

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

11th Legislative Day

February 17, 1983

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. All unauthorized personnel shall leave the floor. All staff at the rear of the chamber, please leave the floor. Will the doorkeeper clear the floor of all unauthorized personnel? And would the Members please be in their chairs? Representative Pierce, could we get in our chairs? We shall be led today in prayer by the Pastor Sammy Hooks of the St. John's Methodist Church here in Springfield. He is the guest of Representative Taylor Pouncey."

Pastor Hooks: "Let us bow. Almighty God, we humbly beseech Thee as we lift our thoughts unto Thee. We thank You for the Land of Lincoln and the opportunity to serve. Hear our prayer for these, Thou elected officials of the people. Let their minds be so guided by Thee that all fears might be removed and Thy will be done through them. We pray for strength, wisdom, but most of all, understanding. Strengthen those among us who might have deficiencies, that their lives might be renewed. This we pray in Jesus' name. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker Madigan: "Roll Call for Attendance. Are there any excused absences? Representative Greiman."

Greiman: "Yes, thank you, Mr. Speaker. The excused absences for the Democratic side are Representative Vitek, Ronan, White, Domico, Terzich, Panayotovich, Kraska, Shaw, Levin and Nash."

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Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, our excused absences are Representative Klemm, Pullen and McMaster."

Speaker Madigan: "Let the record show that the previously enunciated Representatives shall be excused. Have all recorded themselves who wish to be recorded? The Clerk shall take the record. There are 102 Members present. There is a quorum. Committee Reports."

Clerk O'Brien: "Representative Stuffle, Chairman from the Select Committee on Economic Recovery, to which the following Bills were referred, action taken February 17, 1983, reported the same back with the following recommendations: 'do pass' House Bill 41. Representative Steczo, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken February 17, 1983, reported the same back with the following recommendation: 'do pass Consent Calendar' House Bill 205 and 52; 'do pass as amended Consent Calendar' House Bill 224. Representative Giglio, Chairman from the Committee on Cities and Villages, to which the following Bills were referred, action taken February 16, 1983, reported the same back with the following recommendation: 'do pass as amended' House Bill 57."

Speaker Madigan: "Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading. House Bill 311, Davis, a Bill for an Act to amend Sections of the Liquor Control Act. First Reading of the Bill. House Bill 312, Taylor Pouncey, a Bill for an Act in relation to work study programs for high school students living in areas of high unemployment. First Reading of the Bill. House Bill 313, Taylor Pouncey, a Bill for an Act making appropriations for a work study program for high school students living in areas of high unemployment. First Reading of the Bill.

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House Bill 314, Taylor Pouncey, a Bill for an Act making appropriation of the Department of Commerce and Community Affairs. First Reading of the Bill. House Bill 315, Yourell, a Bill for an Act to amend Sections of the Civil Administrative Code. First Reading of the Bill. House Bill 316, Yourell, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 317, Jaffe - Johnson, a Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. House Bill 318, Jaffe, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. House Bill 319, Jaffe, a Bill for an Act to amend Sections of an Act to revise the law relating to industrial home work. First Reading of the Bill. House Bill 320, Brunsvold - Stuffle - Homer - Matijevich and Mulcahey, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 321, Cullerton - McAuliffe, a Bill for an Act regarding controlled substances and narcotics racketeering. First Reading of the Bill. House Bill 322, Hallock, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 323, Christensen, a Bill for an Act to amend Sections of the Probate Act. First Reading of the Bill. House Bill 324, Cullerton, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 30...325, Ralph Dunn - Richmond - Preston, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 326, Ronan - Tate - Hannig - Neff and Rea, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 327, Madigan - Daniels, a Bill for an Act to amend Sections of the Unemployment Insurance Act. First Reading of the Bill."

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Speaker Madigan: "For what purpose does Mr. Davis seek recognition? Mr. Davis."

Davis: "Thank you, Mr. Speaker. I rise on a matter of, I think, grave concern to this General Assembly and to this House in particular, a grave concern that the public confidence in government is being undermined daily, it would seem, in the newspapers and recent newspaper accounts of a transaction that occurred in the City of Chicago, have caused me to introduce Resolution 48 calling for the Legislative Investigating Commission to investigate the shenanigans that surrounded the rather murky transaction of the purchase of Continental Air Transport. I have in my hand all kinds of copyrighted articles that appeared in the Chicago papers of any number of innuendoes, allegations, and yes, outright facts that are reported now almost daily for the last few days in the Chicago papers regarding the involvement of some City and elected and appointed officials in what may be a terrible misuse of power at the local and maybe even the state level in this State of Illinois. And Resolution 48 directs...would seek to direct the Legislative Investigating Commission to investigate that entire transaction and the allegations, and innuendoes, and yes, facts on that murky transaction in the back rooms that took place by some well-placed Members of Local Government, and yes, of State Government agencies that apparently had some process or some involvement in the process of what looks to be extortion on its face. And I...I recommend to you, Mr. Speaker, that I have duly filed a Motion in writing at 12 p.m. today so that this Resolution can receive immediate consideration by suspending Rule 43 (A) - the Motion is on your desk now in writing - so that we can immediately consider this Resolution, pass this Resolution, get this Resolution to

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the Legislative Investigating Commission, and then indeed delay, if further calls, for a delay of the Illinois Commerce Commission of considering the sale approval of Continental Air Transport to a very, I think, suspect group of investors that were involved in this transaction. The Motion is on file to do that. To comply with Rule 43 (A), we have also caused to be distributed on the desks, copies of that Motion to every Member on both sides of the aisle. And at this point, Mr. Speaker, I know that you want to get to the bottom of this. I certainly want to get to the bottom of this, and the people of Illinois demand to know why in the hell Continental Air Transport was purchased for 4.4 million dollars, a company that makes a million dollars a year, and the license was denied of extension for that corporation...was denied until the sale was affected and until the City Council then, hastily, of the City of Chicago rammed through a 15 year extension on that contract. Aldermen from the City of Chicago, independent Aldermen, this morning..."

