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TRANSCRIPTION DEBATE

14th Legislative Day

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Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. The House shall come to order. The Members shall be in their chairs. We shall be led today in prayer by the Reverend Paul Simmons, Pastor of the Centenary United Methodist Church in Effingham. Reverend Simmons is a guest of Representative Richard Brummer. Will the guests in the gallery please rise for the invocation?"

Reverend Simmons: "Almighty God, Creator of Heaven and Earth, Judge of all humanity, look upon us with compassion as we pause to acknowledge Your eternal presence. Gracious God, grant to the Members and the officers of this Body, a sacred moment of quiet, as they prepare to take up the duties of this day. Turn their thoughts to You, and open their hearts to Your spirit, that they may have wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgments. Let us not think when this prayer is said, that our dependence upon You is over and forget Your counsels for the rest of the day; rather, from these moments of prayer and heart searching, may there come such a peace within, that we may know You are in this place. From this holy interlude may there flow light and joy and power that will remain with us until the night shall bring Your whispered benediction, 'Well done, good and faithful servant.' So let the words of our mouths and the meditations of our hearts be acceptable unto You, Oh Lord, our Strength and our Redeemer. 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

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all."

Speaker Madigan: "Roll Call for Attendance. Have all recorded themselves who wish to be recorded? The Clerk shall take the record. There are 112 Members present. There is a quorum. Mr. Clerk, the reading of the Journal."

Clerk O'Brien: "Journal for the First Legislative Day, Wednesday, January 12, 1983, at Regular Session of the 83rd General Assembly of the State of Illinois."

Speaker Madigan: "The Chair recognizes Representative McPike."

McPike: "Thank you, Mr. Speaker. I move that we dispense with the reading of the Journal, that Journal #1 of Wednesday, January 12, #2 of January 13, #3 of January 25, #4 of January 26, #5 of January 27, #6 of February 2, #7 of February 3, #8 of February 8, #9 of February 9, #10 of February 16 and #11 of February 17, 1983, be approved as read."

Speaker Madigan: "The Gentleman moves for the suspension of the reading of the Journal. All those in favor signify by saying 'aye', all those opposed by saying 'no'. The 'ayes' have it. The Gentleman's Motion carries. Introduction and First Reading."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 430, Churchill - et al, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 431, Henry, a Bill for an Act relating to small businesses. First reading of the Bill. House Bill 432, Henry, a Bill for an Act to amend Sections of the Illinois Insurance Code. First Reading of the Bill. House Bill 433, Preston, a Bill for an Act to amend Sections of the Criminal Code of 1961. First Reading of the Bill. House Bill 434, Preston, a Bill for an Act to amend Sections of the Illinois Clinical Laboratory Act. First Reading of the Bill. House Bill 435, Klemm, a Bill

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for an Act to amend Sections of the Mental Health and Developmental Disabilities Code. First Reading of the Bill. House Bill 436, McAuliffe - Reilly, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 437, Wolf - Neff - et al, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 438, McAuliffe - Neff, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. House Bill 439, Marzuki, a Bill for an Act to create an Office of Product Research and Development in the Department of Commerce and Community Affairs. First Reading of the Bill. House Bill 440, Klemm, a Bill for an Act to amend Sections of the Animal Control Act. First Reading of the Bill. House Bill 441, Ropp, a Bill for an Act to amend Sections of an Act to regulate the business of storing personal property for compensation and repeal an Act named therein. First Reading of the Bill. House Bill 442, Matijevich - Leverenz, a Bill for an Act relating to firearm owners' identification cards. First Reading of the Bill."

Speaker Madigan: "On page two of the Calendar, on the Order of House Bills, Second Reading, House Bill 57. Mr. Olson, do you wish to move your Bill? Mr. Olson."

Olson: "Mr. Speaker, the Bill needs a technical Amendment. I will submit that."

Speaker Madigan: "All right. The Gentleman indicates that he would prefer that the Bill remain on the Order of Second Reading. House Bill 68, Mr. Preston. Is Mr. Preston in the chamber? Is Mr. Preston in the chamber relative to House Bill 68? Let the record show that House Bill 68 was called today on the Order of Second Reading, and the Chair asked if Mr. Preston was in the chamber to handle this

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Bill, and there was no response. On the Order of House Bills Third Reading, Short Debate Calendar, Mr. Steczo. Do you wish to call your Bill? Mr. Clerk, read the Bill. House Bill 86."

