. The question that maybe Aunt Tilly put up the bond money for somebody, for some relative and that the judge would go back after that bond money. It was amended on the floor to read, 'to the extent that such deposit is found to belong to the defendant and was not posted by a relative on a defendants behalf'. In the County of Champaign the judges has ordered payments under the above Section and Circuit Court, in the last few years, has collected over 15,000 dollars which is a saving to the taxpayers. The main reason for this Bill is to take care of a recent decision by the Illinois Supreme Court that... to correct some statutory deficiencies discussed by the Supreme Court. If you have any questions, I'd be happy to try to answer."

Speaker Ryan: "Is there any discussion? Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Ryan: "He indicates he will."

Slape: "Representative Wikoff, you said that the Amendment that was put on on the floor strikes reference to bond posted by relatives. How inclusive is that Amendment?"

Wikoff: "I'll read the Amendment and it says, 'to the extent that such deposit is found to belong to the defendant and was not posted by a relative on the defendants behalf'. There was some people that were afraid that we might be penalizing the life savings of a relative on bond and this was put in at their request to satisfy that provision."

Slape: "Very good. Thank you."

Speaker Ryan: "Any further discussion? Representative Dunn."

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Dunn(John): "Thank you, Mr. Speaker. I have a question for the Sponsor related to the last comment. Maybe there's something new in the Criminal Code that I don't know about, but I have the impression that all bond that is posted for bail purposes today belongs to the defendant no matter who posts it. Isn't that the case?"

Wikoff: "I, not being an attorney, I think you're right, but this was put in to give the judge a little, maybe, less discretion as such. I think if it came down to the nitty gritty that you're probably right. But I do not see any judge utilizing that restriction, if you want to call it, just to penalize somebody that it was really..."

Dunn: "I was only asking because I question what the merit of value of the Amendment is if the law, in fact now, is that all bail belongs to the defendant no matter who posts it. I don't think the Amendment has any meaning whatsoever."

Wikoff: "The merit of the Amendment was that I put it on and I agreed to put it on at the request of the Committee Members."

Speaker Ryan: "Is there any further discussion? Do you have your light on, Representative Bullock?"

Bullock: "I just want to see if it works."

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

Bullock: "Sorry, Mr. Speaker. I didn't push it down hard enough. I'd like to ask the Sponsor a question, Mr. Speaker."

Speaker Ryan: "He indicates he'll yield."

Bullock: "Excuse me. Representative Wikoff, I don't have a copy of Amendment #1. Maybe Amendment #1 addressed this. These attorneys for the indigent, are they public defenders? How are they paid?"

Wikoff: "This is... the Amendment to answer your question. No, that Amendment does not address that at all. The Bill is to collect costs."

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Bullock: "But the issue here, Representative Wikoff, as you well know, is reimbursement for the cost of an attorneys representation of an indigent. Now, we're talking about reimbursement and I'm asking you, do you know how the council is paid?"

Wikoff: "Public defender is paid by the county."

Bullock: "Okay. So, in effect,..."

Wikoff: "Thank you."

Bullock: "So, in effect, what we're saying here is that the public defender or the appointed council, in effect, will be given a salary increase. Is that what you're trying to do with this Bill?"

Wikoff: "No, there's no salary increase. Try to reduce the cost to the taxpayers and return some money into the county which could very well lessen the tax burden on them. And, as you well know, that you do not have to be indigent to get the use of a public defender."

Bullock: "But as I understand the reading of this Bill, we are, in effect, talking about persons who are unable to pay for their attorney's fees but through some reason or another with their relatives or their friends are able to come up with sufficient bail bond money and in many instances they do that through their friends and through their relatives that this person is being denied rights that all of the other persons would have who come before a court of law. And, in fact, is judged guilty without the deliberations of the court and forfeits the bail. I think that's a violation of the law."

Wikoff: "Now, Representative Bullock, you are completely wrong on that. He is given the same defense ability that any other individual is whether he be indigent or anyone else, whether it's a court appointed attorney or not. What we are asking is that the individual who does get a court

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appointed attorney and does have some money and does have some ability to pay it back does not get a free ride from the taxpayers. That he at least pays something which is reasonable and proper."

Bullock: "Mr. Speaker, I'd just like to briefly address the Bill."

Speaker Ryan: "Proceed, Representative."

Bullock: "Thank you. Ladies and Gentlemen of the House, I don't doubt that Representative Wikoff's intention with this Bill is certainly honorable, but I certainly would ask that you look at the Bill very closely to see what's being proposed here. I think that the Amendment which he offered, in fact, addresses some part of the Bill with sanity, but overall, I think that we would be making a serious mistake if we go on record here today and deny the indigents the same rights that everyone else has when they come before a court of law. I don't think that the courts will look upon this favorably and I certainly will oppose the Bill and vote 'no' and I hope that you will do likewise."

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

Stearney: "Ladies and Gentlemen of the House, I rise in support of this measure. Now, what we're doing is trying to rectify a problem. Two years ago I passed legislation which went up to the Supreme Court and the Supreme Court struck it down on the basis that we did not set forth proper procedures for a hearing as to when we can assess an attorneys fee against a defendant. Mind you now, the Bill is to prohibit the state from subsidizing crime. What we have in Cook County are the judges appointing the public defender to represent defendants who have up to 1000 or 1500 cash posted as bond and they're getting a free attorney. They're getting free legal counsel. What this

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Bill is saying that if you have the ability to post a thousand dollars or 1500 dollars in cash then upon disposition of the case if there is a finding of guilty, the court can assess a reasonable attorneys fee and levy against that bond. This is merely an attempt to prevent and prohibit the state from continuing to subsidize crime. The public defenders system is burgeoning in Cook County. It's getting bigger and bigger every year. Everybody knows that they can get a public defender and especially in the case where they feel that they have an easy out they might as well get the public defender instead of hiring private counsel and have the state pick up the cost...the counties pick up the cost. This Bill is an attempt to rectify the problems in my Bill that I had two years ago. It is a reasonable measure and we handled it very, very skillfully in formulating the language as to when we can assess that attorneys fee against an individual. And when we talk about the indigent mind you, they're not all together all indigents. If an affidavit of indigency is required, no one really verifies it. So, really, this is a proper way to attack that problem. Let the criminal pay for his own legal defense when he's able to do so. Vote 'yes' on this."

Speaker Ryan: "Any further discussion? The Gentleman from Champaign, Representative Wikoff, to close."

Wikoff: "Thank you, Mr. Speaker. In closing, I think you've heard the arguments for and those which have been presented against and I would say only to those which have been presented against that in no way does this provide any denial to the rights of indigents to receive a court appointed attorney. It just does deny the right of the indigent to get a free ride at the full expense of the taxpayer if he has any ability to repay. I ask for a

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favorable Roll Call."

Speaker Ryan: "The question is, 'Shall House Bill 46 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Representative Alexander, one minute to explain your vote."

Alexander: "I'm going to... thank you, Mr. Speaker. I'm going to ask this House to listen. If I'm an indigent person and have no funds and my friends or my church get together and put up my bail money so I don't have to languish in jail, upon the conclusion of my trial, if per chance I'm found guilty, the state automatically takes 10% of the bail money for having processed that bond. What this Bill would do is it would deprive my friends or my church members or any other civic organization from getting back what they believed my unguiltiness to be to receive that money. I think the Bill is unfair and I'm going to ask everybody that will to vote 'no' on it."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 143 voting 'aye', 21 voting 'no' and 1 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. We're going to go to those people that have requested to move their Bill from Third back to Second for Amendments. I don't know who the Sponsors are here but on House Bill 1797, 217, 267, 226, 1821, and 503 the Amendments have not been printed so we will not go to those Bills. Representative Macdonald, do you seek recognition?"

Macdonald: "Yes, I would also like to add 804 to that list. We do have an Amendment coming up."

Speaker Ryan: "It's not printed yet, Representative?"

Macdonald: "That's correct. We're waiting for it."

Speaker Ryan: "Would you check with the Clerk, please? The people that want to move Bills back from Third to Second.

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I'm going to give you the numbers. 393, 174, 646, 463, and 685. Be prepared to make those Motions in just a little bit. House Bill 53, Representative Wikoff. Out of the record. House Bill 57, Representative McAuliffe. Mr. Clerk, would you read House Bill 57, please?"

Clerk Leone: "House Bill 57, a Bill for an Act setting forth certain rights which are to be guaranteed to law enforcement officers. Third Reading of the Bill."

Speaker Ryan: "Representative McAuliffe, did you request to bring this Bill back to the Order of Second Reading for an Amendment?"

McAuliffe: "I understand that Representative Zwick has filed an Amendment. Well, that's been straightened out. It was an error."

Speaker Ryan: "Do you want to proceed with the Bill on Third Reading?"

McAuliffe: "Yes. She understands it."

Speaker Ryan: "Proceed, Representative."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 57 is an attempt to make the policemen an equal partner in law enforcement. They no longer would be a second class citizen. It would guarantee to police officers the same rights that are presently guaranteed to criminals and when we had the Bill in Committee there were a few questions. I had some Amendments adopted and I don't think there's any act of opposition left to this Bill right now. There were three of four Amendments adopted on Second Reading and I know of no opposition at this time. What the Bill intends to do is to help the police officer when they're in the position where they're accused of wrong doing so that they cannot be badgered by superior officers. And, the only opposition I know of was from the some of the deputy superintendents of the State Police. The time the

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Bill was heard in Committee, there was five deputies showed up. They were opposed to it. No patrolmen showed up as of opposition. Representative Stearney... Representative Wikoff, I think, questioned one of the deputy superintendents and asked him at the time if he was still a patrolman would he be there in opposition to the Bill and the man was honest enough to say that he couldn't say that he would be there as an opponent. This is a Bill that would help protect the police officers against abuse by superior officers. And, as I say, I know of no opposition to the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. Representative Stearney worked very cooperatively with the Members that were originally opposed to the Bill. Floor Amendments were adopted which substantially approved the Bill. I think that the Bill will go an awful long way to signaling to the law enforcement officials of the state that, in fact, the Legislature would like for them to do their job, protect our community, and I think that the Bill should receive a favorable vote. And I want to commend Representative McAuliffe for his long and hard hours put into bringing this Bill before the Body and I think that it deserves your support."

Speaker Ryan: "Gentleman from Cook, Representative Huskey."

Huskey: "Mr. Speaker, would the Sponsor yield for a couple of questions?"

Speaker Ryan: "He indicates he would be happy to, Representative."

Huskey: "Roger, the police department is considered a quasi military organization?"

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McAuliffe: "That's correct."

Huskey: "Wouldn't you kindly consider this Bill maybe a union... should more be done in a union contract negotiation than written into law by statute?"

McAuliffe: "No, I wouldn't because not all police departments are covered by union contracts. City of Chicago has no union contract and there's no protection for the police officers. That's why we introduced this Bill."

Huskey: "But actually this is almost a union contract enforced by a statute. Wouldn't you say that?"

McAuliffe: "No, I wouldn't say that at all. This has nothing to do with disciplinary procedure. This has nothing to do with wages or anything else. This could not be construed as a union contract."

Huskey: "Would you not say that maybe with this Bill you would strip all your authority away from the... it would strip the authority away from the administrators of the police departments?"

McAuliffe: "I don't think so. No."

Huskey: "But it would strip an awful lot of the authority away from the administration of police departments."

McAuliffe: "No. It would just give the police officer some reasonable safeguards when he's being confronted by a superior officer."

Huskey: "You don't feel they have the necessary safeguards now, they're not isolated..."

McAuliffe: "I can speak from experience in dealing with police officers on a daily basis and that's not the case."

Huskey: "Alright."

Speaker Ryan: "Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I looked over this Bill carefully. I looked over the Amendments. Representative Katz and I and

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Representative Bullock, Preston, all of us sat down and looked it over and with the Amendments I have no objections to this legislation. I think it meets the need and I'm happy to support it. I do find myself in a rather embarrassing situation supporting one of Representative McAuliffe's Bills, but I am the first to admit that I can make a mistake. I support the legislation."

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

McAuliffe: "Well, I think enough has been said about this. I would just ask for a favorable Roll Call."