Speaker Madigan: "Mr. Davis, might I inquire, are you rising on a point of personal privilege?"

Davis: "No, I'm rising on the Motion, Sir, to suspend the Rule so that this House can deal with this very serious..."

Speaker Madigan: "Okay, fine. I was waiting for you to get to that question. Mr. Davis, your Motion is right here, and I was waiting for you to get to the point where you might move your Motion. Now the Clerk informs me that the Resolution has been filed. In the normal course, the Resolution would be referred to the Committee on Assignment. Rather than follow the normal procedure, you have filed a Motion to suspend the rules to provide for immediate consideration of your Resolution. And I presume that you have now moved for the adoption of the Motion, and

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Mr. Davis seeks recognition."

Davis: "Well, if we're going to have a dialogue, I would like to be responding so everyone could hear me. Mr. Speak..."

Speaker Madigan: "It's not a dialogue, Mr. Davis. I am simply attempting to explain our posture to the Body, because very shortly, the Body will be expected to vote upon your Motion."

Davis: "True, Sir. That's..."

Speaker Madigan: "Mr. Davis on your Motion. Proceed, Sir."

Davis: "My Motion is to suspend the rules of House Rule...to suspend the provisions of House Rule 43 (A) to affect immediate consideration of House Resolution 48 so that the people of Illinois will know what the hell is going on in those murky back rooms in the City of Chicago."

Speaker Madigan: "The Gentleman has moved to suspend House Rule 43 (A) to provide for immediate consideration of his Resolution. On that question, the Chair recognizes Mr. Greiman."

Greiman: "Thank you, Mr. Speaker. The charges indeed are quite serious, and they charge indictable offenses. They charge things that go to the very essence of what government is about. They are, however, charges. They are conclusions, and they request three things, basically. They request that a Resolution be sent to the Attorney General and the State's Attorney. I note in the paper today that the State's Attorney of Cook County has already asked for an investigation and that the U.S. Attorney has asked for an investigation. Certainly there is little that the Illinois Legislative Investigating Commission can do in terms of an immediate response when you have the U.S. Attorney and the State's Attorney of Cook County involved in it. Clearly, the Illinois Commerce Commission's right to suspend or proceed hearings will...are independent of what this Body

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would do. And clearly, the other request which is to direct an investigation is perfectly appropriate. However, this Motion and this Resolution should be afforded precisely the same things that any other Resolution is afforded, the thoughtful Committee consideration. There is no reason every time we see a political allegation in a newspaper - and this is serious, a very serious one, a very critical one - to immediately suspend our rules, to take our procedures, to torture our procedures, over what we read in the paper. We have a process. The process is to go to Committee. The process for the Committee is to consider what should be done. There is no reason why this Resolution should have any further consideration than any other Resolution. This is 48, Resolution 48. All the other ones that are controversial have gone to Committees, have been assigned to Committees in a prompt and speedy manner and can be so assigned at this time. There is no reason why, for example, this could not be heard before Committee a week from now or very shortly, and then the Legislative Investigating Committee can certainly follow the tract of the U.S. Attorney, the State's Attorney of Cook County and the rest. What I am saying is that if you believe in our process, if you believe in the way the orderly process of this House should be, then we should vote against taking this out of order and bringing the politics of Chicago into this chamber. I am going to vote 'no' on this."

Speaker Madigan: "Mr. Vinson on this question."

Vinson: "Yes, Mr. Speaker, on this question. There have been a number of things said by previous speakers. I think the irreputable point is that the Commerce Commission is scheduled to hear this sale this week. I think its important that we go on record in this chamber as asking

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the Commerce Commission to delay its hearing this week until such time as the allegations of illegal conduct can be investigated. I find it incredible that anybody would argue that, because of some reason for home rule, that we ought not investigate this. We have a bipartisan Investigative Commission. This is the ideal vehicle for investigating this kind of illegal conduct. I believe that to suggest that we ought to rely on normal procedures for dealing with charges this serious, this substantial, is ridiculous. We ought to immediately open this transaction up to the public. We ought to bring the witnesses down. We ought to swear the witnesses, and we ought to investigate the process. Anybody who is attempting to subvert an investigation of this thing is trying to cover up and nothing more, just cover up, this transaction. We ought to open it up to the public and open it up now. And, Mr. Speaker, you can play a critical role in doing that, and you have an obligation to do that under the Constitution of the state. I urge you personally to vote 'yes' on the Motion for immediate consideration."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, the last speaker is chastising and talking about the Commerce Commission, but the huge increases that the Commerce Commission granted under Governor Thompson's tutelage and Governor Thompson allowing that Commission to be shorthanded didn't get one peep out of that side of the aisle. And, Mr. Speaker, I heard Representative Davis talking about the enormity of the offenses in Cook County, and he's talking about reading newspapers and copyright stories, and I am wondering..."