Clerk O'Brien: "House Bill 86, a Bill for an Act to amend Sections of the Township Law of 1874. Third Reading of the Bill."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker."

Speaker Madigan: "Would the Membership give their attention to Mr. Steczo? He is calling a Bill on the Order of Third Reading. This is final passage. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 86 simply is a Bill that takes care of changes that this General Assembly has made in the past, with regard to townships changing boundaries or consolidating. Over the last three Sessions of the General Assembly, the General Assembly has extended deadlines for this purpose and what happens then is that every two years, the General Assembly has to extend the deadline two more years. All that House Bill 86 does is to delete any reference to deadlines in the statutes, and any time that a township or townships decide that they would wish to have a referendum to either consolidate or to change boundaries, that would be provided for if they went to the appropriate county authorities and had that question placed on the ballot. If there's any questions, I'd be happy to answer them."

Speaker Madigan: "The Gentleman moves that House Bill 86 do pass. Is there any discussion on that question? Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we have had similar legislation before, several times, as far as extending deadlines - as far as township alteration of boundaries are concerned. I do want to point

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out that this is a permissive Bill. There's nothing mandatory about it. Nothing can be done without a referendum of the townships involved. If any one township of those that would be involved in the consolidation votes against it, the consolidation cannot occur. I see nothing wrong with this Bill and would recommend a 'yes' vote."

Speaker Madigan: "Is there any further discussion? There being no further discussion, Mr. Steczo to close."

Steczko: "Thank you, Mr. Speaker. I would just concur with the remarks made by Representative McMaster. The question of a referendum or a question for the ballot would have to be submitted by the townships to the county board and then would be placed on the ballot and it would have to be approved by each of the townships involved. If it lost in any one particular township, then the question would be dead. As Representative McMaster said, this is permissive legislation. It seeks to correct a situation that we go through every two years in terms of trying to extend the deadline dates, etcetera, and it is a permissive Bill. It would allow townships to do... to have this type of a referendum any time they so chose, instead of us having to waste the taxpayers' money introducing Bills every two years to extend that deadline, and I would ask for an affirmative vote."

Speaker Madigan: "The Gentleman moves for the passage of House Bill 86. 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 109 'ayes', 1 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page two of the Calendar, on the Order of House Bills Third Reading, there appears House Bill 26. Mr. Cullerton, do you wish to call you Bill? Mr. Clerk,

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read the Bill."

Clerk O'Brien: "House Bill 26, a Bill for an Act to amend Sections..."

Speaker Madigan: "Mr. Cullerton..."

Clerk O'Brien: "... of the Revenue Act. Third Reading of the Bill."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very simple Bill. It amends the Revenue Act. It increases the minimum penalties for officials who neglect their statutory duties or who knowingly violate the Revenue Act, where no specific penalty is provided for in the Act. It increases the minimum fine for neglect of duty by an officer from 10 dollars to 50 dollars. It keeps the maximum fine at 500, and it increases the minimum fine for knowing violation of the Revenue Act from 10 to 100 dollars and keeps the maximum fine at 1,000. I'd be happy to answer any questions. It's a very simple Bill, and I'd appreciate your support."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 'ayes', 5 'nos', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 41, Mr. Mautino. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 41, a Bill for an Act relating to foreign trade zones and amending certain Acts herein named. Third Reading of the Bill."

Speaker Madigan: "Mr. Mautino."

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Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 41 is a very simple piece of legislation. It authorizes the LaSalle County Port District to submit to the Federal Government their application to be included in the foreign trade zone provisions for a trade tax-free zone. According to our existing statute and the Federal Government, this is the only posture that can be taken by a local park... a local port authority district. They must submit to the Federal Government their authorization to become a foreign trade zone. I'd be happy to answer any questions on the legislation."

Speaker Madigan: "Is there any discussion? Mr. Ewing."