Speaker Ryan: "Excuse me, Representative, one minute. I didn't see Representative Dunn here. Representative Dunn. Jack Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, this legislation sounds a little bit like the miranda legislation that we had some years ago that the police department claimed tied their hands. It occurred to me that there's a parallel there and now we're going to tie the hands of the people in the Cities and Villages with regard to the leaders of the police departments. The chief is going to have his hands tied and I would urge a 'no' vote on it."

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

Stearney: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this measure. In answer to the previous Gentleman's remarks, all it does..."

Speaker Ryan: "Wait. Just a minute, Representative. You're Stearney, that's Griffin. You'll get your turn in a minute, Representative Stearney. You'll be next. Representative Griffin."

Griffin: "In light of Mr. Huskey's, Representative Huskey's comment about the quasi military of the police force, I

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think the power that lies in the hand of the administrators of the police forces are often greater than what we would find in many comparable civilian units of government. Police downstate that I've heard from have said that they, as people who may not always agree politically with the chiefs of police or administrators of their departments, often don't have remedies if any harrassment is directed against them. So I think in the interest of the civil liberties of policemen who are civilians as well as quasi military members of society, the civil liberties of police need to be respected. I think this Bill goes a long way to addressing that particular problem. So, I rise in support of Representative McAuliffe's Bill."

Speaker Ryan: "Gentleman from Cook, Representative Stearney, it's your turn now."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, if the Gentleman over there who opposed it had read it, it merely provides certain protections; namely that if they initiate an investigation against you they are to inform you in writing of the nature of the investigation. And second, once administrative procedures are instituted, that is, after a complaint is lodged, then they merely have to give you the names of the complainants. Furthermore, it talks about the interrogation for reasonable period of times. And in addition to that, it says you cannot be harrassed, you cannot be discriminated against, you cannot be threatened with a demotion or a transfer to an unsavory place simply because you did not answer the question. These are basic minimum protections. If we can support - and I have - supported constitutional rights for the individual criminal defendant over the last six and a half years, we can certainly say at this time that a police officer is entitled to certain basic minimum protections

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and this Bill gives those protections. No one can really quarrel with that. We should vote 'aye' on this matter."

Speaker Ryan: "Is there any further discussion? Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I cannot emphasize too strongly the importance of this Bill. I happen to be, of course as you know, on the Chicago Fire Department and when you're subject to accusations both administratively and after the experience that I happened to go through personally, I certainly see the need for this type of legislation. It's a very frightening experience, especially when you feel that all of your rights have been taken away. This Bill is a fair and equitable Bill that addresses a very serious problem and I don't see anything wrong with voting 'aye' for this Bill and you'll be doing yourself and all people that are affected by a favorable vote. So please vote for House Bill 57."

Speaker Ryan: "Representative McAuliffe, to close."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, some of the speakers talked about tying the hands of the supervisors. I can tell you horror stories about some of the supervisors treat the police officers and I can speak from experience in Chicago. I won't mention any names but some of you people think they are little Gestapo's and they're running a Gestapo outfit. That's how they treat the men. We had a man there in Chicago that was trying to organize a union and he was called in by a superior officer and told he was going to be fired. It's common to call a police officer in a room with three or four supervisors and have them badger them and bounce them around from one person to the other. This Bill will eliminate that kind of abuse and that kind of harrassment and you'll earn the undying gratitude of all the patrol officers in your

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district since there are many more patrol officers than there are bosses. It's a good idea that everybody would vote for this Bill."

Speaker Ryan: "The question is, 'Shall House Bill 57 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Vote Representative Darrow, please. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 153 voting 'aye', 15 voting 'no' and 1 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. I'm now going to go out of the regular order of call and go to House Bill 185, Representative McCourt who is going to resign from this chamber tomorrow. This will be his last Bill. He has to leave this afternoon shortly and Representative McCourt."

McCourt: "Mr. Speaker and Members of the House, House Bill 185 is a very simple Bill. It does a certain amount of equity that fails to exist today when a person has a claim before the Court of Claims. At the present time a person might negotiate a claim with the state for many months and finally realize that the matter is not going to be resolved until he submits it to the Court of Claims and once a settlement is arrived, many times it takes as long as 12 months until the claim is paid. So all this does is to say that awards made by the Court of Claims will receive interest at the same going rate of interest as all civil judgements receive, namely 9% within 20 days after the claim is awarded. I feel it's an equitable piece of legislation and I solicit your support."

Clerk Leone: "House Bill 185, a Bill for an Act to amend the Court of Claims. Third Reading of the Bill."

Speaker Ryan: "Are there any questions? Representative Preston."

Preston: "Thank you, Mr. Speaker. I just want to state that I

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looked over this Bill and it's probably a terrible Bill but the Sponsor of the Bill is a very distinguished Member of this House and since I might sometime appear before him, I feel compelled to vote for this Bill even though it may, in fact, be pretty horrendous."

Speaker Ryan: "I would certainly hope you wouldn't be intimidated by that, Representative. Is there any further discussion? The question is, 'Shall House Bill 185 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Hurry. Have all voted who wish? Last chance. Have all voted who wish? Take the record, Mr. Clerk. Representative Ebbesen. Let me declare this passed before we go... On this question... Representative Martire. You don't have to be worried about appearing before him, do you? Representative Martire, would like to be voted 'aye'. Representative Karpriel, 'aye'. Representative Boucek, 'aye'. Representative Bianco, 'aye'. Alright. That takes care of that. On this question there are 162 voting 'aye', none voting 'no' and this Bill having received the Constitutional Majority is hereby declared passed. Representative McCourt."

McCourt: "Mr. Speaker and Ladies and Gentlemen of the House, this seems to be the right time to say, 'good-bye'. It's a hard time for me to say good-bye. I've enjoyed these nine years here more than I'll ever really know until I leave, I'm sure. I enjoyed all the courtesy that extended to me by both you, Mr. Speaker, and your predecessors. I've enjoyed the camaraderie I've had both from the Democratic side of the aisle and the Republican side of the aisle. When I leave here I can honestly say that I've never voted against a Bill because of the sponsorship and I would hope that all the new Members, who I really feel sorry that I haven't

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gotten to know better, will always remember to vote for a Bill on the issue alone and not to be swayed too much by the sponsorship."

Speaker Ryan: "Representative Ebbesen."

Ebbesen: "Well, yes, Mr. Speaker, I was sorry I didn't get a chance to speak in advance of Representative McCourt but he led into what I was going to say very nicely. If you... for the record, if you look back at the records, when Representative McCourt and I were first ... we came down here together that on the legislation on turn right on red that overwhelmingly passed this House, there was only one negative vote and that was Representative McCourt's. So, what he has just said is very appropriate and he it that very sincerely and I'm going to wish him well in his new position as a judge."

Speaker Ryan: "Well, Judge McCourt, we wish you the best of everything in your future endeavors. Representative Bowman."

Bowman: "Well, thank you, Mr. Speaker. As one of the Democrats from the district served by Representative McCourt, I would just like to say that, speaking for myself and I'm sure for Representative Preston, that we will miss you. We haven't always agreed on everything as I'm sure you recall. But, it has been a good experience for us as well and you will be missed. I didn't get a chance to explain my vote. I am voting 'aye' in hopes that this will be your last Bill. But, and I look forward to seeing you back in the district. I'm sure you'll remain active in community affairs and that will be a gain for us all."

Speaker Ryan: "Representative Jones."

Jones: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had an opportunity to be in the same class with our dear friend, Representative McCourt. And, as he

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indicated, he always voted on the Bill based on the issue and not the Sponsor. He has distinguished himself in this Body and I also would like to join with my colleagues in wishing him well in his future endeavors."

Speaker Ryan: "Judge McCourt, based on the vote we had this afternoon for pay raise for the judges, maybe you can improve their image with the General Assembly having leaving here knowing what's gone on in the past. We wish you the best of everything and come back and visit with us. Representative McCourt."

McCourt: "Mr. Speaker, just one more word if I may. Representative Ebbesen mentioned that horrendous Bill that passed here a number of years ago that I had the foresight to vote 'no' on. I would hope that possibly all of you will... see the errors of your way and maybe rectify that vote permitting the right turn on red. Mr. Speaker, if I might have one last word, ... since we both have come from the same background. Like to wish that in the years to come that the road rises to meet you and the wind be always at your back and the sun shine warm upon your face and the rain fall gentle upon your field. And Democrats and Republicans alike, may God hold you all in the palm of his hand. Thank you very much."

Speaker Ryan: "Mr. Doorkeeper, would you escort the Gentleman out, please? Representative Giorgi, do you seek recognition?"

Giorgi: "Yes, Mr. Speaker, I'd like to say good-bye to Judge McCourt and as he leaves give him a copy of the transcript because he just prejudiced himself on issues of people being arrested in traffic court for disobeying the right turn signal."

Speaker Ryan: "He's a registered lobbyist. Alright, House Bill 393 on the Order of Third Reading. Representative

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Catania. Read the Bill. The Lady requests that House Bill 393 be returned to the Order of Second Reading for purposes of Amendment."

Clerk Leone: "Floor Amendment #3, Catania, amends House Bill 393 on page one, line one and so forth."

Speaker Ryan: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. This is a technical Amendment that was requested by Enrolling and Engrossing to put the Bill in proper form. I move for the adoption of Amendment #3."

Speaker Ryan: "The Lady moves for the adoption of Amendment #3 to House Bill 393. 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 Amendment."

Speaker Ryan: "Third Reading. House Bill 174. Representative Pierce. Return the Bill to the Order of Second Reading, Mr. Clerk, for the purposes of Amendments... for the purpose of Amendment, right?"

Clerk Leone: "Floor Amendment #1, Keane, amends House Bill 174 on page one by deleting line 16 through 19 and so forth."

Speaker Ryan: "Representative Keane on Amendment #1 to House Bill 174. Representative Keane in the chamber? Well, Representative Pierce, the Gentleman's not in the chamber. What's your pleasure? I announced these Bills ten minutes ago."

Pierce: "It's not my Amendment. I agreed to the Amendment. I think he had a school group downstairs or something."

Speaker Ryan: "I'll go ahead and come back to it in a minute. House Bill 646, Representative Getty. Return the Bill to the Order of Second Reading and read the Amendment."

Clerk Leone: "Floor Amendment #1, Getty, amends House Bill 646 on page eight and so forth."

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Speaker Ryan: "Representative Getty."

Getty: "Mr. Speaker and Members of the House, Amendment #1 is an Amendment to delete certain language which inadvertently in the drafting was left in. On page eight in lines 3 through 13 the new provisions under which the placement would be made are set forth. Inadvertently in the drafting process, the former Section which provided for the determination of treatment was left in and if we left the Bill in its present condition, it would be redundant and in some respects, inconsistent. I would, therefore; move for the adoption of Amendment #1."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 646. 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 Amendment."

Speaker Ryan: "Third Reading. 463, House Bill 463. Representative Barnes. Return the Bill to the Order of Second Reading, Mr. Clerk, and read the Amendment."

Clerk Leone: "House Bill 463 has been read a second time previously. Amendment #1, Jane Barnes, amends House Bill ..."

Speaker Ryan: "Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is part of the Rape Study Committee and we had a package of Bills that we've all been working on, and this Amendment simply states that if an employee of a mental institution or a hospital or a facility where a person is dependent upon the employee for needs and he or she would force the patient or the mentally retarded person to engage in a sexual act that that would be considered rape."

Speaker Ryan: "Are there any... Is there any discussion? The

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Gentleman from Cook, Representative Stearney."

Stearney: "Well, reluctantly, I have to ask the Sponsor a few questions. Miss Sponsor, can you define what a licensed private hospital is, according to Section 1-113 of the Mental Health and Developmental Disabilities Code? What is it?"

Barnes: "A licensed facility is any mental institution or hospital or nursing home, as you brought up in Committee, I think, that... those are health facilities."

Stearney: "I'm asking you. Can you also tell us what a health care facility is as is defined in Section III of the Illinois Health Facilities Planning Act?"

Barnes: "That would embrace the nursing homes."

Stearney: "Now, what is the definition of a person in need of mental treatment?"

Barnes: "Pardon me?"

Stearney: "What is the definition of a person in need of mental treatment who is committed to an institution?"

Barnes: "Well, on Channel 5 last night they kind of had an expose' in one of the state mental facilities where the children have been mentally retarded and they have been sexually assaulted, and I think that this is a very timely piece of legislation to take care of some of the inequities that we see in the system."