Speaker Madigan: "For what purpose does Mr. Johnson seek recognition?"

Johnson: "Mr. Giorgi has been here far longer than most of us,

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and he realizes that he's not speaking to the...to the Motion, and I would ask the Chair to admonish Mr. Giorgi to speak to the Motion and not to extraneous matters."

Speaker Madigan: "Mr. Giorgi, would you speak to the Motion, Sir?"

Giorgi: "Yes, Sir, Mr. Speaker."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Thank you for allowing me to speak to the Motion, but I heard Mr. Davis' teaser a few moments ago about reading copyright stories in the Tribune and the Sun-Times, and I think in...from the area that I'm from, I was reading about some Republican County Chairman in Cook County and our Secretary of State who is making a record on the backs of people who can't get a driver's license that you guys are selling jobs up there. I thought maybe in your closing argument..."

Speaker Madigan: "For what purpose does Mr. Vinson seek recognition?"

Vinson: "Could you admonish Mr. Giorgi a little more efficiently to speak to the matters under consideration?"

Speaker Madigan: "Yes. Mr. Giorgi, would you please direct your comments to the Motion? Mr. Giorgi."

Giorgi: "Mr. Speaker, I apologize to Representative Vinson and Representative Johnson. But if, Mr. Davis, in your closing remarks, would you get into the need for an investigation into the jobs that Edgar and Kasper are selling in the Cook County area and where that's at in the investigatory realm? Shouldn't we have the Illinois Investigating Commission who couldn't track a bleeding elephant through snow, should we give them that job also in finding out what happened to those jobs? I think in your dissertation in your melodious voice, you ought to go into that also."

Speaker Madigan: "Mr. Davis to close."

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Davis: "Well, Mr. Speaker, there's a lot of levity here on a very grave issue. To address the last speaker, I would be glad for my distinguished colleague, the Assistant Majority Leader, to support him on his Resolution to investigate his allegations of job selling or whatever else you want to pull out of the closet to counter one of the most serious charges that's ever been made in this state publicly by anybody. Now to the other distinguished Assistant Majority Leader, how many times have I stood on this House floor, Representative Greiman, and hear you say, 'This is the people's House'. This is the House that the people expect to take immediate consideration of problems that come forth in this state of this magnitude. You've said it a thousand times. 'This is the people's House.' That's why the process has to be evolutionary to the point where a grave concern exists on a current matter pending before the Commerce Commission this week. I have no knowledge that the U.S. Attorney or the FBI is investigating this. The call has been made from Chicago Aldermen to have them do it. I have no knowledge that Cook County State's Attorney is investigating this particular transaction. I only know that the murky figure of Charles 'Swibel' continues to lurk about the halls of government, and this House should consider this Resolution today before that Continental Air Transport extortion is considered by the Commerce Commission. Where the hell is right on your side? I move for the Motion. I make the Motion again that the rules be suspended, Mr. Speaker."

Speaker Madigan: "The Gentleman has moved that the rules be suspended to provide for the immediate consideration of his Resolution rather than providing that that Resolution would be assigned to a Committee in the normal course. All those in favor of the Gentleman's Motion vote 'aye', all those

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opposed vote 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 45 'ayes', 50 'nos', and the Motion fails. The Chair recognizes Representative Pierce for the purpose of a Motion."

Pierce: "Mr. Speaker, I move that Rule 43 (A) be suspended for the immediate consideration and adoption of House Joint Resolution 12, which deals with the creation of a Committee on the adjustment of the equalization factor to reflect fair cash value. I've discussed this with the Leadership on both sides of the aisle, and they feel it's important to pass this Resolution which will appoint a Special Joint Committee. Perfect timing."

Speaker Madigan: "The Chair would like to comment that it's good that we have so much levity here concerning the Chicago election, because that condition does not exist in Chicago. Mr. Pierce has moved...let me simply state the Motion. Mr. Pierce has moved that the rules be suspended for the immediate consideration of a Resolution which would create a special Committee. On that question, Mr. Davis."

Davis: "Mr. Speaker, I am appalled at the effrontery of the Majority. You stand here and you mention elections from the podium. I never once in the presentation of 48 mentioned elections. Is that the overriding consideration here? Is it the overriding consideration over there? And now you come with the integrity of the system being asked to be violated by Representative Pierce again on a matter that's been pending in this General Assembly for 15 years, green sheets on real estate transactions. What is...where is the gaul, the unmitigated gaul to turn your back on corruption and crime, indictable offenses, and come forward. Representative Pierce, I'm ashamed."

Speaker Madigan: "There being no further discussion of this

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Resolution, Mr...Mr. Pierce to close the debate."

Pierce: "Mr. Speaker, as you will notice when you go over the Roll Call, as you always do, I didn't vote against the Gentleman's Motion, so he is way out of line on the facts, as usual. But, that doesn't mean...the others will be happy. The Minority Leader has agreed to this terrible thing we're doing, as has the Speaker, and that is the immediate consideration and adoption of this Resolution. The Motion is to suspend the rules, and I ask for an affirmative vote."