Ewing: "Would the Sponsor yield for a question?"

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

Ewing: "Representative, is there any additional taxing power, any additional authority given to the Port Authority by this action?"

Mautino: "None whatsoever. This is... If you'll read the Bill, it authorizes the Port Authority to submit to the Federal Government an application for a foreign trade zone. It does nothing else."

Ewing: "What will that do for the Peru... LaSalle-Peru Port Authority? Why do they need a... such a designation?"

Mautino: "If it is authorized by the Federal Government, then the existing Port Authority can include within their boundaries a tax-free zone, which would allow for manufacturing, assembling, storage, federal warehousing within their Port Authority District. In that context, the legislation is totally supportive of the Chamber of Commerce, the Manufacturers' Association. It's something to enhance the business climate of this state, totally supported by all

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entities in the Illinois Valley area and opposed by no one. It's a good step in the right direction. There are two other Port Authorities that have this authorization now. One is the City of East St. Louis and the other is the Vincennes Airport Authority."

Ewing: "Representative, two more questions. What taxes are they exempt from within this district, if they get the federal designation?"

Mautino: "It would be the import-export tax, it would be the inventory tax, all at the federal level and nothing at the state level."

Ewing: "Okay. One final question. Why would I want to support this Bill if it's going to give an advantage to one area of the state which is not in my district, over other areas that might be seeking the same industry? Can you tell me that?"

Mautino: "That question was raised in Committee by Representative Winchester. I informed him that I would accept any other Amendment for any other area in the state if it was in a port district. That's what it has to be, within a port district, and I'd be happy to accept that if someone else wants to do the same thing."

Ewing: "Well, Mr. Speaker, Ladies and Gentlemen of the House, that answer, in my opinion, is not quite what I would like to hear. Now if I represented this area of the state, I could say that I'd be up plugging for this Bill, but if I have a small community or a city or a large town that wants to attract an industry, I don't know why those port authority districts should have any special advantage over our area, because we realize those are not ports. They're port districts, but there are no ports there. They're not like the Port of Chicago, and I just think you all ought to have that in mind before this Bill flies out of here."

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Speaker Madigan: "Mr. Wolf."

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

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

Wolf: "Representative Mautino, what were the other districts in the state did you say that have foreign trade zones?"

Mautino: "The City of East St. Louis and the Vincennes Airport Authority have submitted. They are in our statute now for foreign trade zones."

Wolf: "The Tri-City Regional Port at Granite City also has a foreign trade zone."

Mautino: "That's a different Section of the statute. There is also the Chicago Port Authority - a different Section of the statute. We have to address port districts."

Wolf: "One other question... Okay. One other question. Is there anything in this Bill that would apply to any other port district in the state? Is there anything in this Bill that would apply to any other port district in the state now presently having a foreign trade zone?"

Mautino: "No."

Wolf: "Thank you."

Speaker Madigan: "Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, to address the concerns of Representative Ewing and to reiterate what Representative Mautino has said. Our Committee on Economic Recovery took a good look at this Bill. There was no opposition to the Bill. In fact, there was considerable support from the area involved. There were a number of questions propounded to Representative Mautino. He answered them all. In fact, this area already has attracted industry. They need to put this in place and able to be able to get the federal advantages that he enumerated here today. It will work to no one's detriment at all, in other districts, in other areas of the state. It will work

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to the benefit of the entire state, as well as that area. There is no opposition that I know of or Representative Mautino knows of. We questioned him on that. Supported in the area by organized labor, by the business groups, the Chamber of Commerce and so forth. For those reasons, the reasons he's argued here today, this Bill should get an overwhelming 'yes' vote from the General Assembly."

Speaker Madigan: "Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hate to speak against Leadership or Representative Ewing, but as the Spokesman on Economic Recovery, this Bill did come through our Committee, it did pass out on a 13 to 0 vote. Representative Mautino was more than willing to allow any other Member to offer Amendments to his Bill that would allow their area to also apply for a foreign trade status. I think the foreign trade zone idea is a good idea. This could be a test, and hopefully, if he is successful with what he wants to do in his district, that many of us who have ports in our district can also come back in later years and apply for foreign trade zone status. So, as the Minority Spokesman on Economic Recovery, I would urge everyone to support this Bill."