Stearney: "Ladies and Gentlemen of the House, please, I beg your indulgence on this. The Sponsor has not answered my question but really, I think we've gone a bit too far in this question of rape. Everybody's against rape just like everybody's for motherhood and apple pie and the American Flag. However, we go a bit too far. I ask you to look at the Amendment. It says that a person who's in such an institution is deemed unable to give an effective consent. That means that if the person got on the stand at a later

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time and says 'Yes, I did give consent to that individual' the Bill says, 'No, you could not have given consent'. Furthermore, everybody in a mental institution is not there because he is unable to comprehend what is happening. He is there for one of three reasons. The definition is, he's a danger to himself or to another or unable to care for himself. It doesn't mean that he doesn't have the faculties, the mental faculties or he or she doesn't have the mental faculties to make such a decision. And what we're doing is saying that anybody that is in such an institution as defined here, even though he's not there for any mental problems, nevertheless; that person, he or she, is deemed unable to give consent. My... We're going a bit too far. We don't even know what these institutions are and why a person can be committed there. I don't know if the person's there because he's unable to think properly or unable to care for himself. He may be there because of some other handicap or disability. But this Bill is saying... the Amendment is saying that if a person is there, ipso facto that person can never give effective consent. Now we've just gone a bit too far in this area of rape. Representative Jaffe's had Bills over the years that have provided that an individual, as to a female, you cannot inquire into her past even if she was a prostitute. Before that that could not be brought up in evidence. We can only now talk about prior acts of the defendant with that particular named female, but we're going too far now in saying that anybody in any kind of a hospital can never give effective consent. If the individual.. If the Representative had more skillfully designed this Amendment to provide a person who is unable to give consent, then it would be proper. But right now we're just including everybody in an institution and that is really not right."

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Speaker Ryan: "Is there any further discussion? Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, Members of the House, I rise in support of this particular Amendment and I think that the prior Gentleman was very eloquent, however; he left out, I think, four or five important words and those words are, 'wherein the person is dependent upon the accused for life services or needs'. I think that really is the big thing over here. We're saying that a person who is in an institution who is dependent upon someone for life service or needs cannot be deemed to give consent. I think that that's an appropriate thing and I think the testimony has proved it to be appropriate. I think Representative Barnes is right on the button in this Amendment and I would urge an 'aye' vote on this Amendment to House Bill 463."

Speaker Ryan: "Any further discussion? The Lady from Cook, Representative Barnes, to closer."

Barnes: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think we could ever go too far when it comes to rape. This Amendment addresses itself to the employees who take advantage of the people that are in there that are unconscious or are mentally retarded and are unable to give consent. And I think the burden of proof is on the lawyers such as Mr. Stearney to prove whether it's rape or not. That's what this is all about. I would ask an 'aye' vote."

Speaker Ryan: "The Lady moves for the adoption of Amendment #1 to House Bill 463. 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 Amendment."

Speaker Ryan: "Third Reading. Let me interrupt here for a minute for a very special introduction by Representative Oblinger."

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Oblinger: "As most of you know, tomorrow morning is the Governor's prayer breakfast. This time we're going to have a very unusual and interesting speaker. He's here with us today and I would like to introduce him, but first of all the Chairman of the Governor's prayer breakfast who brought him over, Bill Miller from SSU. Our speaker tomorrow will be Gary Earl Lee who lives in Falls Church, Virginia. That's why Craig's been up here because that's where his family lives. He lives there with his wife Pat and her twelve year old daughter, Dana. He is a career diplomat with the United States Department. He spent much of his childhood in India where his father, the Reverend Earl Lee, was a missionary. Gary served in the Army in 1966 and '67, received a BA from Youngstown State University in 1970 and joined the State Department in 1971. He served in this order as counsellor officer in Bombay, India, administrative officer at Madras, India, Administrative General Services Office in Damascius, Syria and coordinated the districts for the Presidential visit to the Middle East and for shuttle diplomacy carried out by former Secretary of State, Harry Kissinger. I think this is the part you're going to be interested in. He went to Iran in May 1979 as Senior General Services Officer in the UN Embassy in Tehran and was held captive in the Embassy by Iranian students from November 4, 1979 until his release in January 1981. He was party to two mock executions in November '79 and February '80. Relating these experiences to his wife by phone after his release, he said, 'I thought I was dead'. He was shunted from jail to jail, spent time in solitary confinement and was not allowed outdoors from June 1980 until the time of his release this year. I think we owe a great deal to our guest speaker tomorrow, Mr. Gary Lee."

Gary Lee: :Thank you, very much. I was reading over the Lady's

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shoulder as she was reading out the background and it's unfortunately all accurate including the last paragraph. I just want to say I'm very delighted to be here. On my way in I was watching Springfield blow South. The wind is up nicely. It's good to be in a building in a place where you can see laws being enacted, seeing a democracy working. I've been in a position where, for over a year, 'jurocracy', if you want to call it, was working. I'm glad to be here. I'm looking forward to this evening. I'm looking forward to tomorrow morning. I wish I could stay longer but I have to head back to work on Friday. Thank you, very, very much and I'll see you around."

Speaker Ryan: "Thank you, Mr. Lee. I'd like to add that 'jurocracy' also works here along with democracy. Nice to have you with us."

Lee: "It works very well in Washington too, I can assure you."

Speaker Ryan: "He's going to be the speaker at the prayer breakfast at 7:30 in the morning. If you haven't got your tickets, you ought to get them. Representative Pierce, Representative Keane is now on the floor. House Bill 174, Representative Pierce. Return the Bill to the Order of Second Reading, Mr. Clerk, and read the Amendment."

Clerk Leone: "House Bill 174 has been read a second time previously. Amendment #1, Keane, amends House Bill 174 on page one by deleting lines 16 through 19 and so forth."

Speaker Ryan: "Representative Keane."

Keane: "Thank you, Mr. Speaker. Amendment #1 merely defines residency as of.. puts the residency requirement as of the time of the passage of the ordinance rather than making it retroactive, and I would ask for favorable consideration."

Speaker Ryan: "Is there any discussion? The Gentleman moves the adoption of Amendment #1 to House Bill 174. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes'

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have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. On the Calendar on page 12 under the Order of House Bills, Second Reading appears House Bill 1229, Representative Stewart."

Clerk Leone: "House Bill..."

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

Clerk Leone: "House Bill 1229, a Bill for an Act in relationship to the offense of rape and penalties prescribed thereto. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Huff, amends House Bill 1229 on page one, line..."

Speaker Ryan: "Representative Huff on Amendment #1."

Huff: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I offered this Amendment with all the sincerity and solemnity and solicitude at my command. In the month of April, Mr. Speaker, 60 people lost their lives to the wanton killing of young thugs. Twice that number when they were raped. Mr. Speaker, the people from my district are on the verge of hysteria as they watch their community plunge towards the dark and abysmal death of barbarism. They plead with us to do something. This Amendment is an attempt to do just that and because the Amendment is severe in the minds, I know, of some of my colleagues, I now stand ready to answer questions."

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

Leinenweber: "I missed the Gentleman's explanation and try as I might, I can't find a copy of the Amendment. Could you go over that once more? Tell us what kind of a penalty you propose to dole out to these people."

Huff: "Yes, Representative Leinenweber. What the Amendment seeks

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to do is to impose or let the courts impose at their discretion on every person who has been convicted of a forcible felony as defined in Section II-8 of this Act shall be subject to the loss of one hand in the discretion of the trial court, in addition to all other penalties provided by law."

Leinenweber: "In other words, if the person is convicted of a forcible felony that includes a large number of different offenses. Is that correct?"

Huff: "Well, it is my understanding, Representative, that we're talking about the felon that uses a gun in the commission of a crime which is usually cost the victim his life."

Leinenweber: "What this amounts to is that that individual would only be able to do this twice in his lifetime."

Huff: "That's right. You got it. I mean that, Ladies and Gentlemen that all I'm seeking with this Amendment in the area of..."

Leinenweber: "Mr. Speaker and Members of the House, just addressing the Amendment, the Lady's Bill I think is laudable and probably most of us will support it. I wonder whether or not because it is laudable we should put this Amendment on it. I would just suggest. I have been given a copy of it and it adds a new Article to the Criminal Code, 33C, which is entitled Subject to Loss of One Hand, Forcible Felony. Now, a lot of us didn't think judges were worthy of a pay raise but we're giving the judges discretion to invoke this and I wonder whether or not we want to give Judge McCourt, if he's still here and some of the others, this particular discretion. I, for one, don't."

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

Vinson: "Mr. Speaker, I object to the germaneness of the Amendment under Rule 34D. The Act that the Gentleman is

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trying to amend is entitled, an Act in Relation to the Offense of Rape and the Penalties Prescribed thereto. Everything in the Bill pertains to the subject of rape and the penalties, therefore; the Amendment does not deal with that subject. And, therefore; I would object that the Amendment's not germane."

Speaker Ryan: "The Parliamentarian tells me that your point is well taken, Representative Vinson. The Amendment is not germane and that's the ruling of the Chair, Representative Huff. Representative Huff."

Huff: "Well, Mr. Speaker, I would take exception, which I very seldom do with the opinion of the Chair. I think that what the Amendment really seeks to amend is the classification of punishment. I think both rape and ..."

Speaker Ryan: "Representative Collins, for what purpose do you rise?"

Collins: "Mr. Speaker, if I understand, the Gentlemen seems to be discussing the Amendment which you have ruled not germane and I suggest his only recourse is to appeal your ruling."

Speaker Ryan: "Your point is well taken, Representative Collins. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Page 20 of the Calendar under the Order of House Bills, Third Reading appears House Bill 333, Representative Stiehl. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 333, a Bill for an Act to amend an Act relating to alcoholic liquors. Third Reading of the Bill."

Speaker Ryan: "Representative Stiehl."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 333 would allow Illinois two remaining breweries to qualify for credit on the excise tax paid on the first 4.9 million gallons of beer. These are the only two manufacturers in the state that pay the excise tax.

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Now, what we are talking about here are jobs, jobs in Peoria and jobs in Belleville and an economic contribution to this state of between 60 and 80 million dollars. This Bill is designed to place these breweries in a more competitive position with our neighboring states. It's to keep these jobs in Illinois. This is important because of the severe economic hardship that would entail if these jobs were lost to Illinois. This is a very important Bill to my area and to Peoria."

Speaker Ryan: "Is there any discussion? The Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise to support this Bill. This Bill is very important to the City of Belleville and the City of Peoria. This Bill has the support of the Teamsters and the brewery workers. It has the support of the mayors of both of those cities. It has the support of all the business community, the Chamber of Commerce, and there's a great deal hanging on the balance of this Bill whether it passes or not. We are not talking about making more beer than people can drink or that sort thing. We had some opposition to that. If these two breweries were to shut down, there would not be one can of beer left sold in the State of Illinois, or one barrel left sold in the State of Illinois. The other breweries would move in. What it does is just exactly what Representative Stiehl says it does. It saves jobs, jobs that are now in existence. We're talking about the highest rate of unemployment in the country of 9% here in the State of Illinois and we cannot afford to lose any more jobs and I ask each and everyone of you to seriously consider an 'aye' vote on this Bill."

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

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Tuerk: "Mr. Speaker and Members of the House, I rise to support the Bill. The opponents of this concept have said that it's going to be a loss of revenue to the state. It might appear that way at the initial blush but with the growth in the economy and what jobs will be generated by this tax relief in terms of the two remaining breweries, it will actually bring more revenue into the state in the long run. As far as jobs in the local communities, it will enhance that opportunity for increased jobs. It will give them, the two remaining breweries, a little tax break to the point that it will help keep those breweries alive in Peoria and in Belleville. And for that reason, and we do have precedent in the state in that we did grant this relief in the past to smaller breweries in the state. I would solicit your support for this proposition, House Bill 333."

Speaker Ryan: "Any further discussion? The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker, Members of the House. The neighboring State of Wisconsin which the two breweries in Illinois have affiliation, Heileman's in LaCrosse Wisconsin and Pabst in Milwaukee, do not have to pay this tax. This is a specialized tax on a specialized industry and I hope that we can eliminate it because the cost of shipping the beer into this state is... will be much less than having it brewed here. We hope to alleviate this tax to make our Illinois breweries compatible with the breweries in the neighboring states who do not have this tax. I urge your support for this Bill. Thank you, very much."