Speaker Madigan: "The Gentleman has moved for the suspension of the rules for the immediate consideration of his Resolution. On that question, all those in favor signify by voting 'aye', all those opposed by voting 'no'. This Motion will require 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On the Gentleman's Motion, there are 92 'ayes', 7 'nos', and the Motion carries. Mr. Pierce on the Resolution."

Pierce: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Resolution which has the principal sponsorship of myself and the Minority Spokesman on the Revenue Committee, Representative Hastert, was brought about by the January 1st green sheets that came about due to the legislation we passed last year, now known as Public Act 82-931. Many in the real estate industry, and attorneys and even the original Sponsors of the Bill, the Taxpayers' Federation, feel that the green sheets, as changed by the Department of Revenue, do not meet the intent of that Bill and are much, much more difficult for practitioners than was originally intended. In order to resolve the situation and not to do away with the good of that Bill which tried to show that the state equalization factor was often thrown askew by high sale prices due to creative financing, and the

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creative financing was often overstating the value of property and leading to the Department of Revenue coming up with higher multipliers on local assessments. It was felt that the green sheets would reveal that creative financing and allow the Department of Revenue to better assess. Because the forms have been so difficult, it was agreed that a Committee...a Joint Committee should be created to look into the whole problem of the state multiplier being based on fair cash value. And so all this Resolution does is create a Joint Study Committee on the adjustment of the equalization factor to reflect fair cash value. It is supported by the Illinois Association of Realtors and by the Illinois Taxpayers' Federation. It has bipartisan support. The report back by May 1st, 10 House Members, 10 Senators, and I ask, as required by the rules, that a Roll Call vote for the adoption of House Joint Resolution 12."

Speaker Madigan: "Mr. Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, I am in full accord with Representative Pierce to bring the integrity of the property tax system into play in the State of Illinois. We need to have accurate green sheets. We need to have a system that is accountable and to set up in motion this Joint Committee...or Commission to look at this problem and to at least define what the problems are in the green sheet and...so that we can reflect accurate multipliers and sales ratio studies. It is an essential thing to do, and I ask for a favorable Roll Call vote."

Speaker Madigan: "Mr. Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Brummer: "Yes, I am in accord with the Joint Study Committee. In conversations with Doug 'Whitley' of the Illinois Taxpayers' Federation, he indicated there was going to be

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some immediate effort. I thought I understood him to indicate that there was going to be some immediate effort to repeal or hold in abeyance the law that we passed last year, 82-931, I think it was, which went into effect January 1st and is the law right now. Are you acquainted with any effort to...or agreement on the part of the Department of Revenue to...to not apply or hold in abeyance the current law which requires the confusing filing of the details of the green sheets?"

Speaker Madigan: "Mr. Pierce."

Pierce: "I know of no agreement by the Department. Because of that, I introduced last week, a week ago today, a House Bill - the number of which now escapes me, 80 something, I think - that would provide for a moratorium on the application of that Bill and hold harmless all those who may have filed incorrect green sheets starting January 1, '83 at a moratorium until the Commission comes back and reports. Originally, the Commission was to come back and report July 1st of 1984. Now with a May 1st, '83 date and such a short period, I don't know how speedily my Bill will proceed. Because by the time it became law, this Commission will have reported. However, the Bill is introduced, and I'm sure will be assigned by the Committee on Assignments to the Revenue Committee. It hasn't been as of this morning. So, there is a Bill that I introduced, was cosponsored by Representative Hastert, Representative Johnson and others to accomplish what you want to accomplish, and that is a hold harmless and a moratorium on the new green sheets."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Ewing: "Chairman Pierce, do you have a vehicle to make a change

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as late as May 1st? You would anticipate that this...there would be an answer from this Special Committee and possibly some legislation change?"

Pierce: "Mr. Speaker, as I said, a Bill already has been introduced to accomplish that. It's our feeling and our hope that with the Joint Committee, we can sit down with the Department of Revenue and even on a basis...a non-statutory basis, work out some changes in the green sheet that would conform with the Bill we passed last year which is now known as Public Act 82-931, and within the perimeters of that Bill, which was a good Bill - you were Chairman of the Committee when it passed, and I believe I voted for it as well - within the perimeters of that Bill, revised the new green sheets so that we could live with the Bill and the green sheets. So, maybe no legislation will be necessary. I think the Department of Revenue will be reasonable in...in redrawing the forms, and perhaps no legislation will be necessary."

Speaker Madigan: "Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, very briefly, I think we need this Agreed Resolution. We need the study. We need to work out this problem, and I would certainly support it."

Speaker Madigan: "Mr. Davis."

Davis: "Thank you, Mr. Speaker. First I'd like to apologize to Representative Pierce in my zeal on Resolution 48. I may have offended him, and I did not wish to do that, and I think it is a very good Resolution now that it is before us. I just decry and consider it a sad day in this House when the rights of the Minority and of openness in government have been trampled, just out of hand. But I will support it, Representative Pierce, and I do apologize."

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Speaker Madigan: "Representative Zwick."

Zwick: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates that he will yield."