Speaker Madigan: "Mr. Mautino to close."

Mautino: "Thank you very much, Mr. Speaker, and I thank you as well to the two previous speakers, Representatives Stuffle and Winchester, on this piece of legislation. I have as well been informed that Senator Pat Welch will be accepting Amendments to this legislation in the Senate if in fact anyone does desire to have their port district included in this authorization, as well as Representative Davis. What I've said is basically what the legislation is. It's a step to the Federal Government to authorize a tax-free zone

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for assembling of products here in the State of Illinois, as opposed to having products assembled and imported into the State of Illinois. I think it's something that will do... It's the right piece of legislation to do something for jobs here in the State of Illinois, and I respectfully request your support on this legislation."

Speaker Madigan: "The question is, 'Shall House Bill 41 pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 'ayes', 1 'no', no voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills, Third Reading, there appears House Bill 50. Mr. Johnson, do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 50, a Bill for an Act to amend Sections of an Act in relation to the Office of Public Defender. Third Reading of the Bill."

Speaker Madigan: "Mr. Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. This is a Bill that permits county boards to pay Public Defenders the same as... up to the same as State's Attorneys in counties of over 30,000. This is simply removal of a state mandate; it's strictly permissive, it involves no state funds. It has been passed in two previous General Assemblies, I think, unanimously, and gotten held up in the rules. Representative Satterthwaite has raised a point concerning the ability of a Public Defender and county board to make agreements under the existing law, where the Public Defender makes less than 100% of what the State's Attorney does and continues to, that the Public Defender will engage exclusively in the

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practice of Public Defender law. We've agreed, if necessary, to amend it and to show any kind of legislative intent to the effect that those sort of agreements are permissible. I don't really see any controversy in this. I think it had maybe one negative vote in Committee, and I would urge its adoption."

Speaker Madigan: "Is there any discussion? Mr. Cullerton."

Cullerton: "Yes, thank you Mr. Speaker. Will the Sponsor yield?"

Johnson: "Yes."

Cullerton: "Representative Johnson, just for the purpose of legislative intent, in your Bill, you indicate that if the Public Defender makes 100% of the State's Attorney's salary, that he will have the same limitation that the State's Attorney now has with respect to not being allowed to engage in the private practice of law. Is that correct?"

Johnson: "That's correct."

Cullerton: "Now, if the county wished to pay the Public Defender less than 100%, is it your understanding that they could still, with the passage of this Bill, still limit that Public Defender in the engagement of private practice of law?"

Johnson: "Yes, that is my complete understanding of the state of the law - the format."

Cullerton: "So it doesn't limit the... It doesn't limit the county board's authority to tell the Public Defender that he can't practice law on the side."

Johnson: "Right."

Cullerton: "Okay."

Johnson: "Doesn't limit it in any way."

Cullerton: "Thank you."

Speaker Madigan: "Mr. Klemm."

Klemm: "Just a caution. Now, I understand the county..."

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

Klemm: "Oh, thank you."

Speaker Madigan: "Mr. Klemm."

Klemm: "I understand that the counties do receive a reimbursement for some of the salaries paid to the State's Attorney. Is that correct?"

Johnson: "The State's Attorney? That may well be the case. I'm not familiar with that. They don't with the Public Defender, though."

Klemm: "All right, but if you wish to raise the salaries of the Public Defender to the level of the State's Attorneys, will the county and does your bill include a reimbursement to the counties as it's doing for the State's Attorney?"

Johnson: "No it doesn't. Number one, I don't know what the case is with the State's Attorney, and number two, it's completely permissive with the county board."

Klemm: "Thank you."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Ladies and Gentlemen of the House, I just would like to reiterate that there is some concern on the county boards where the current salary level is at 80% or perhaps even lower than that of the State's Attorney's salary for the Public Defender. Their concern on the county board is that the language of this Bill may, in fact, compel them to relinquish any kinds of agreements for limitation on private practice, since the Bill would only address the situation at 100% of the State's Attorney's salary. I have absolutely no objection to the restriction for those being paid 100%, but for purposes of clarification and with agreement on the part of the Sponsor, I do hope that the Bill will be amended in the Senate to clarify the situation for county boards for those

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counties that choose not to go to the 100% level. And with that understanding that the Bill will be so amended in the Senate, I will support the Bill."