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

Leverenz: "Will the Sponsor yield for a couple of questions?"

Speaker Ryan: "Indicates she will."

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Leverenz: "How much tax will we be eliminating here? Hello?"

Stiehl: "Excuse me. I'm sorry."

Leverenz: "Earth to Cissy. How much actual dollars of tax will we be eliminating? Where does it go into and what is it currently being used for?"

Stiehl: "Representative Leverenz, currently the statute... the statute is currently on the books. It provided it only to the small breweries. At one time we had 61 breweries in Illinois. We now have only two. It will amount to 250,000 dollars, approximately, per brewery."

Leverenz: "250,000 dollars..."

Stiehl: "Yes, if the tax would be..."

Leverenz: "...per brewery. That's a half a million."

Stiehl: "There are only two breweries in Illinois."

Leverenz: "We've established that is half a million dollars and the money flows into where?"

Stiehl: "It is a credit on the excise tax that would..."

Leverenz: "Credit on the excise tax."

Stiehl: "Yes, that would be paid. It's actually used to, as we said, to place these breweries in a more competitive position with our neighboring states to keep these jobs here rather than having them in Indiana or Kentucky or Wisconsin."

Leverenz: "Skol. Thank you."

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

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. It was brought about through a cooperative effort of both Labor and Management. This is a jobs Bill for an area with the highest unemployment in 40 years. I rise in support of this Bill and hope that we will... other Ladies and Gentlemen of the House will support it also. Thank you."

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

Collins: "Mr. Speaker, Ladies and Gentlemen of the House, I stand before you as the undisputed champion beer drinker of this General Assembly, and I don't partake of the product of either of these Illinois breweries. However, I think that this Bill makes sense. I remember years ago when Illinois, Chicago alone probably had a dozen breweries and today we are down to two in the State of Illinois. These are two Illinois businesses that we can help and should help at relatively low cost to the taxpayers. As a matter of fact, I doubt any cost. The initial cost is relatively small. We would prevent unemployment. We would generate further employment in this area and we would give these Illinois companies a chance to compete with neighboring companies of the same products in neighboring states. I think this is a good Bill. It's a Bill that we should support. As Illinoisan's we should support this Bill and send it over to the Senate hopefully that it would be signed into law very rapidly."

Speaker Ryan: "Any further discussion? The Lady from St. Clair, Representative Stiehl, to close."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is an investment in the economic future of this state. It provides employment, not only in the Belleville area and the Peoria area where they have high unemployment but it also provides employment in many other areas of this state because you've got to consider the agricultural products that are purchased by these two companies. The cans, the glasses, the bottles, the boxes and the truck drivers. They do business in Chicago, Dalton, Itasco, Highland, Alton, Carrol Stream, Belleville, and Peoria. This is an important investment in our future and in the economic

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future of this state. We often put together packages to induce business to come here that are far more than this. This is just simply a Bill to retain jobs in Illinois and I would ask for a favorable vote."

Speaker Ryan: "Question is, 'Shall House Bill 333 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. The Gentleman from Knox, Representative McMaster, one minute to explain your vote."

McMaster: "Thank you, Mr. Speaker. I find the arguments in support of this Bill amazing. To invest in the future of the State of Illinois by giving probably two of the most successful breweries in the country tax relief. I am not so much perhaps against the breweries because I make use of the product of the brewery in Peoria, but I would much rather make my investment as far as tax relief is concerned to the elderly and the needy rather than to the brewery industry in the State of Illinois. I vote 'no'."

Speaker Ryan: "Gentleman from Lake, Representative Pierce, one minute to explain your vote."

Pierce: "Mr. Speaker, this Bill was heard in Revenue Committee a year ago when our party was in control. We approved the Bill. The Bill passed the House of Representatives at that time. It's a Bill that saves jobs for Illinoisans' in Peoria County and in St. Clair County and those suppliers around the state. And the Bill was approved again in Revenue Committee this year under Republican Majority. It's a good Bill. It's a Bill that saves these two last breweries, Pabst is not the most prosperous of breweries and Stag is a struggling brand. We want to keep them in Illinois and I gladly vote 'aye'."

Speaker Ryan: "The Gentleman from Madison, Representative Steele, one minute to explain your vote."

Steele: "Thank you, Mr. Speaker. In explaining my 'yes' vote at

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a time of declining employment here in Illinois, certainly we can't afford to drive other jobs out of this state. This is a Bill that does mean jobs for Illinois. It affects only two industries, and just a few years ago there were some 60 breweries in Illinois. Now we're down to only two, and I say, let's help these two plants stay in Illinois. There's actually no loss in taxes to Illinois because if we don't make this adjustment to put these two breweries in competition with our adjoining states, if we don't do that there's not going to be any taxes paid by the employees who are earning wages. There's not going to be taxes paid by the wages earned in this plant or the profits of the corporation. So we need to retain these breweries. We keep saying we want to hold business, we want to hold jobs in Illinois. Well, here's a chance to put our words into action and I urge more green lights."

Speaker Ryan: "Gentleman from Peoria, Representative Schraeder, one minute to explain your vote."

Schraeder: "Just take the record."

Speaker Ryan: "The Lady from Cook, Representative Pullen, one minute to explain your vote."

Pullen: "Mr. Speaker, I'm just rising to inquire why Judge McCourt is voting 'aye' on this Bill having left the chamber?"

Speaker Ryan: "Remove the Gentleman from the Roll Call, would you please? The Gentleman from Bureau, Representative Mautino, to explain his vote. One minute."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I apologize to Representative Stiehl and Representative Fliun. I did not intend to speak on this question. Many Members have asked me what my thoughts were. They've made some corrections in this legislation which I think are good, but I must point out of what this

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previous history of what this legislation did approximately four years ago. When this was passed, basically, we did it for the Huber Brewery Company from Monroe, Wisconsin who purchased a brewery in Chicago. Basically what they did was take the 34,000 dollars and run. It's my feeling that if you're addressing the question of employment, I can certainly see the validity of the arguement. But to be honest with you, this is one industry of which I am very familiar that in my estimation does not need nor does it deserve tax relief and this is what we're giving it. We're setting up..."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 99 voting 'aye', 51 voting 'no' and 12 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. On the Calendar on page 33 under the Order of House Bills, Third Reading appears House Bill 1797. Return the Bill to the Order of Second Reading, Mr. Clerk and read the Amendment."

Clerk O'Brien: "Amendment #1, Findley, amends House Bill 1797..."

Speaker Ryan: "Representative Findley on Amendment #1 1687...1697...no, 1797. That's the wrong number up there, Mr. Clerk. 1797. Did you read the right Bill?"

Clerk O'Brien: "Amendment #1 to House Bill 1797..."

Speaker Ryan: "Representative Findley."

Findley: "Mr. Speaker and Ladies and Gentlemen of the House, I would request that we table Amendments #1 and 2 and we'll consider Amendment #3 which is being drafted right now which corrects the technical mistake in two and one in one."

Speaker Ryan: "Take the Bill out of the record, Mr. Clerk."

Findley: "Thank you, Mr. Speaker."

Speaker Ryan: "Page 19 of the Calendar, House Bills Third Reading

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appears House Bill 217. Representative Hallock...take the Bill back to the Order of Second Reading and read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #3, Hallock, amends House Bill 217 as amended..."

Speaker Ryan: "Representative Hallock on Amendment #3."

Hallock: "Yes, Mr. Speaker and Members of the House. This is actually a technical Amendment. We had Amendments #1 and 2 offered on the Bill. They seemed to conflict, so we're going to delete those and put on #3. And I ask for support."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #3 to House Bill 217. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. On page 19 appears House Bill 267, Representative Cullerton. Return the Bill to the Order of Second Reading and read the Amendment, Mr. Clerk."

Clerk O'Brien: "Amendment #3, Cullerton, amends House Bill 267 on page 2 by deleting line one and so forth."

Speaker Ryan: "Representative Cullerton on Amendment #3."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has to do with the regulation of public adjusters. In Committee, Mr. Patrick Cadigan testified that there was language needed so that bonds could be issued to public adjusters by insurance carriers. And he had prepared this Amendment for me, and it is almost word for word for the...from the Insurance Code Section pertaining to broker's bonds. I would ask for the adoption of the Amendment."

Speaker Ryan: "The Gentleman moves the adoption...for the adoption of Amendment #3 to House Bill 267. All those in

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favor will signify by saying 'aye', all opposed by saying 'no'. On this issue, Representative Johnson. All opposed by saying 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. Now, Representative Johnson, do you seek recognition?"

Johnson: "Yeah, I just inadvertently pushed my 'yes' switch and I meant to vote 'no' on House Bill 333. It wasn't verified, and it won't change the result."

Speaker Ryan: "The Gentleman asks leave to change his vote from 'yes' to 'no' on House Bill 333. Are there objections? Hearing none, leave is granted. On the Calendar on page 33 under the Order of House Bills Third Reading appears House Bill 1821, Representative Barkhausen. Return the Bill to the Order of Second Reading, Mr. Clerk, and read the Amendment."

Clerk O'Brien: "Amendment #1, Barkhausen, amends House Bill 1821 on page one by deleting lines 8 through 10 and so forth."

Speaker Ryan: "Representative Barkhausen on Amendment #1."

Barkhausen: "Mr. Speaker, I am going to ask that Amendment #1 be tabled. I'm in the process of drafting another Amendment because of technical changes."

Speaker Ryan: "Take the Bill out of the record, would you, Mr. Clerk. Representative Wolf, do you seek recognition?"

Wolf: "Yes, Mr. Speaker. I just at this time, if it is in order, I would like to suspend the appropriate posting rule, 18 B I believe it is, so that House Bill 1891 could be heard in the House Appropriations Committee Monday."

Speaker Ryan: "The Gentleman asks leave to suspend the appropriate posting rule to have Bills heard in the Appropriations Committee tomorrow morning..."

Wolf: "Monday...if not tomorrow, by Monday."

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Speaker Ryan: "Pardon...by Monday. Are there any objections?"

Representative Matijevich."

Matijevich: "No objection, Jake, what is the Bill?"

Wolf: "1891, Suburban Task Force."

Matijevich: "Okay."

Speaker Ryan: "Are there any objections? Hearing none, leave is granted."

Wolf: "Thank you, Mr. Speaker. And I would also mention to anyone in the galleries or Members that the Appropriations Committee will meet tomorrow morning at 9 a.m. instead of 8 a.m. because of the Governor's prayer breakfast. Thank you."

Speaker Ryan: "Representative Daniels in the chamber?"

Unknown: "Turn me off. Turn me off."

Speaker Ryan: "On page 22 of the Calendar appears House Bill 438. Representative McBroom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 438, a Bill for an Act to amend certain Acts in relation to regulation of lending practices, Third Reading of the Bill."

Speaker Ryan: "Representative McBroom."

McBroom: "Well, Mr. Speaker, House Bill 438 is...simply does what it says it will do. It is the removal of interest rate limits on mortgages, contracts for deed, installment loans, revolving loans, consumer finance loans, and so forth. I would appreciate a favorable Roll Call."

Speaker Ryan: "Is there any discussion? The Gentleman from Peoria, Representative Schraeder."

Schraeder: "Yes, Mr. Speaker and Members of the House, I think this is a good piece of legislation. A couple years ago we temporarily removed the rate, and it has been proven that that was a wise move. If it was wise at that time it certainly was wise now because the problems we're having today are even more severe than they were two years ago,

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and I would compliment the Sponsor of this legislation for a good piece of legislation. I ask for a red vote."

Speaker Ryan: "What color? Further discussion? Representative Jones, for what purpose..."

Jones: "Yeah, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Ryan: "He indicates he will."

Jones: "Representative McBroom, you said it will raise the interest rate or take the ceiling off. Actually, what industry does this affect? Does it affect department stores, banks, Savings and Loans, etcetera?"

McBroom: "Well, Representative Jones, I don't think...if I said raise the interest rates, I don't recall saying that. If I did, I withdraw that statement. I said it removes the ceiling on the usury rate for all lenders. All lenders."

Jones: "So in effect...would this affect, let's say, Sears Roebuck? Would it affect Sears Roebuck, for example?"

McBroom: "It would affect anybody in the lending industry, Representative Jones. The price of money would be set by competition just the same as the price of homes or automobiles or clothing or anything else that is set by competition. I think it would ultimately have the effect of lowering interest rates."