Zwick: "Thank you. I just have a question as to clarification. In my reading of the Bill, I'm wondering what your intent is as to the expiration of this Commission. It says at the end that it will report back to the General Assembly on May 1st, 1983. Will the life of this Commission continue, or will it be dissolved as of May 1st, 1983? To Committee?"

Pierce: "Mr. Speaker, the Lady's question is a good one. This is what you would call an ad hoc Special Joint Committee for a single purpose. The life of the Committee could be extended by a Joint Resolution on May 1st, but the way I read it, I kind of agree with you that once it reports, its business is done. That doesn't mean that if we're happy with the work of this Committee, we can't, by Joint Resolution, continue its existence and have it consider even in more depth the whole problem of the state equalization factor which is a problem in every county in this state and particularly in DuPage and Cook County, but about every county in the state."

Speaker Madigan: "Is there any further discussion on this question? There being no further discussion, Mr. Pierce to close."

Pierce: "Mr. Speaker, I move the adoption of House Joint Resolution 12 which would create the Joint Study Committee on the adjustment of the equalization factor."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. This question shall require 60 votes. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 90...strike

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that. Have you taken the record, Mr. Clerk? On this question there are 101 'ayes', no 'nays', and the Resolution is adopted. For what purpose do you seek recognition, Mr. Johnson? Mr. Johnson."

Johnson: "On a point of parliamentary inquiry...inquiry of the Chair. Is that appropriate, Mr. Speaker? With...we have been, and I think other Members have been supplied - I'd really think everybody ought to listen to this, because I think the precedent value of what we're talking about is really significant - have been supplied with a memorandum dated February 8, 1983 from Representative Jesse White, as Chairman of the House Human Services Committee, concerning an organizational meeting and setting forth in that memorandum certain policies and procedures that Mr. White apparently intends to follow as Chairman of the...of that Committee. And I am directing this to the Chair, Mr. Speaker, in the hopes that as chief presiding officer of this chamber, that it would be your intention, and I assume it is, to direct the respective Committees, including the Chairman of those Committees, to comply with appropriate House rules. And I would specifically direct your attention, Mr. Speaker, and the attention of the Members of the House to item F in that memorandum supplied by Representative White. And I quote, "Roll Calls may be initiated and held open for 10 to 15 minutes during the period of the Session when there may be scheduling conflicts or when Members have Bills in other Committees". And in prefacing my comments, I would simply remind the Chair and the Members of this House of the efforts of the Minority in adopting rules, an unsuccessful effort on our part, to strengthen the Committee system. And our feeling that this effort, this memorandum, this policies and procedures of Representative White not only flies in the

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face of the House rules, but also totally destroys any kind of assemblance of a constructive, orderly Committee system. And I would direct the attention of the Chair to Rule 25 (E)...I'm sorry, to..."

Speaker Madigan: "Mr. Johnson or any Member, could the Chair have a copy of this memorandum? Could the Chair have a copy of the subject of your inquiry?"

Johnson: "I'll supply that for you in just a moment. I assume that all the Members of the House..."

Speaker Madigan: "Proceed, Mr. Johnson."

Johnson: "Does the Chair have a copy yet?"

Speaker Madigan: "No. For what purpose does Representative Braun arise?"

Braun: "Thank you, Mr. Speaker. As Vice Chairman of that Committee, I would want to assure the Representative that there was no intention that any statement in the memorandum to which he refers, no intention whatsoever, to avoid any provision of our rules or to be unfair to any Member or to any delegation here in the General Assembly. If you would recollect, Representative, we discussed the entire issue of how the Committee was going to be organized in an open meeting, and the Members of the Committee agreed that for...as a courtesy to other Members and in keeping with precedents that was set under Chairman Barnes in the past...in the past General Assembly, in keeping with the precedents set then, that we would allow, particularly at the end of Session, allow Members to record...to record their vote and hold the vote open while another Member was gotten from another Committee or whatever. That was simply put there as an accommodation to the interest of the Members. Chairman Barnes even stated in Committee that when...under her Chairmanship, more than 15 minutes would be allowed for a Member to so be recorded on a Roll Call

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vote in Committee. I assure you again that this...the statement to which you refer is neither in contravention of the rules and indeed is intended for an accommodation to the Membership, particularly in light of the...of the difficulty in getting between Committees at the end of Session. So I frankly, Representative, am confused and astounded that you would raise this as somehow an attempt by the Leadership, or by Representative White or by any other person to do anything unfair, untoward or unprecedented in the conduct of the Human Resources Committee."

Speaker Madigan: "Mr. Johnson, before you respond, I would be willing to state now that I will direct the Parliamentarian to examine this memorandum with a view toward violation of the rules. If the Parliamentarian finds that there is a violation of the rules, then the Parliamentarian shall advise the person who issued this memorandum, and if you wish, the Members of the Committee. Mr. Johnson."