Speaker Madigan: "Mr. McMaster."

McMaster: "Will the Sponsor yield?"

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

McMaster: "Tim, I guess just one question, and it's probably clarification more than anything else. Is there currently a floor minimum for these Public Defenders?"

Johnson: "Yes, there is. I think the floor... The staff would have to... I think it's 40% or something like that... 30%."

McMaster: "As a minimum."

Johnson: "Right."

McMaster: "And your legislation does not in any way affect the minimum."

Johnson: "No."

McMaster: "Thank you. That's what I wanted to be sure of, because I didn't want anybody monkeying around with the minimum paid, and forcing an increase of expenses on the county board. Thank you. I have no disagreement with the Bill."

Speaker Madigan: "Representative Dunn."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to House Bill 50. It should be pointed out that this Bill provides permissive language to entitle and authorize counties to provide for a salary for Public Defenders equal to that of the State's Attorney. It should be remembered first of all that the State's Attorney is an elected official, stands for election, responsible to the public. The Public Defender is not. Furthermore, the State's Attorney prosecutes all the cases involved in the county and is responsible for the

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litigation on the civil side of the State's Attorney's office. The Public Defender only comes into operation where there is not counsel of choice. To say that we are going to provide the same salary for the elected official who is responsible for all the prosecution as the Public Defender, who is responsible only for a part of the defense, misses the point. What we need to do is to provide for salaries for Public Defenders that are adequate and to provide sufficient numbers of Public Defenders. This Bill makes no attempt to address the question as to whether there are enough Public Defenders in any given county - whether there should be more, whether there should be less. Indigent defendants are entitled to be represented in court in criminal cases, and we have an obligation to provide for their counsel and to pay counsel adequately so representation will be provided on a professional basis. That is the issue which should be addressed in this General Assembly, and not the issue provided by House Bill 50. I would urge a 'no' vote on this Bill."

Speaker Madigan: "Mr. Rice, are you seeking recognition? Mr. Rice?" Okay, thank you. Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, I rise in support of this Bill. I think that what the last person said is quite accurate; however, Public Defender salaries are not adequate in the State of Illinois. We have written a formula into our statute that ensures that they are not adequate, by saying that they can only get 80% of what the State's Attorney actually gets. You have to understand that this Bill is indeed permissive. It's under the county board. The county board makes the decisions as to what the Public Defenders salary should be. There's no reason that the Public Defender's salary should be 80% of what the

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State's Attorney's salary should be, when they're both really doing the same work. When this Bill appeared before the Committee, there was no opposition to this particular concept. I know of nobody that opposes this concept. I think it's a good concept, that if the county board of a particular county wants to put up the compensation of the Public Defender to that of the State's Attorney, that certainly should happen. After all, the defense really should be entitled to as good representation as the prosecution. You have to understand that the prosecution has a great deal of things going for it. It has all sorts of investigatory arms. It has a great deal of money behind it. Unfortunately, a person who has to rely upon a Public Defender does not have those resources. So I think that this is an excellent Bill, and I would urge an 'aye' vote for it."

Speaker Madigan: "Mr. Hoffman. Mr. Hoffman."

Hoffman: "Thank you, Mr... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too rise in support of this Bill. I believe the arguments given by the Gentleman from Macon in opposition to this Bill amply illustrates one of the major features of this Bill, and that is, it is up to the county board to make that determination - whether in fact they want to support the Public Defender at the same level as the State's Attorney. I think that feature of the Bill should remove for those of us in the General Assembly who believe that local folks ought to be making local decisions... should remove any objection that we would have to the program and should encourage us to support the Bill, if for that reason alone."

Speaker Madigan: "Mr. Johnson to close."