Jones: "Well, as far as the consumers are concerned. In other words, the person who has the credit card, be it VISA, Master, or have an account with the major department stores that are currently charging 18% per annum - what this legislation would do is let the various lending institutions charge whatever interest rate they so desire. Am I correct?"

McBroom: "What you say is correct, but it would require Sears and Roebuck, to use them as an example, that they notify the chargee, or the person who has the merchandise...has the credit card, that they in fact are raising their

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interest rates. It would require notification before they could do that, Representative Jones."

Jones: "Mr. Speaker, speaking to the piece of legislation, one of the things that concerns me about this legislation is that in the lending institutions we have a monopoly and the monopoly would be caused by lifting the ceiling on the interest rate that could be charged. The average consumer will not have any input. They will have no choice but to pay that very high exorbitant interest rate for all the credit cards that they have, and this piece of legislation should be defeated."

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

Smith: "Mr. Speaker, I have had some requests from some of the Members of the Legislature for tickets for the prayer breakfast tomorrow. I can still pick a few up if anybody would like them. If you would let me know in the next few minutes I can make that order for you. Thank you."

Speaker Ryan: "Representative Vinson."

Vinson: "Move the previous question, Mr. Speaker."

Speaker Ryan: "The Gentleman has moved the previous question. All in favor will signify by saying 'aye', all opposed 'no'. Your Motion fails, Representative. The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, never in my life have I seen such abandoned greed at the expense of the neediest group of people in society. We've heard this type of thing forever, 'let the market price set the rate of interest'. But I want to point out to you the people who suffer under high interest rates are the working people. The people who can afford it the least. The people who are forced to buy on credit simply because they don't have the type of revenue that is necessary to pay cash out of pocket. They

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are strapped the hardest, and now we are really and truly going to put the lash to their back by raising all interest rates, all restraints, even minor reasonable restraints. We've come in here year after year and grant them increases on the same theory from 7% to 8%, nine, and they want to get 15, 18, 21% on credit lending now, and I suggest to you that you are indeed doing a disservice to the working man. You are doing a disservice to the people who can afford it the least. You are trodding them under the wheels of the chariots that have nothing but the interest of the bankers who have high money to lend. Money to lend that will be used to extort the very life's blood out of the people who can afford it the least, and we who are sent down here as guardians and protectors of the people are now neglecting that sacred duty. I suggest to you that this is indeed one of the most shameful and foul acts that we would perpetrate on the people of the State of Illinois by raising the interest rates without any restraints. Not some restraints, not 20%, but without any restraint. And I suggest to you that that is totally unconscionable, and I don't know anybody who says that they represent voters, they represent people who need money or people who are strapped the hardest who have the least flexibility in their budget - how you can do that to them in the name of big business, big interest, or big bucks is unconscionable. And I plead with you to listen to your own consciences if you will. I suggest that you have joined the robber barons and robbing the people of the State of Illinois and the poor most certainly. And I say, shame on you. Shame...shame."

Speaker Ryan: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker, it is within the power of this Body and

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the Governor to make the highest rate 6%. How much money do you think will be available to the poor when the government is paying 18 1/2% on federal funds? How much money do you think you could get for housing for the poor when the government bonds are selling for 16%? I can tell you there wouldn't be any. You can set the rate as low as you want to but if you have to compete with the government and other agencies for money, there would not be any money for the poor. So you think you're doing them a favor when you make the rate low, but I am telling you you're excluding them completely from the borrowing market."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for a question?"

Speaker Ryan: "He indicates he will."

Levin: "Okay, Representative, tell me if I am wrong, but this Bill, the way I understand it, takes off all ceilings..."

McBroom: "Just a minute, I can't hear him..."

Levin: "Okay...This Bill, as I understand it, now correct me if I am wrong, removes all..."

McBroom: "Mr. Speaker,...I am having difficulty hearing what Representative Levin is even...has asked me. Could we have a little more order please?"

Speaker Ryan: "Could we have a little order in the chamber please? Could we start over, Representative?"

McBroom: "Ellis, would you speak a little louder, please?"

Levin: "Yes. Okay. Representative, I just want to clarify in my own mind what this Bill does. It removes all ceilings that are defined in the Bill for all time. It is just not for two years or three years, but it is a total removal forever. Is that correct?"

McBroom: "Yes."

Levin: "Okay, how do our interest rates, say charge cards,

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compare with other states? Isn't it correct that our interest rates are currently...compared with some other states, higher?"

McBroom: "I don't know...You're asking the question as to what interest rates are in other states? I don't know that I can answer that question, Ellis."

Levin: "Mr. Speaker, if I may speak to the Bill. I know that when I get my charge bank cards every month and I compare the interest rates, I see that Illinois is up there and there are other states that are on the same statement and it says that their interest rates are lower. Yeah, we already have among the highest interest rate, I think, in the country. I understand that financially we are in a period of inflation. I can conceive the temporary lifting of ceilings or raising of the ceilings, but I think it is bad policy to just take off the ceilings for all time because then we're just going to encourage more and more inflation and higher and higher interest rates. That is what happened in Brazil, and I think we should be thinking positively and we should be planning for the future to get those interest rates back down. And I would urge a 'no' vote on this Bill because I think it's not only totally lifting the ceilings, but it is doing it for all time."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, it seems like a couple of the previous speakers are sounding like the same broken record they were two years ago. The way it is right now in Illinois, what we're doing, we keep on coming back to the well. We have to momentarily or for a short period of time remove the usury ceiling, and then when the time comes up we do it for two more years, and all this Bill...is eliminating it permanently. I stated two years ago, and I will

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emphatically state it again. If one bank is giving a loan at 20% and another bank is giving it at 10%, I'll guarantee you that nobody is going to go to the bank that is charging 20%. Competition in the market place is going to seek its level. It has been doing that for the last year and a half and these people who are preaching gloom and doom, the state hasn't gone under in the last year and a half. The money is still available and it has seeked its own level. So I would ask on this good piece of legislation that we, instead of having to come back here every other year and having to handle the same piece of legislation is just to remove it permanently. And I would ask for an 'aye' vote on House Bill 438."

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

Huff: "Thank you, Mr. Speaker. I think that the arguments advanced by the last speaker is a little spacious because banks do not arbitrarily set their own interest rates. Their interest rates are set by the...by the feds. And...you're right, Representative Piel. If I could go to a bank that would give me a loan at 10% when the current rate is 20%, that is where I would go. But I would doubt if I would looked high and low and in all the byways in the State of Illinois that I would find a bank so operating."

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

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

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

McBroom: "Well, Mr. Speaker, Members of the House, I'd appreciate very much a favorable Roll Call. One of the speakers on the other side alluded to removing the rate forever. I would like to remind him that unfortunately we are down

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here every year and it can be reimposed whenever the wisdom of the General Assembly decides that that might be the appropriate thing to do. The usury rates were established many years ago when the previous General Assembly felt that there were unscrupulous lenders. There are federal safeguards. There are state safeguards on this, and the money market is volatile. We all know that. And I don't see any reason to have any control on that any more than establishing a ceiling on all the other commodities that are sold. We don't do it on other commodities, I don't know why we should do it on the money market. I couldn't agree more with Representative Friedrich in a rebuttal to the some of the Gentlemen who have spoken on the other side. I think it really makes it difficult for potential lenders who have good credit to get money for their needs be it a home, or automobile, or furniture, whatever it might be by setting the...having this artificial ceiling that is just not viable. I would appreciate a favorable Roll Call."

Speaker Ryan: "The question is 'Shall House Bill 438 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. The Gentleman from Sangamon, Representative Kane, one minute to explain his vote."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, there is a number of different Sections to this Bill, and it may be true that there is competition in the mortgage market, but when it comes to credit cards and those kinds of things in which there is only three or four national companies, there is no competition. Everybody sets their limit at what the maximum legal rate is. They all stay the same. You can't go shopping for different interest rates on those credit cards. And I would say that until we get real competition in the money market, we don't have the kind of

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centralization of assets that we have now that we should vote 'no' on this Bill."

Speaker Ryan: "The Gentleman from Macon, Representative Dunn, one minute to explain his vote."

Dunn: "Mr. Speaker, I have a question which remains unanswered, but as I read this...this Act, it seems to me to provide that if I am in the juice lending business I can be convicted under our Criminal Code. But if this Bill becomes law, all I have to do is get a license under the Consumer Finance Act and the sky's the limit, and I can lend money at any interest rate or lend money and provide, in case of default, that legs be broken or anything that I want to do and there will be no criminal penalties. How can we even consider...conceive about considering such a law - such a possibility for legislation in this great State of Illinois? This is cruel, harsh, unconscionable, inequitable, unfair, and it is....but profitable, yes. So please vote 'no' if you're for the people. If you're for those..."

Speaker Ryan: "The Gentleman from Cook, Representative Kelley, to explain his vote. One minute."

Kelley: "Yes, thank you, Mr. Speaker and Members of the House. I was initially under the assumption that this would only apply to small consumer type loaning institution items. It also extends to charge cards, and I know in this House there is a number of us and certainly throughout the State of Illinois that have charge cards, and the percentage rate right now is 18% which is a high figure. Ladies and Gentlemen, this figure could jump so high and amount to so much in dollars that it scares me. I wish that the Sponsor would have been able to separate the different categories alone so we could vote on these items separately. But the charge card in my opinion makes this a bad concept, and I

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know that in the...there are states that are even moving and making changes like now you might make your payment for your bill right away and not pay an interest figure. Ladies and Gentlemen, there are changes that are going on where the..."

Speaker Ryan: "The Lady from Cook, Representative Balanoff, one minute for explanation of vote."

Balanoff: "This Bill won't permit people to make loans easily when this House increased the interest rate two years ago everybody was saying 'Oh this will permit more people to buy houses'. Well, the fact of the matter is fewer houses are being purchased today because people cannot afford them. I closed a real estate deal two weeks ago where the young couple had a 29 year loan and on principal and interest alone on a \$52,000 house they had to pay \$660 a month. And this is under the current rate. So this Bill will prevent people from borrowing money."

Speaker Ryan: "The Gentleman from Cook, Representative Leon, for explanation of vote. One minute."

Leon: "Mr. Speaker, Ladies and Gentlemen of the House, I chaired a Subcommittee last year that had meetings in various parts of the state. At that meeting it was publicized. People came there and testified, and their testimony was that a removal of the ceiling on interest would remove what was a floor with a ceiling. The ceiling is a false safeguard for the poor people. In other words, if we would have a ceiling, say 18%, on revolving credit, that is not the ceiling. That is the floor. If you want money you will pay that rate. Under this proposal, competition will force retailers, wholesalers, and merchants to set an equitable rate as their industry...as their industry would require."

Speaker Ryan: "Have all voted who wish? Have all voted who wish? The Gentleman from Henderson, Representative Neff, one

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minute for explanation of vote."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As been brought out here, in particular, by the last speaker, supply and demand has always set the figure. Many of us go back, and it hasn't been too many years. To some of us 25 or 30 years ago when we had a ceiling rate of 7% and we could borrow money. You could go to any lending institution, any bank, and borrow money at 5%. So the ceiling isn't necessarily going to mean that we're going to pay more. If the supply and demand and competition...will take care of that. This is a good piece of legislation, and it will help the poor people."

Speaker Ryan: "Have all voted who wish? Have all...Representative Kociolko, do you seek recognition?"

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

Speaker Ryan: "One minute to explain your vote."

Kociolko: "I simply wish to indicate for the record that while I may have a potential conflict of interest on this vote, I will cast my vote out of conviction and vote 'yes'."

Speaker Ryan: "Have all voted who wish? Representative Turner, do you seek recognition for explanation of vote? One minute."

Turner: "Thank you, Mr. Speaker. I just wanted to testify to the fact that again that this Bill will only hurt the poor people, the people who need to borrow money and be able to do business here in the state, and I think that a 'no' vote on this Bill represents the interest...the true interests of people, and I encourage the other Members of the House to do likewise."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 105 voting 'aye', 47 voting 'no', and 12 voting 'present', and this Bill having

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received the Constitutional Majority is hereby declared passed. Representative Polk, for what purpose do you seek recognition?"

Polk: "For the purposes of an announcement, Mr. Speaker. It is my understanding that there is a birthday being had today by our Assistant Clerk, Jack O'Brien. I understand he is 39 years old today, and death row...row here wanted to wish him the very best."