Johnson: "I appreciate that, Mr. Speaker, and I don't...and I won't belabor the comments. But just...since Representative Braun didn't even let me finish my inquiry, I would simply direct the attention of the Parliamentarian and the Members of the Committee, Vice Chairlady, to Rule 26 (H) of the new rules that have been adopted which specifically provide, and again I quote, "No Member of a Committee may vote except in person at the time of the call of the vote". Now, if Representative Braun has some kind of logic where this provision is somehow not in violation of that rule - I guess now isn't the appropriate time - at some point it is going to be an appropriate time for that explanation. But simply so the Body won't think that we've raised this issue to simply cause a problem, I would suggest that this sort of rule, this sort of open-ended

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rule that allows a 10 and 15 minute gap in, quote, 'scheduling conflicts', whatever that means, and, quote, 'when Members have Bills in other Committees', whatever that means, and allowing people to come in and vote when they haven't heard testimony, and to allow the Chairman the...this precedent value to discriminate as between Members of this Assembly, whatever Party they are, is a very, very dangerous precedent and just as important a violation of the House rules. And I really appreciate the Chair's willingness to direct your attention and the attention of the Parliamentarian to Representative White's efforts."

Speaker Madigan: "Thank you, Mr. Johnson. The Chair would like to move to the Order of Announcements, and...for what purpose does Mr. Vinson seek recognition?"

Vinson: "A parliamentary inquiry, Mr. Speaker."

Speaker Madigan: "Proceed."

Vinson: "Mr. Speaker, yesterday during the day, a member of your staff called a member of the Minority Leader's staff to indicate that you were changing the size of various Committees in the House, and I would wonder, number one, if that is in fact the case, and if you would so state if that is the case; and if you would explain why that change has been made."

Speaker Madigan: "I provided for changes in the Membership of certain Committees. That authority is given to me by the rules. I exercised that authority and then communicated to the Minority Leader the changes that had been effected. Mr. Vinson."

Vinson: "Mr. Speaker, I wonder if you would intend to follow that precedent in March, and April, and May and June to change the size of Committees that are in process at that time?"

Speaker Madigan: "My response would be that I would hope not, Mr.

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Vinson. Mr. Vinson."

Vinson: "Well, Mr. Speaker, I would hope not too, because that could lead to a very serious allegation that you might be, at that time, trying to pack some Committee for the consideration of some particular Bill. And I am sure you would not want to have your record as Speaker of the House sillied by that kind of..."

Speaker Madigan: "Right. It might even lead to some speech-making by you and Mr. Johnson."

Vinson: "One other inquiry, Mr. Speaker. Today in the Committee on Energy and Environment and Natural Resources, the Chairman of the Committee attempted to appoint the Republican Members of a Subcommittee. I believe that a Spokesman has the right, and the authority and the obligation to appoint Members of a Subcommittee. Is it your intention to have the Chairman, the Democratic Chairman of the Committees, appoint the Republican Members of Subcommittees, Mr. Speaker?"

Speaker Madigan: "It would be my intention and direction that a Chairman or a Chairperson acting in that area should follow the rules. I've just asked the Parliamentarian to advise me as to what the rules provide. But immediately I can tell you that I would advise a Chairperson, in that regard, to follow the rules. The pertinent rule provides that the Chairperson and Members of a Subcommittee shall be appointed by the Chairperson of the full Committee, provided that the Minority Party Members shall be appointed pursuant to the recommendations of the Minority Spokesperson, and that shall be my direction right now. Mr. Vinson."

Vinson: "Yes, Mr. Speaker. I appreciate you directing your Chairman to follow the rules. I think that it is most important that you exercise some control over your

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Chairmen, because I do understand that you have a concern about the law of this state and about the rules of this House, and I believe if you can get that message across to some of your Chairmen, things might move much more expeditiously in the course of the spring."

Speaker Madigan: "Thank you, Mr. Vinson, and the Chair would now like to move to the Order of Announcements. For what purpose does Mr. Ewing seek recognition?"

Ewing: "Mr. Speaker, I don't like to belabor the point, but I feel constrained after eight years in this General Assembly to say to you that it has not been my knowledge that we have changed Committees at the will of the Speaker, though me may have that power, and particularly at the end of the Session. And I certainly hope that you would exercise that power very carefully. Certainly those of us on the Minority should have a right to know about the Committee structure and in what way we're going to be working with it. And your response, Mr. Speaker, I think was somewhat vague when you said you hoped not, and Members of those on your own aisle were hooting in the background, if not necessary, and I hope that won't be necessary."

Speaker Madigan: "Mr. Ewing. Mr. Ewing, concerning the question of changes in Membership on Committees, I would simply direct your attention to the Journal of our proceedings for the last 10 years, which will indicate that past practice has been to affect certain change. Mr. Friedrich."

Friedrich: "Mr. Speaker, are we on the Order of Announcements?"

Speaker Madigan: "I had hoped that we would be, Mr. Friedrich."

Friedrich: "If so, I would like to announce a Republican Conference in room 118 immediately after Session."

Speaker Madigan: "Thank you. For the purpose of an announcement, Mr. Mautino."

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Mautino: "Announcement as well as personal privilege, Mr. Speaker."

Speaker Madigan: "Would the Membership please give their attention to Mr. Mautino for the purpose of an announcement and a point of personal privilege?"

Mautino: "When House Joint Resolution 12 was heard a few minutes ago, I was on the well trying to get one of my seat mates' attention up here. I understand that there are new rules. I must ask for leave of the House to be recorded 'aye' on House Joint Resolution #12."

Speaker Madigan: "Is there leave? Leave is granted. The Gentleman shall be recorded as 'aye' on House Resolution 12. House Joint Resolution 12. Mr. Mautino for an announcement."