Johnson: "Thank you, Mr. Speaker, Members of the House. I appreciate the comments of some of my colleagues in

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explaining, perhaps better than I did, what the Bill does. The Bill, essentially, removes the state mandate. Contrary to what Representative Dunn says, this doesn't provide for anything. It simply allows units of local government, who spend the money, to determine how they're going to spend the money, and what the standards are for those expenditures. Some people may disagree with decisions of the Supreme Court and other judicial bodies with respect to representation of indigents. I don't disagree with those. I think that people are entitled to legal representation, regardless of their economic circumstances, and if we're going to give reality to that, it seems to me to be silly to have a state mandate indicating that people who represent, in many cases, vast, vast numbers of criminal defendants for the public, that they can't make any more than 80% of what the State's Attorney does. This is simply a permissive Bill. It makes sense, and it gives some potential teeth, anyway, to what the courts have decided over many, many years, and I urge for its adoption."

Speaker Madigan: "The question is, 'Shall House Bill 50 pass?'. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 97 'ayes', 15 'nos', no voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 62, Mr. Ropp. Do you wish to call your Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 62, a Bill for an Act to amend Sections of the Probate Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 62 amends the Probate Act to authorize the

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representative of a minor or a disabled person to disclaim an inheritance on his behalf with leave of the court. Currently, the statute does not clearly identify this, and this is a revisory Bill to make sure that it is more clearly identifiable in the statute. I might want to give you an example. Some people have questioned, "Why would you want to get rid of any inheritance?". There might be some areas where an inheritance that you would receive would actually cost you more than the value of the property or the commodity would be worth, so that would be one reason why you would want to disclaim certain areas of inheritance, and you... it may also have some advantages for tax purposes. So, there are two examples for reasons and the need for this particular Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "Representative Ropp, would this allow a minor or a disabled spouse to take a larger statutory share, if this Bill were to be passed? And is that the reason for the Bill?"

Ropp: "Restate your question, would you please?"

Cullerton: "Would this allow for a minor or a disabled spouse to take a larger statutory share?"

Ropp: "This does not deal with taking any more. It's not the intent that they would be given authority to take any more. It gives the authority to disclaim it, but they could take less, but this particular Bill does not say that they could take more. It doesn't say they couldn't, but it doesn't say that they can."

Cullerton: "Okay. Well, we're looking at the distinction between disclaiming and renouncing the will. Your..."

Ropp: "Well, portions of the inheritance. It's not the entire

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will. It would be portions of the inheritance - all or portions of it."

Cullerton: "This only refers to disclaiming the inheritance, not to renounce it."

Speaker Madigan: "Mr. Cullerton, have you completed your questioning?"

Cullerton: "I think that if the Sponsor would take this out of the record, we have a few more questions. Perhaps we could talk to him about it privately and then save some time on the debate, if you could just take it out of the record for a few minutes."

Ropp: "All righty."

Speaker Madigan: "The Bill shall be taken from the record. On the Order of House Bills Second Reading, there appears House Bill 68. This Bill was called at a previous time, at which time it was indicated in the record that the Sponsor was not in the chamber to respond. The record should now show that the Sponsor, Mr. Preston, is in the chamber. Mr. Preston, do you wish to call that Bill? The Sponsor indicates that he wishes to call the Bill. Mr. Clerk, read House Bill 68 on the Order of Second Reading."

Clerk O'Brien: "House Bill 68, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Mr. Preston, do you seek recognition?"

Preston: "Yes, Mr. Speaker. Would you take this Bill out of the record?"

Speaker Madigan: "Let the record show that Mr. Preston would like this Bill taken out of the record. Mr. Clerk, take the Bill from the record. Is there any further business to come before the House? The Chair is prepared to adjourn. Is there any further business to come before the House? The Chair recognizes Representative Flina, for the purpose

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of a Motion to Suspend the posting requirements. Mr. Flinn. Would the Membership please give their attention to Mr. Flinn, who wishes to suspend the posting requirements. Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. I would ask leave of the House to waive the posting requirements for House Bill 414, so that it might be heard in Financial Institutions tomorrow at 2 p.m. in room 122B. I have discussed this with the Minority Spokeslady, Representative Jill Zwick. It's okay with her, and it's sort of an emergency that we hear it tomorrow, and I would ask leave of the House to hear the Bill."