Speaker Ryan: "Happy birthday, Jack. We're going to try and be out of here...by around 6 o'clock. If we can move some more Bills, why... On page 18 of the Calendar under the order of House Bills Third Reading appears House Bill 64, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 64, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act, Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 64 amends the Marriage and Dissolution of Marriage Act to permit courts to grant reasonable visitation privileges to grandparents upon motion to the court with proper notice and upon a court finding that such visitation is in the best interest and welfare of the child. The legislation will help assure that close grandparent-child ties and relationships will not be severed because of divorce. There are now 32 states that have these grandparent visitation rights and laws on the books, and I think that if nothing else this will provide the law to recognize grandparents rights. It will help those grandparents who have gone for some years without being able to visit their grandchildren. I would urge and ask your passage of House Bill 64."

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Speaker Ryan: "Is there any discussion? Any discussion?
Representative Johnson."

Johnson: "A couple of questions of the Sponsor. Representative
Matijevich, is this only with the consent of the parents or
is this applicable notwithstanding presumed opposition by
the parents."

Matijevich: "There could be opposition from the parents. It
would be on a court finding that the visitation is in the
best interest and welfare of the child. Mr. Johnson, what
would happen in this case, it is not a matter as we so
often hear of visitation rights. It would be a matter of
visitation privileges. The term 'visitation rights' is a
misnomer, and...and those states that have passed this type
of legislation, from all that I have heard, there have not
been the problems that many thought would result by such
passage."

Johnson: "Okay, let me ask you, wouldn't it be possible, assuming
a divorce and one parent or the other had either custody or
visitation. Let's assume the custodial parent, assume it's
the mother, would be able to...when she has custody of the
children, to be able to allow her parents to see the child.
And by the same token, the visiting parent, when the parent
had temporary custody of the children, would also be able
to allow his or her parents to see the children. Isn't
that right?"

Matijevich: "No question about that."

Johnson: "Well, my point is, as I indicated to John in Committee,
I really respect the Sponsor in this, but I think he ought
to realize what we're opening ourselves up to when we allow
grandparents to intervene legally and have standing to
intervene legally in a dissolution action between a mother
and father, between husband and wife. If you do this now,
it is logical to also allow aunts and uncles or close

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friends, brothers and sisters, and everyone else to intervene, and the result, frankly, is going to be a bonanza for lawyers and judges because the number of opportunities for people to intervene in actions that don't involve them at all is really unlimited. And this society of ours, at least up till now, is still based on the premise that single...that a unitary family, a mother and a father, even in the event of divorce and children, are the ones who are to control the destiny of their children. And it is easy for grandparents to be able to see those children because all they have to do is to have their children, the mother or father in visitation or custody, take them over to their house or come over or whatever. There is no limitation on that. What this Bill really does is that it gives new standing to grandparents to intervene through lawyers in litigation that involves a husband and wife. And it really doesn't make sense. This Bill, the last time before John took it over as the Sponsor, was overwhelmingly defeated. It has been defeated for the last 10 years. Only once it got on the floor and it was overwhelmingly defeated there, and it has been defeated in Committee every year. It is a good idea and nobody objects to grandparents being able to see their grandchildren. I think that is a healthy thing, and I am not disputing that. What I am disputing is that in a dissolution case, and this amends the Marriage and Dissolution of Marriage Act, the grandparents ought to be able to intervene in something that doesn't involve them. And for that reason I think this Bill is ill-considered. There is other ways to achieve the same problems. The result of passing this Bill would be just an incredible flooding of the courts, a lot of extra money and time in an already overburdened court system that we don't need when we can accomplish the same

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thing in a different way."

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

Oblinger: "Mr. Speaker and Members of the House. Mr. Johnson is talking from a supposition. I am talking from experience. I have a son who is divorced who has two delightful children. You're assuming that I can see them at any time. They live 900 miles from here. Their mother occasionally tells me, 'Yes, they may spend their vacation with you'. So we make all of our plans and two days before we're to leave she says, 'No, we won't unless you pay my credit card bill, my gasoline bill, and our medical bills, then maybe we'll let you see those children'. I have constantly had to be blackmailed in order to see my grandchildren. I am paying for their medical bills, their clothing bills, and all the rest of it, but once in a while I get to see them, and the last time was 2 1/2 years ago. I would like some protection. This is not supposition. This is fact. And I don't like to have to have personal lives on display here, but this means a great deal to us who never get to see our grandchildren."

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 this Bill. I don't feel as one of the other speakers that it infringes on the rights...the rights of two people who are really involved in a court dispute. The..the relationship of grandchildren and their grandparents should be one that the state should encourage, and I believe that grandparents should have an opportunity even if the parents cannot see their way clear providing them one, to allow that relationship to continue. It is an important one. We already know...we experience

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too often today the results of troubled children and perhaps with an intervening grandparent I think that this could help alleviate some of the problems. Certainly children in divorce cases do need some basis of security. They...the opportunity of continuing a relationship with grandparents is important, and I would urge all the humanitarians on the floor to vote 'yes'. Thank you."

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

Topinka: "Yes, Mr. Speaker I rise in defense of this Bill because I think it is a a very good idea. Coming from a district which has over 25% of her constituents 65 years of age or older, the problem comes up repeatedly and people are suffering. They have no redress, and I think this is something that is due every American citizen. That they have some redress in the law to be able to sustain what they feel are their rights and privileges. Now in the 22 states that already have some form of visitation rights by grandparents, questions on constitutionality have...they have come up. They have been dissipated. The states have obviously not gone into such turmoil as to create a major familial or domestic crisis. We have provided redress in other states for grandparents who have a perfect right to see their children and in many cases they have been the sole custodial parents for...since the time the child has been born. The bonds are strong. And I can't see any difference between this and what has continually been touted in our society as mother love and all of these good things that make up a family. For the stability of the children, psychiatrists and psychologists, I have law reviews that have gone into this, have come up and said that the trauma of an abrupt termination of a meaningful relationship with grandchildren can really be detrimental to the child. This provides the entry for grandparents to

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have some redress to get to their children...grandchildren, and again to create some form of family. If indeed the Reagan administration and everybody else can speak so strongly in terms of putting the American family back together, that includes grandma and grandpa. I would urge a favorable vote on this Bill."

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

Jaffe: "Yes, Mr. Speaker and Members of the House, I rise in opposition to this Bill. I think it sounds good, but when you get down to it, it really is a very bad Bill. First of all, the Bill is not needed. Let me tell you that...that the courts can already do this if they so desire. So we really don't need to clutter up statute books with another Bill that is not needed. But outside of that, I think the concept is wrong. I think what is going to happen is that this Bill will open up the courts to extend it in complex litigation. Let me tell you that if you've ever handled a custody case or you've ever handled a domestic relations case, nothing is more traumatic than a custody fight. It is really a bitter, terrible fight, and under this particular Bill, I think what is going to happen is the custody fight will never be over. The custody provisions will never be over. After the parents are done litigating then you're going to have two sets of grandparents who are litigating. I understand the feeling of the grandparents, but understand how painful this is for the child. How often does a child have to be subjected to a custody litigation? I think it is really inhumane upon the child to say first we're going to have the parents fight over the child, then have one set of grandparents, then another set of grandparents. It really doesn't do the child any good. Especially at the present time when the courts can already do it. All that we're doing is we're encouraging

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litigation in an area where we really should not be encouraging litigation but doing just the opposite. It is going to be painful for the child. It is going to be traumatic for the child. You may be giving a bone to a grandparent, but you may be killing a child. And I think you ought to realize this. The courts have always thought of the child first, and that is really the way that it should be. Think of the child first and the parents and the grandparents second. And I tell you nothing is more traumatic than a custody child...than a custody fight for a child. And let's not subject a child to a custody fight over and over and over again, and I would urge a 'no' vote on this Bill."

Speaker Ryan: "The Lady from Kane, Representative Zwick."

Zwick: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just like to briefly rise in opposition to this Bill. I think the title of the Bill and the sound of it certainly sounds like a good concept, and I understand the problems that many grandparents have in seeing their grandchildren. However, this way is certainly not a way to solve the problem. It is just going to...to hurt the child. I mean, I really...there was a lot of important things in what Representative Jaffe had to say. I can even picture grandparents who, if they can't see their grandchild on Sunday, taking the parents to court on Monday. I don't think this would happen...and I just think it is the type of thing that get so out of hand it might just be outrageous. I would like to see the problem addressed, but I certainly don't think that this is the method to address it in. So I would urge you to vote in opposition to this Bill. Thank you."

Speaker Ryan: "The Gentleman from Will, Representative Van Dwyne."

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

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

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this Bill does, it simply provides that the courts may grant visitation privileges. And I had a constituent who appeared before the Judiciary I Committee as a witness for Representative Matijevich who has a problem that I am sure that hundreds, maybe even thousands of grandparents throughout the State of Illinois that, and that is that their son was killed in an automobile accident and that the wife or the daughter-in-law refuses to let that grandparent or grandparents visit that child. It is quite distressing because they love that child very much. They have no control over it. The girl absolutely refuses and in some instances it is similar to Representative Oblinger's case is that she wants money or she wants some kind of bribery or something in order for those grandparents to see that child. This Bill passed out of the Judiciary I Committee on an 11 to 2 vote which signifies that there is a lot of support for this. The press throughout the State of Illinois has called my constituent and has interviewed her. She may even appear on the Donahue Show to talk about this problem. It is a serious problem not only in Illinois, but throughout the country. It is time that Illinois took the first step and corrected this...this situation and gave the courts the opportunity to grant, if they so desire, that those grandparents should have visitation privileges. It gives them the right which they do not have now, and I would urge

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a favorable Roll Call vote."

Speaker Ryan: "The question is 'Shall House Bill 64 pass?' All those in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Brummer, one minute for explanation of vote."

Brummer: "Yes, very briefly, you know, it is hard to speak against grandmothers. It's like motherhood and apple pie, but I think everyone ought to realize that this is not restricted solely to an instance where there is a divorce or a separation. This would enable my parents or even my grandparents because it applies to great-grandparents to file suit against my wife and I with regard to our children and intervene and ask for...for visitation with regard to our children. Now if we make that decision as parents jointly, that they should not have visitation for whatever reason, I simply think this is undue interference with the relationship of the family. I guess, as a lawyer it will spawn all kinds of litigation so I should be in favor of it, but I think it is a poor concept and should be defeated or more narrowly restricted."

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

Vinson: "Thank you, Mr. Speaker. I am going to vote 'yes' on this and I would suggest that people take a look at the effect of the legislative cut-back Amendment and note that Representatives Pullen and Jaffe are both voting together on this."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 143 voting 'aye', 15 voting 'no', and one voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. On page four of the Calendar under House Bills Third Reading appears House Bill 419. Return the Bill to

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the order of Second Reading and read the Amendment, Mr. Clerk."

Clerk Leone: "House Bill 419, it has been read a second time previously. Amendment #1 amends House Bill 419 as follows. Representative Leinenweber. No, Mr. Lechowicz. Lechowicz."

Speaker Ryan: "Representative Lechowicz on Amendment #2."

Lechowicz: "I believe it is Representative Leinenweber's Amendment, but I move for its adoption. It is a technical Amendment that was offered and recommended by Representative Leinenweber in the Committee. Basically what it does, it amends member relation of the situation which the corporation enters into a transaction which one of the Directors is financially interested. It provides that when the Board of Directors or the shareholders vote on whether to approve such a transaction, the votes of the interested directors may be counted only to establish the presence of a quorum. The interested directors may not vote on whether to actually approve the contract, and I move for its adoption."

Speaker Ryan: "What is the Amendment number, Mr. Clerk?"

Lechowicz: "One."

Speaker Ryan: "Amendment #1. Is there any discussion? Representative Leinenweber."

Leinenweber: "I would likewise move its adoption. It was an Amendment that our staff felt was necessary, and I concur with the staff. So does the Sponsor of the Bill. This is a Bill that amends the Business Corporation Act to provide some flexibility in some of the more closely owned corporations. It was felt that the Bill went a little bit too far and that it ought to be tightened a bit, and that was the purpose of the Amendment."