Mautino: "Thank you very much. I as well...I as well would like to notify the Membership that since we were originally talking about transportation, I thought that this would be a very opportune time to welcome to Springfield those individuals from Bureau County from the Bureau County Business and Professional Women's Club who have travelled down here to see us in action. They are on the Democratic side of the aisle, and they are under the auspice of Nancy 'Karper' and her husband, Glenn 'Karper', who is the driver. Ladies, will you please stand and join us?"

Speaker Madigan: "Mr. Bowman for the purpose of an announcement."

Bowman: "Thank you. Mr. Speaker, I'd like to announce that the Committee on Appropriations II will be having a series of hearings on the Fiscal Year 1983 budget in preparation for receiving the Fiscal Year '84 budget so we can get a fix on where we are at this point. As you all know, we have had a number of changes made in the current fiscal year, and it is our intention to understand the scope and depth of these changes before considering the new budget. The

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announcement today concerns the hearing schedule. Members of the Committee have received a copy of the schedule. The general Membership should be advised that next Thursday, February 24th, at our regular time, 9:30, we will be hearing Departments on Aging, Corrections, Dangerous Drugs Commission and Public Health. The following day, Friday, we will be meeting at one o'clock in the afternoon in Urbana, room 407 of the 'Levis' Faculty Center at which time we'll take up Elementary/Secondary Education and Higher Education Agencies. The following Monday, February 28th, we will meet at 11:00 a.m. in the State of Illinois Building in Chicago, room 1818, and on the agenda there will be the Children and Family Services, Guardianship and Advocacy, Medical Center Commission, Department of Mental Health, Public Aid and Rehabilitation Services. We will not, unless requested by some member of the chamber, consider at this time or at any one of these three meetings, Emergency Services, Environmental Facilities, Finance Authority, Historical Library, Department of Human Rights, Prison Review Board or the Department of Veterans' Affairs. They will not be considered unless there is a specific request. Thank you, Mr. Speaker."

Speaker Madigan: "The Order shall be Agreed Resolutions, and then we will move to a Death Resolution of a former Member and adjourn upon the adoption of the Death Resolution. The Order shall be Agreed Resolutions. Mr. Giorgi."

Clerk O'Brien: "House Joint Resolution 13, DiPrima - et al. House Resolution 44, Alexander - et al. House Resolution 49, Madigan - Daniels. House Resolution 51, Nash - et al. House Resolution 52, Ewing."

Giorgi: "Mr. Speaker, House Joint Resolution 13 by DiPrima recognizes again the play of the missing in action in Viet Nam. House Resolution 44 by Alexander honors Cecil Partee.

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49 by Madigan - Daniels honors Jan Steiner's services. Nash's 51 Resolution notes the Greek Independence Day, and Ewing's 52nd Resolution logs 33 years of services of the Civil Service Commission. I move for the adoption of the Agreed Resolutions."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall the Agreed Resolutions be adopted?'. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Motion carries. The Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 47, Hallock; and House Resolution 48, Davis."

Speaker Madigan: "Committee on Assignment. Death Resolutions, but not of a former Member."

Clerk O'Brien: "House Resolution 45, Representative Tuerk, with respect to the memory of George 'Pat' Moore. House Resolution 50 by Representative Van Dwyne, with respect to the memory of Firefighter Kenneth Sobbe."

Speaker Madigan: "Mr. Giorgi on the question of the Death Resolutions. Mr. Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption of the Death Resolutions."

Speaker Madigan: "The Gentleman moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Motion carries. The Resolutions are adopted. We are now prepared to consider the Death Resolution of a former Member. Upon the adoption of that Resolution, we will adjourn until Wednesday, February 23 at 12 noon. Would all Members please rise? The Chair recognizes Representative Friedrich. I'm sorry. Representative Frederick, apparently you rise for the purpose of an announcement.

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Representative Frederick."

Frederick: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.

I would like to alert all of the women Legislators that on next Wednesday evening at the home of Ethel Alexander there will be a dinner...get acquainted dinner for all of you, and we hope that you will plan to be there. You will be receiving a notice next Wednesday. Unfortunately, it is late, but do plan to reserve that evening."

Speaker Madigan: "Okay, on the question of the Death Resolution of a former Member, Representative Nelson is recognized, and the Clerk shall read the Resolution."

Clerk Leone: "House Resolution 46, whereas Mr. Arthur W. Sprague, the distinguished Illinois attorney and former Member of the General Assembly passed away on January 18, 1983 in Port St. Lucie, Florida at the age of 80; whereas, born August 2, 1902, Arthur Sprague was a LaGrange, Illinois resident until he retired in 1967 from the practice of law in Chicago and after a noteworthy career in the General Assembly which spanned several decades, for he was first elected to the House of Representatives from the 7th District in 1938 and was returned to office for four more terms, followed by service from 1957 through 1966 for the 2nd District in the Senate where he served as Chairman of the Judiciary Committee; whereas, Mr. Sprague received his undergraduate degree from Dartmouth College, earned his law degree from the University of Illinois and did postgraduate study at the Northwestern University, during which time he became a member of the Sigma Alpha Epsilon social fraternity, the Phi Delta Phi legal fraternity and the Order of Coif legal honor society; whereas, having served as a lieutenant commander in the United States Navy during World War II, Arthur Sprague was past commander of the American Legion Robert Coulter Post #1941, legal counsel