Speaker Madigan: "The Gentleman moves to suspend the posting requirements. He indicates that he has discussed this matter with the Minority Spokesperson who assents to his Motion. Is there leave for the Motion? Leave is granted. The posting requirements are suspended to permit the hearing of House Bill 414 in the Financial Institutions Committee tomorrow at 2 p.m. Mr. Flinn. Representative Flinn, would you come to the well and reduce that Motion to writing? The Chair recognizes Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, the House Revenue Committee is scheduled to meet at 9:30 tomorrow morning, but because of conflicts by Sponsors and by Members of the Committee, and after discussing it with the Minority Spokesman and the Vice-Chairman, the House Revenue Committee meeting will be at 10:30 rather than at 9:30. It will be the same room, room 118. The two pieces of legislation can be handled between 10:30 and 12:00, so if everyone will pay attention, the House Revenue Committee meeting scheduled for tomorrow morning will be at 10:30 a.m. rather than 9:30 a.m. in the same room, 118."

Speaker Madigan: "Representative Pouncey."

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Pouncey: "Mr. Speaker, Ladies and Gentlemen, the Elections Committee will not meet tomorrow at 2:30 as scheduled, due to other meetings and different things, it will be postponed for one week. No meeting tomorrow."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Chairman. The Human Services Committee will meet as scheduled today at 4:00. If there are any Members who plan not to attend that meeting, I would appreciate being so advised. Thank you. Human Services at 4:00. If you're not going to come, please let me know. Thank you."

Speaker Madigan: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to announce a Republican conference tomorrow morning or afternoon, whatever the case may be - one hour ahead of Session. Republican conference in room 118 tomorrow, Wednesday, one hour before Session."

Speaker Madigan: "Representative Pullen, it is the intent of the Chair to convene at 1:00 p.m. tomorrow, so you may wish to set your caucus for 12:00. Representative Pullen?"

Pullen: "Yes, the Republican conference then, Mr. Speaker, would be at noon tomorrow, Wednesday, in room 118. Thank you."

Speaker Madigan: "Thank you, Representative. Is there any further business to come before the House? Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I wanted the record to show, if it would, that Representatives Alexander and Vitek are absent, but due to illness."

Speaker Madigan: "Mr. Greiman, apparently you were incorrect relative to Representative Alexander, but the record shall show that Representative Vitek is excused because of illness. Are there any excused absences on the Republican side? There are no excused absences on the Republican

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side. Okay. Agreed Resolutions."

Clerk O'Brien: "House Resolution 64, Greiman - et al; 65, Stuffle - Woodyard; 66, Currie - White - Pouncey - Rhea - Brookins; 67, Yourell; 68, Woodyard - Stuffle; 69, Cullerton; 70, Keane."

Speaker Madigan: "Representative Matijeovich."

Matijeovich: "Mr. Speaker and Members of the House, House Resolution 64 commends certain people in the Greek community. House Resolution 65, Stuffle - Woodyard, urges Congress to act with due haste on a certain measure. House Resolution 66 honors Black History Month. House Resolution 67, Yourell, commends Jeff Kendzierski for being an Eagle Scout. House Resolution 68, Woodyard, joins the family of Mrs. Slanker for reaching her 100th birthday. House Resolution 69, Cullerton, congratulates Mrs. Colleen Murphy Dunigan on her birthday. House Resolution 70 commends Mrs. Bessie Danos for her work in the Greek Orthodox Church. Mr. Speaker, I move the adoption of the Agreed Resolutions."

Speaker Madigan: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', all those opposed by saying 'no'. The 'ayes' have it. The Motion carries. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 63, Homer - Saltsman - Koehler - Vinson - Hawkinson and Tuerk."

Speaker Madigan: "Committee on Assignment. Is there any further business to come before the House? Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd like to announce that the Counties and Townships Committee hearing, which was scheduled for tomorrow to consider House Bill 208, has now been postponed another week, so we will not be meeting tomorrow."