Speaker Ryan: "The Gentleman has moved for the adoption of

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Amendment #1 to House Bill 419. 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. On the Calendar on page 23 under the Order of House Bills Third Reading appears House Bill 520, Representative Hoxsey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 520, a Bill for an Act in relationship to the regulation of rivers, lakes, and streams in the State of Illinois, Third Reading of the Bill."

Speaker Ryan: "Representative Hoxsey."

Hoxsey: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 520, sometimes known as the Barge Bill on the House floor, prohibits the Illinois Department of Transportation Division of Water Resources from regulating barge fleeting in the rivers wholly or partly located in the state. What the State of Illinois and the river barge industry does not need is another layer of government regulation. With approximately 1,500 miles of river banks, a significant portion is already...has already contained docks and industries that are dependent upon river transportation. The state also contains a significant segment of river bank that is suitable for industrial development in the future. The promulgation of another set of regulations that would ultimately make it difficult to renew fleeting permits or to obtain permits for new fleets would make it exceptionally difficult to service the industries already located within the state. And if it were difficult to obtain a permit to establish new fleets to service industry, industry would consider locating their plants in other states. The cost in time and effort to comply with fleeting regulations and the cost to the State of Illinois in personnel and expense to create and administer

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additional fleeting regulations are not in any way justified by any benefits to the state and its environment. A good efficient transportation system by all boats is essential to the State of Illinois. In 1980 barges hauled 40.3% of our nations export grain to port for loading on board ocean carriers. And as a farmer who sells their grain to the river terminals, I can tell you we, the consumer, would pay that bill for the additional regulation. At present, the Corps of Engineers and the U. S. Coast Guard have adequate authority to regulate all aspects of barge fleeting. Implementation of fleeting rules by the Corps of Engineers and the Coast Guard insures that the rules are uniform and will be enforced in a consistent matter throughout the river system. What we are saying with this Bill is 'no'. We don't need additional regulations on industry in Illinois. Farm Bureau and all the agricultural interests along the rivers and all the industries who are shippers on the rivers support this Bill. It came out of Conservation and Natural Resources Committee 14 to 2, and I would ask you for a favorable Roll Call."

Speaker Ryan: "Is there any discussion? The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Bill. I live in Alton and the Great River Road extends from Alton to Grafton, a little river town where the Illinois runs into the Mississippi. It is probably one of the most scenic highways in Illinois with 200 feet of limestone bluff on one side and the Mississippi River on the other. A number of fleeting companies have requested the Corps of Engineers for permission to fleet along this 20 mile stretch. I don't know if you've ever seen barges parked along a road,

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but they are usually parked three or six abreast, and it is impossible to even see the water once the barges are parked there. Along this 20 mile stretch they are requesting to fleet barges in approximately eight to ten miles of this which would really ruin the scenic beauty of this road. The Corps of Engineers does have authority to grant that, but the Illinois Department of Transportation also has authority to intervene and deny the request to these fleeting facilities. The most difficult agency that I have ever dealt with as far as responding to the public and as far as responding to elected officials, it is the Corps of Engineers. I don't know if you have dealt with them, but if you have I think you would probably agree with that assessment. They are a very difficult body to deal with. They do not take into consideration public sentiment. I think if you took a poll in our area you would probably find that 95 to 98% of the people are against this proposed fleeting in this particular area. Although we do have fleeting south of Lock and Dam 26 where most of the industry is located, most...the great majority of people would oppose fleeting in this area. But we have no influence, and we have no way of having public opinion really come across to the Corps of Engineers. But we do have some influence with the Department of Transportation. We have Legislators from three Legislative Districts in the area that are able to discuss this at length with the Department of Transportation and have our views heard and have the views of our constituents heard. I think that instead of taking control away from the state as this Bill would do, we might petition our Congressmen to take some authority away from the Corps of Engineers. The...I think the mood of the country even reflected that recently in electing the Republican President Reagan and in his

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emphasis in reducing the size and the power of the Federal Government. I think this is one area that I would readily agree with him on. And I think that it is a mistake to give up state control, turn it over to...completely over to the Federal Government, specifically the Corps of Engineers which not only doesn't respond to State Legislators, but most often doesn't ever respond to the Congress when they request changes or when they have constituents who are upset with the Corps. I think this is the exact opposite direction that we should be going, and I would hope that you would consider...consider those factors I brought out before voting."

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

Ropp: "Thank you, Mr. Speaker and Members of the House. I rise in support of this Bill because this is a Bill that I think has been long in coming, and I want to commend Representative Hoxsey for this. In agriculture we have been very much concerned about the increased amount of federal, state, and governmental regulations. This will strongly be an attempt to help reduce the cost of doing business that we are involved in. Illinois is the number one agriculture exporting state. It is important that these waterways are provided so that they do not have to come under such heavy regulations. Each time these things are imposed at any area along the waterways, additional costs are added. And these costs ultimately are paid by all consumers both in the State of Illinois and to our neighbors around the world. I say this is not a time to say let's save the scenery. Let's not say...let's be sure that we retain the beauty. This is an important economic issue. It is good for the people. It provides longer jobs and a stronger economy. It is time that we stand up as

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statesmen on this particular issue. It is good, and I strongly support it."

Speaker Ryan: "The Lady from Marshall, Representative Koehler."

Koehler: "Mr. Speaker, Ladies and Gentlemen of the House, this...I rise in support of this Bill. This Bill prevents further government regulation of private industry. And one of the things that I heard most from my constituents is we want less government rather than more. Get government off my back. So it gives me great pleasure to support this legislation which in fact does prevent an added layer of government bureaucracy. I would urge your 'aye' vote. Thank you."

Speaker Ryan: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Mr. Speaker, I have heard some interesting comments on this interesting piece of legislation, 520. I haven't once heard anything positive for the recreational, conservational areas we have on the Illinois River. I have heard nothing positive about having some governmental control of an industry that pays no dollars towards the use of their transportation source. They don't pay to use the Illinois River. It is free. It is not like the railroads, and it is not like the roads. They get free transportation. The EPA gives them all the permits they want. If we give up this provision, you'll have no control over what will be happening on the rivers and the streams of the State of Illinois. The DOT is proposing that somebody have some teeth and have a say so about what is going on. You've got four or five units between, basically, Peoria and Calumet City, for example, that don't want the DOT to have any say about what happens to those docking areas. Take a look at the Bill. That is what we're doing. Is that you want to do? Or do you want to have some say about what happens on

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the Illinois River?"

Speaker Ryan: "The Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am delighted the Representative from Alton, our distinguished colleague from the other side of the aisle can indeed find some areas of agreement with our President, President Reagan. I think it is rare that they might agree. But I can assure that distinguished Gentleman and you, Ladies and Gentlemen, that President Reagan supports Betty Hoxsey's Bill as do I. And he is interested in less regulation at the local level as well as the other tenets of the Reagan program. God bless Ronald Reagan and Betty Hoxsey."

Speaker Ryan: "Is there any further discussion? Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I speak in support of House Bill 520. I...there have been some remarks made. I don't think they're quite clear. I live on the Mississippi within 10 miles of the Mississippi River, and I am well acquainted with the barge and river traffic, grain traffic. I have talked to lots of barge people....people that use the barges, and they tell me that it is unnecessary that they work real well with the Corps of Engineers and as the Sponsor brought out here, this is a duplication of services, the kind of thing that we want to get away from. And I think there is no reason why we should continue the DOT and the Corps of Engineers involved in something that isn't necessary. So I would hope that we would support House Bill 520."

Speaker Ryan: "Representative Dunn."

Dunn: "...Call the previous question."

Speaker Ryan: "The Gentleman has moved the previous question. All in favor will signify by saying 'aye', all opposed

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'no'. The 'ayes' have it, and the Motion prevails. The Lady from LaSalle, Representative Hoxsey, to close."

Hoxsey: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. There is only a few miles, like 150 out of 1,500 miles affected of the shore of our river banks. That is not very much to sacrifice to industry, and I think that is...we know what our economic situation is in the State of Illinois. And that's just one more item where we just don't need that added regulation. Now the process that they have been using for the last good many years has been working. And what is it about government, my friends, that when you have a process that is working, government decides to change it. And all those processes that don't work stay there. Now I am suggesting that this should be supported and again I ask you for a favorable Roll Call."

Speaker Ryan: "The question is 'Shall House Bill 520 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Vinson, one minute for explanation of vote."

Vinson: "Thank you, Mr. Speaker. I would just say that to oppose this Bill you have to endorse the concept that there ought to be a federal traffic police policing the interstate highways."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 116 voting 'aye', 33 voting 'no', and none voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 226, Representative Donovan. Take it back to the Order of Second Reading, Mr. Clerk, and read the Amendment."

Clerk Leone: "House Bill 226 has been read a second time previously. Amendment #3."

Speaker Ryan: "Do you seek recognition, Representative McPike?"

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Clerk Leone: "Amendment #3, Getty..."

Speaker Ryan: "On this issue."

McPike: "On a point of order, Mr. Speaker, that was raised yesterday. I understand you're trying to accommodate the Members by going to Bills where they wish to bring them back to Second Reading for Amendments, and I don't think anyone objects. But it...but then you're skipping around the Calendar going to different Bills that are being heard on Third Reading which is contrary to our rules, and I think there are objections to that. The rules clearly state that we should go in numerical order and...while we're on Third Reading unless you're trying to simply bring Bills back to Second Reading. I would make that point again today. If we're going to have Third Reading we should go down the Calendar and not skip to 520 or to various other Bills on the Calendar, but the rules require that we go in order. And I would hope that you would abide by the rules, Mr. Speaker."

Speaker Ryan: "Well, Representative MCPike, the Parliamentarian tells me that we've been following the rules very closely and that when we move a Bill back to the Order of Second Reading, that is a different order of business, and then we can go where we want back into Third Reading. And that's what we've been doing. Representative MCPike."

McPike: "Mr. Speaker, I didn't object to you going to various Bills to bring them to Second Reading and to accommodate the Members by bringing Bills back to Second Reading. I did not object to that. What I objected to was skipping around the Calendar and picking Bills at random to be heard at Third Reading. That is not according to our rules. It is in violation of the rules, and I would request that you not do that."

Speaker Ryan: "Well, Representative MCPike, when I leave one

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order of business I can go back into another order of business any place I please."

McPike: "I understand we're on the Order of Third Reading. You may not..."

Speaker Ryan: "...And we returned to the Order of Second Reading, Representative, and that puts us in another order of business. House Bill 226, Representative Donovan. Read the Bill. Take it back to Second Reading, and read the Amendments, Mr. Clerk."

Clerk Leone: "Amendment #3, Getty, amends House Bill 226 as amended."

Speaker Ryan: "Representative Getty on Amendment #3."

Getty: "Mr. Speaker, Members of the House, Amendment #3 would clear up an apparent ambiguity in the language of the Amendment #2 which was previously adopted. It makes no substantive change, and I would move for the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? Representative Katz on Amendment #3."

Katz: "Mr. Speaker, I had a point of order that I wanted to raise."

Speaker Ryan: "You weren't recognized for that purpose Representative. Amendment #3."

Katz: "I understand that."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #3 to House Bill 226. All in favor will signify by saying 'aye', 'aye', all opposed 'no', The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "House Bill 1821 on the Order of Third Reading. Move House Bill 226 back to the Order of Third Reading. House Bill 1821 on the Order of Third Reading."

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Remove...take it back to the Order of Second Reading and read the Amendment."

Clerk Leone: "House Bill 1821...1821 has been read a second time previously. Amendment #1, Barkhausen, amends House Bill 1821..."

Speaker Ryan: "Representative Barkhausen."

Barkhausen: "Yes, Mr. Speaker, I wanted to table Amendment #1 and take up Amendment #2. However, I am not sure that Amendment #2 has been distributed. It has been filed and may have been distributed, but I am not aware if it has been."

Speaker Ryan: "Take the Bill out of the record, Mr. Clerk. Representative Barkhausen, we're putting your Bill back into the record. The Clerk was a little confused here for a minute. What was your...your Motion?"

Barkhausen: "I wanted to move, Mr. Speaker, to table Amendment #1 because it had some technical problems in it and take up Amendment #2 which I filed with the Clerk. But I was..."

Speaker Ryan: "Has it been printed and distributed, Mr. Clerk? Amendment #2. Take the Bill out of the record. Representative Richmond, for what purpose do you seek recognition?"