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for the formation of the Community Memorial General Hospital, senior warden of the Emmanuel Episcopal Church and a member of the LaGrange Masonic Lodge and the LaGrange Country Club; whereas, Mr. Sprague is survived by his widow, Ester; two sons, Arthur, Jr. and Thomas; two daughters, Molly and Susan Sherwood; a step-son, Carter J. Cain; and ten grandchildren. Therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois that we mark with profound sorrow the death of Arthur W. Sprague, noting with respect and dedication to principle and commitment to excellence he displayed in both his personal and professional life, and that we express our heartfelt sympathy to his grieving family and friends; and be it further resolved that suitable copies of this Preamble and Resolution be presented to Mrs. Arthur W. Sprague. And as further consideration of our sorrow, the House now stands adjourned."

Speaker Madigan: "The Chair recognizes Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. At the time Arthur Sprague was elected to the House of Representatives in 1938, his district comprised the entire western Cook County suburban area. Today, at least 12 of us here represent areas that were once a part of Art Sprague's district. He outlived many of his contemporaries, but is remembered fondly and with great respect by large numbers of people still alive today. His era was one when public service meant exactly that, the giving on one's life to improve our society. Arthur Sprague worked exceptionally hard to represent his people. A consistent philosophy, a willingness to study the issues, and a dedication to the principles of representative government were hallmarks of his long service here in this

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Body. I would hope that we would all strive to emulate his example. So at this time, I would like to move for the adoption of House Resolution 46. And as a token of respect, I would like to request that all Members' names be added as Cosponsors, Mr. Speaker."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I did not have the privilege of knowing Senator Sprague, but I do know quite well, and I am a good friend of his son, Thomas, who practices law with me in LaGrange, and I can only say that knowing Tom Sprague, that the Senator has left a legacy of integrity and honesty both involved as activities in the law and also as a reputable member of the Lyons Township Board of Trustees. And in that regard, I would like to extend my personal sympathies to Tom and the rest of his family."

Speaker Madigan: "Is there leave that all Members of the House be added as Cosponsors of this Resolution? Leave being granted, all Members of the House shall be added as Cosponsors of this Resolution. Representative Nelson has moved for the adoption of the Resolution and has further provided that upon the adoption of this Resolution, the House shall stand adjourned until Wednesday, February 23 at 12 noon providing for 10 minutes of Perfunctory Session. All those in favor signify by saying 'aye', all those opposed 'no'. The 'ayes' have it. The Motion carries. We stand adjourned."

Clerk O'Brien: "Committee Report. Representative Jaffe, Chairman of the Committee on Judiciary, to which the following Bills were referred, action taken February 17, 1983, reported the same back with the following recommendation: 'do pass' House Bills 26, 50 and 62. Introduction and First Reading of Bills. House Bill 328, Hallock - Currie - Nelson, a

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Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 329, Satterthwaite, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 330, Rea, a Bill for an Act making an appropriation to the Department of Transportation. First Reading of the Bill. House Bill 331, Mautino - Piel, a Bill for an Act to amend Sections of the Illinois Housing Development Act. First Reading of the Bill. House Bill 332, Mautino - Piel, a Bill for an Act to amend Sections of an Act in relation to state monies. First Reading of the Bill. House Bill 333, Mautino, a Bill for an Act to amend Sections of the Civil Administrative Code. First Reading of the Bill. House Bill 334, McAuliffe, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill. House Bill 335, McAuliffe, a Bill for an Act in relation to Las Vegas Night games. First Reading of the Bill. House Bill 336, Preston, a Bill for an Act to establish the position of Administrative Law Judge. First Reading of the Bill. House Bill 337, Friedrich, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 333 (sic - 338), Stuffle - Neff - Woodyard, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 339, Stuffle - Mulcahey - Hannig - Matijevich - and Giorgi, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 340, Ewing, a Bill for an Act in relation to occupation and use taxes on personal property purchased by Illinois County Fair Associations. First Reading of the Bill. House Bill 341, O'Connell, a Bill for an Act in relation to purchases and contracts for public works projects. First Reading of the Bill. 333 should be 338. House Bill 342, O'Connell, a Bill for an Act in

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relation to the interest rates on special assessments in certain sanitary districts. First Reading of the Bill. House Bill 343, McCracken, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. House Bill 344, McCracken, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. House Bill 345, Mautino, a Bill for an Act to amend Sections of the Liquor Control Act. First Reading of the Bill. House Bill 346, Hower, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 347, Sam Wolf, a Bill for an Act in relation to occupation and use tax limits on home rule units. First Reading of the Bill. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #5, Satterthwaite, resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Section 1 of Article III of the Illinois Constitution to read as follows: Article III Suffrage and Elections. Section 1. Voting qualifications. Every United States citizen who has attained the age of 18 or any other voting age required by the United States for voting in state elections and who have been a permanent resident of this state for at least 30 days next preceding any election shall have the right to vote at such election. The General Assembly by law may establish registration requirement and require permanent residence in an election district not to exceed 30 days prior to an election. The General Assembly by law may establish shorter residence requirements for

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voting for President and Vice President of the United States. Schedule. This Amendment takes effect immediately upon its approval by the electors. First Reading of the Constitutional Amendment. No further business, the House now stands adjourned."

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