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Speaker Madigan: "Mr. Steczo announces that the meeting of the Counties and Townships Committee scheduled for tomorrow has been cancelled. Is there any further business to come before the House? There being no further business to come before the House, the Chair recognizes Representative McPike. Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House stand adjourned until 12:00 p.m. tomorrow. Does the Clerk need time for Perfunctories? Allowing one minute?"

Speaker Madigan: "One o'clock, Mr. McPike."

McPike: "Fine."

Speaker Madigan: "I was in error."

McPike: "Okay. We stand adjourned until 1:00 p.m. tomorrow and does the Clerk need time for Perfunct?"

Speaker Madigan: "One half hour."

McPike: "Allowing one half hour for the Clerk for Perfunctory, the House stands adjourned until tomorrow at the hour of 1:00 p.m."

Speaker Madigan: "The Motion is that the House stand adjourned until 1:00 p.m. tomorrow afternoon, providing one half hour of Perfunctory Session for the Clerk to receive introductions of Bills. All those in favor signify by saying 'aye', all those opposed by saying 'no'. The House stands adjourned until tomorrow at 1:00 p.m."

Clerk Leone: "Introduction and First Reading. House Bill 443, Klemm, a Bill for an Act to amend Sections of an Act in relationship to budgets of counties not required by law to pass an annual Appropriation Bill. First Reading of the Bill. House Bill 444, Ebbesen, a Bill for an Act to amend Sections of the Regency University Act. First Reading of the Bill. House Bill 445, Topinka, a Bill for an Act to amend Sections of the Funeral Director and Embalmers'

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Licensing Act. First Reading of the Bill. House Bill 446, Ropp, a Bill for an Act in relationship to public graveyard trustees. First Reading of the Bill. House Bill 447, Hannig - et al, a Bill for an Act to add Sections to the Illinois Vehicle Code. First Reading of the Bill. House Bill 448, Hannig, a Bill for an Act to amend Sections of an Act to revise the law in relationship to plats. First Reading of the Bill. House Bill 449, Mautino, a Bill for an Act to enable local health departments and the Department of Public Health to administer and enforce uniform retail food sanitation standards for the protection and the health of the consumer. First Reading of the Bill. House Bill 450, Hallock - Giorgi, a Bill for an Act to amend Sections of the Local Mass Transit District Act. First Reading of the Bill. House Bill 451, Piel - Flinn, a Bill for an Act in relationship to consumer loans amending certain Acts herein named or repealing the Act herein named. First Reading of the Bill. House Bill 452, Johnson - Greiman - Reilly - Jaffe, a Bill for an Act to regulate the duty which an occupier of a premises owns to his visitors in respect to dangers due to the state of the premises or to things done or admitted to be done on them. First Reading of the Bill. House Joint Resolution Constitutional Amendment #7, Mautino - Davis, resolved by the House of Representatives of the 83rd General Assembly, 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 4 of Article IX of the Illinois Constitution to read as follows: Article 9, Section IV, Real Property Taxation. (a) Except as otherwise provided in this law, taxes upon real estate

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shall be levied uniformly by evaluation ascertained as the General Assembly shall provide by law. (b) Subject to such limitations as the General Assembly may hereby... hereafter prescribe by law, counties may classify or continue to classify real property for purposes of taxation. Any such classification shall be reasonable and assessments shall be uniform herein (sic - within) each class. The level of assessment or rate of tax of the highest class in a county shall not exceed two and one-half times the level of assessment or rate of tax of the lowest class of that county. Real property used in farming in a county shall not be assessed at a higher level of assessment than single family residence (sic - residential) real property in that county. (c) Any depreciation in the value of real estate occasioned by a public easement may be deducted in assessing such property. First Reading of this Constitutional Amendment. Continuing with Introduction and First Reading. House Bill 453, Ewing - et al, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. House Bill 454, Huff, a Bill for an Act to amend Sections of an Act creating the Chicago Community School Study Commission and to finance powers and duties. First Reading of the Bill. Further Introductions and First Reading. House Bill 455, Terzich - Saltsman - et al, a Bill for an Act setting forth certain rights which are to be guaranteed to firemen. First Reading of the Bill. House Bill 456, Hallock - et al, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. Being no further business, the House will now stand adjourned until tomorrow, March 2, at 1:00 p.m."

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