Richmond: "Thank you, Mr. Speaker, I think in disposition of House Bill 226 which incidently I'm the Sponsor rather than Representative Dunn. You did not move it to Third Reading or at least..."

Speaker Ryan: "Well, I think I did, Representative."

Richmond: "Alright, well thank you."

Speaker Ryan: "The record will indicate but if it didn't, move House Bill 226 back to the Order of Third Reading. On the calendar on page 31 appears House Bill 1313. Return it to the Order of Second Reading and read the Amendment, Mr. Clerk."

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Clerk Leone: "House Bill 1313, it's been read a second time previously. Floor Amendment #1, Kosinski, amends House Bill 1313 on page three, line five and so forth."

Speaker Ryan: "The Gentleman from Cook, Representative Kosinski, on Amendment #1."

Kosinski: "House Bill 1313 is my Bill as the exploding bullet Bill. It has a list of exclusions within the body of the Bill but by oversight two areas were overlooked in terms of exclusions and Amendment #1 offers those exclusions. The exclusions are laboratories having the forensic ballistic concerns in a situation of death by bullet. They would, it would determine the cause and probably be very helpful to local law authorities. In addition, that area, that agency which prepares such bullets for the United States government for purposes would be excluded. I ask for the acceptance of the Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to House Bill 1313. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. On the calendar on page 28 appears House Bill 979. Return to the Order of Second Reading and read the Amendment, Mr. Clerk."

Clerk Leone: "House Bill 979 has been read a second time previously. Amendment #1, Currie, amends House Bill 979 on page one by deleting line one through four and so forth."

Speaker Ryan: "Representative Currie."

Currie: "Thank you very much, Mr. Speaker. Amendment #1 to House Bill 979 would retain the structural pest control program in the Department of Public Health where it currently resides. The Sunset Committee had recommended moving that

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program to the Department of Agriculture but in House Committee when this Bill was heard there was a good deal of concern on the part of Committee Members that perhaps the program better belonged in the Department of Public Health and in fact there was a minority report signed by several members of the Sunset Committee to retain that program within Public Health. So this Amendment would be consistent with the apparent will of the House Committee and would not be very inconsistent with many of the members of the Sunset Committee itself."

Speaker Ryan: "Is there any discussion? The Lady moves for the adoption of Amendment #1 to House Bill 979. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Katz, for what purpose do you seek recognition?"

Katz: "Mr. Speaker, I've tried to get recognition before when you had the with Representative McPike. You didn't call on me. I assume you didn't see my light and I want to continue this inquiry. It is a very important inquiry from this side of the aisle. There is, I want to know the basis on which the Parliamentarian concludes that you are free when you go to Second Reading to then proceed to roam the calender when you return to Third Reading. That has never been the situation here and there is no basis for....."

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

Vinson: "Mr. Speaker, there's no dispute in question at this point. The Gentleman is untimely in his inquiry and I would urge that you rule him out of order and go on with the business of the House."

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Speaker Ryan: "Your point is well taken, Representative Vinson. Representative Katz, that question's not before the chamber and you're out of order. House Bill 503, on the Order of Third Reading. Return it to the Order of Second Reading and read the Amendment."

Clerk Leone: "House Bill 503 has been read a second time previously. Amendment #1, Cullerton, amends House Bill 503 on page two and so forth."

Speaker Ryan: "Representative Kane, for what purpose do you arise?"

Kane: "Point of Order. I think that there has to be leave of the House to return a Bill from Third to Second. I don't think the Speaker can do it on his own and I think that the Sponsor should ask leave of the House or make a Motion with 89 votes."

Speaker Ryan: "What is your point, Representative?"

Kane: "The point is that the Speaker cannot return a Bill from Third to Second on his own. It has to be by leave of the House. I don't think you've been asking leave of the House....."

Speaker Ryan: "Well, that was by mutual agreement. I will ask leave now if you would like, Representative Kane."

Kane: "I have no objection but...."

Speaker Ryan: "Do you have objections?"

Kane: "No, I have no objections."

Speaker Ryan: "Alright, I have heard none. What's your point, Representative."

Kane: "My point is that leave has to be asked."

Speaker Ryan: "Well, we asked leave when we started this list on Second Reading."

Kane: "Leave has to be asked on each Bill, Mr. Speaker."

Speaker Ryan: "Representative Cullerton, on Amendment #1 to House Bill 503. Representative Cullerton, you have an Amendment

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you wanted to put on Representative Daniels' Bill, 503.
Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Amendment is amending a Bill that deals with criminal law and it makes it clear that it only applies, it has to do with the photographic evidence. A Bill Representative Daniels is sponsoring and it makes it clear that his Bill would only apply to items that are offered for sale to the public and that it would not apply to items that are, for example, something that was taken in a burglary from someone's house. So the purpose of the Bill initially was to help out business people who have their items which are stolen tied up for many months while pending court action and the purpose of this Amendment is to make sure it only applies to those particular items."

Speaker Ryan: "Representative Deuster, for what purpose do you arise?"

Deuster: "For the purpose of asking the Sponsor of the Amendment a question. I've looked around and maybe I don't see him, but the Sponsor of the Bill, Representative Daniels, I don't see on the floor. Normally, it's a little unusual for a Bill to be returned to Second Reading in the absence of a Sponsor but I presume in this case that maybe Mr. Daniels asked that the Bill be returned and he's agreeable to your Amendment. If that's the case I think he ought to state for the record. Representative Katz is not the only one who's a little concerned about the procedure and I just want to make that clear. Is that..."

Cullerton: "Yes, Representative Daniels is in agreement with the Amendment and he asked that it be brought back from Third to Second for the purposes of this Amendment being put on."

Deuster: "Thank you very much."

Speaker Ryan: "Is there any further discussion? The Gentleman

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moves for the adoption of Amendment #1 to House Bill 503. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Change of vote."

Clerk Leone: "Representative Bullock requests to vote 'no' on House Bill 438. Representative Griffin requests to vote 'no' on House Bill 333. Representative Margaret Smith requests to vote 'aye' on House Bill 333. Representative Kucharski requests to vote 'aye' on House Bill 185. Representative Yourell requests to vote 'aye' on House Bill 46. Representative Zwick requests to vote 'aye' on House Bill 36."

Speaker Ryan: "Is leave granted for the change of votes? Are there any objections? Hearing none, from Representative Kane, leave is granted. Representative Bowman, for what purpose do you seek recognition?"

Bowman: "Mr. Speaker, I'd like to, as principal Sponsor of the House Bill 783, I'd like to table that."

Speaker Ryan: "What's the number, Representative?"

Bowman: "783."

Speaker Ryan: "The Gentleman asks leave to table House Bill 703(sic)."

Bowman: "No, no 783."

Speaker Ryan: "783. Are there objections? Hearing none, leave is granted. House Bill 783 is tabled. Change of vote."

Clerk Leone: "Representative Leverenz requests to vote 'no' on House Bill 438."

Speaker Ryan: "The Gentleman asks leave to change his vote. Are there objectios? Hearing none, leave is granted. Agreed Resolutions."

Clerk Leone: "House Resolution 260, Krska. House Resolution 262,

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Huskey. House Resolution 264, Pullen-et al. House Resolution 265, Ryan-McBroom. House Resolution 266, Ryan-McBroom. House Resolution 267, Ryan-McBroom. House Resolution 268, McBroom-Ryan. House Resolution 269, McBroom-et al."

Speaker Ryan: "The Gentleman from Cook, Representative Conti, on Agreed Resolutions."

Clerk Leone: "House Resolution 270, Bowman-et al."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 260, St. Rose of Lima Parish located in the 23rd Legislative District will celebrate its 100th Anniversary on Mothers' Day, May 10. House Resolution 262, Huskey, Nancy 'Latis' of Palos Heights is honored on May 8th for 20 years of distinguished service, Home Economics teacher at Oak Lawn. House Resolution 264, Penny-et al, Clyde Watson, principal of Main Township High School will retire in June. House Resolution 265, Ryan-McBroom, Dr. Gerald Downey has made significant, lasting, valuable contribution to the field of medicine during a long, distinguished career, will celebrate 50 years in the medical profession. House Resolution 266, Ryan-McBroom, Dr. Marion Kline has made significant lasting value contribution in the field of medicine, 50 years in the medical profession. House Resolution 267, Ryan-McBroom, Dr. Charles Waylon has made a significant and lasting valuable contribution and also celebrating 50 years in the medical profession. House Resolution 268, McBroom-Ryan, Mr. Monohan graduated Bachelor of Science degree and major in Business Administration and is retiring after 23 and a half years exemplary service of the people of the state with the Department of Corrections. House Resolution 269, McBroom-et al, the operation office Commission or Banks Trust Commission funded entirely fees paid by the

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institution on the relationship and House Resolution 270, Bowman-et al, Alison was elected president of the senior class of Elaine High School in Chicago. Mr. Speaker and Ladies and Gentlemen of the House, I move for the adoption of the Resolutions."

Speaker Ryan: "The Gentleman's moved for the adoption of the Agreed Resolutions. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Further Resolutions."

Clerk Leone: "House Resolution 263, O'Brien-Collins-et al."

Speaker Ryan: "Speaker's table. Change of vote."

Clerk Leone: "Representative Katz requests to vote 'no' on House Bill 64."

Speaker Ryan: "The Gentleman asks leave to change his vote. Are there objections? Representative Madigan has objected. Representative Madigan withdraws his objections. Leave is granted and I'd like to have the record show that Representative Madigan has recovered from his outstanding performance last night and has finally made it to the floor in time for the adjournment. I understand you're leaving the country. Is that right, Representative? Death Resolutions."

Clerk Leone: "House Resolution 261, DiPrima-et al. House Resolution 271, Terzich-et al."

Conti: "Mr. Speaker, I move for the adoption of the Death Resolutions."

Speaker Ryan: "The Gentleman moves for the adoption of the Death Resolution. All in favor will signify by saying 'aye', all opposed by saying 'no'. The 'ayes' have it and the Resolution is adopted."

Speaker Ryan: "The House will be in order. We now have a Death Resolution for a former Member. Read the Resolution, Mr. Clerk."

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Clerk O'Brien: "House Resolution 257, Dwight Friedrich - Slape - Watson, whereas the distinguished Harold Stedelin, a former colleague of many of our Members, passed away May 3, 1981, in Centralia, Illinois; and whereas, Mr. Stedelin was first elected to the 74th General Assembly and competently served his constituents during five terms from 1965 through 1974 as the Democratic Representative of the 55th District; and whereas born November 8, 1902, in Sparta, Illinois, former Representative Stedelin spent most of his life in Centralia where he married, raised a family and founded the Centralia Engineering and Manufacturing Company; and whereas Mr. Stedelin personified dedication to and involvement in his community, as throughout the years he presided over the Centralia School Board, directed the city's public works department, was appointed Centralia's postmaster by President John F. Kennedy and served on the Marion County Board of Supervisors; and whereas Mr. Stedelin also was an active Member of the Masons, the Moose Lodge, the Elks Lodge, the Shrine Club, the United Commercial Travelers, the Centralia Library Board and St. Mary's Hospital Board, was President of the Kiwanis Club, actively participated in St. Peter's United Church of Christ, served on the Illinois Association of School Boards and in 1978 received the Outstanding Lay Leader in Education Award; therefore, be it resolved by the House of Representatives of the 82nd General Assembly of the State of Illinois, that we mark with profound sadness the death of former Representative Harold Stedelin, and convey our sincerest sympathy to the grieving family of this outstanding Illinois citizen; and be it further resolved that a suitable copy of this Resolution be presented to each of Mr. Stedelin's children, added Stedelin and Carolyn Stedelin Gierten of Centralia. And as a further token of our respect, the House does now

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stand adjourned."

Speaker Ryan: "Representative Friedrich."

Friedrich: "Mr. Speaker, I think the Resolution itself pretty well says it all. Harold Stedelin spent most of his life in public service including the 10 years he spent here on the floor of this House. I don't think there is much I can add to it because I think he was an outstanding citizen and made a great contribution to the State of Illinois. I move the adoption of the Resolution."

Speaker Ryan: "Representative Slape."

Slape: "Thank you, Mr. Speaker. I have been requested by some of the Membership that...have leave that all the House be added as Sponsors to this Resolution."

Speaker Ryan: "Leave is granted. The House now stands adjourned until the hour of twelve noon tomorrow."