

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

43rd Legislative Day

May 11, 1983

Speaker McPike: "The House will come to order. The House will come to order. Members will be in their seats. Our Chaplain for today will be the Reverend William J. Peckham, of Contact Ministries in Springfield. Will the guests in the gallery please rise and join us in prayer?"

Reverend Peckham: "Let's pray. These are times, Our Father, when there're things wrong with us, with our neighbors, with our society, even the whole world. We know that there just are no easy answers to these complex problems. We pray for the Men and Women of this House of Representatives that they will be guided by You, as they seek to make wise and just decisions, on behalf of all of our people. For the good of the past, for the opportunities of today, and for the promise and the possibilities of the future, we give You thanks. God bless us all. Amen."

Speaker McPike: "Would... we'll 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 McPike: "Roll Call for Attendance. Representative Brunsvold, is Representative Homer here? Homer. Turn him on. 115 Members answering the Roll Call, a quorum is present. Representative Oblinger."

Oblinger: "As a point of personal privilege, I would like to introduce the Civics Class from Taylorville High School and their teacher Mrs. Rappee, if they'll please stand."

Speaker McPike: "Representative Matijeich, do we have any absences?"

Matijeich: "Coach Lucco informs me that all Democrats are healthy and ready to go to work. No excused absences."

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Speaker McPike: "Representative Daniels, do you have any excused absences? You don't... you don't know? Okay. We would like leave of the House for the Human Services Committee to meet right now in Room 114. Are there any objections? Hearing no objections, leave is granted. The Human Services Committee meets immediately in Room 114. Representative Doyle."

Doyle: "Yes, we... yes, Mr. Speaker, we have a group from Proviso West, which Representative Leverenz and myself represents. They're up here in the gallery, up on the left. Would you please stand?"

Speaker McPike: "Page 14 of the Calendar, under House Bills Second Reading, appears House Bill 3. Representative Levin. Out of the record. House Bill 7. Representative Johnson. Out of the record. House Bill 9. Representative Mulcahey. Yes, you can handle it. Representative Tate. Out of the record. House Bill 9. Representative Mulcahey. Out of the record. House Bill 16. Representative Topinka. Representative Topinka. Out of the record. House Bill 32. Representative Cullerton. Out of the record. House Bill 60. Representative Plinn. Out of the record. House Bill 61. Representative Ropp. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 61, a Bill for an Act to amend the Boiler and Pressure Vessel Safety Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 89. Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 89, a Bill for an Act to create the Citizens Utility Board and to define its powers and duties."

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Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Out of the record. Out of the record, Al. House Bill 96. Representative Yourell. Out of the record. House Bill 174. Representative Johnson. Out of the record. House Bill 186. Representative Giorgi. Out of the record. House Bill 197. Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 197, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Ebbesen, amends House Bill 197 on page one in line one and five and so forth."

Speaker McPike: "On Amendment #2, the Chair recognizes the Gentleman from DeWitt, Representative Vinson. For what reason do you rise?"

Vinson: "Thank you, Mr. Speaker, Members of the House. I would like to introduce to the House, the Minority Leader of the Senate, and a former Member of the House, Senator Philip, from DuPage county, who's standing near me."

Speaker McPike: "Representative Ebbesen on Amendment #2. Madame Sponsor, what's your pleasure? Representative Oblinger."

Oblinger: "Mr. Speaker, I'd like to move it to Third Reading."

Speaker McPike: "The Lady moves to table Amendment #2. Is there any discussion? Representative Oblinger, we will get back to this Bill. We'll have to take it out of the record. Representative Giorgi on House Bill 186. Do you want to have the Bill heard?"

Giorgi: "Yes, Sir."

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

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Clerk O'Brien: "House Bill 186, a Bill for an Act to amend the Workers' Occupa... or Workers' Compensation Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee. Amendments 1 and 2 adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Giorgi, amends House Bill 186, as amended and so forth."

Speaker McPike: "Representative Giorgi, Amendment #3."

Giorgi: "Mr. Speaker, this is just a technical change, and I move for the adoption of Amendment #3."

Speaker McPike: "The Gentleman moves the adoption of Amendment #3. On that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I don't have a copy of Amendment #3, and I won... wonder if the Gentleman would take the Bill out of the record until we can get a copy of the Amendment and examine it."

Speaker McPike: "Representative Giorgi. Mr. Clerk, has Amendment #3 been distributed?"

Giorgi: "But a... as a... if the Speaker will call it back after Mr. Vinson been satisfied that the Amendment has been published and promulgated, and he's read the Amendment. Can I call it back? I acquiesced..."

Speaker McPike: "I think he has the Amendment now. Representative Vinson."

Vinson: "Yes, I do have a copy of the... the Amendment. I wonder if the Gentleman would explain what the Amendment does?"

Giorgi: "The Bill... the Amendment #3 allows the Bill only to apply to the future."

Speaker McPike: "Representative Vinson."

Vinson: "I'm sorry. I couldn't hear the Gentleman."

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Giorgi: "The Bill... the Amendment #3 does not make the Bill retroactive. It only applies to the future... prospective problems."

Speaker McPike: "There being no further discussion, the question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Giorgi, amends House Bill..."

Speaker McPike: "Representative Giorgi on Amendment #4."

Giorgi: "What Amendment #4 does is, it's... the Amendment states that the, 'State of Illinois should not be deemed an employer for the purpose of this Section.' And I move for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #4. On that question, Representative Vinson."

Vinson: "What is the purpose of exempting the state?"

Giorgi: "It exempts the State of Illinois from liabilities."

Vinson: "But what's the purpose for doing that?"

Giorgi: "The purpose was sent to me by the General Services Department, the Governor's Office."

Vinson: "Thank you."

Speaker McPike: "There being no further discussion, the question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendment."

Speaker McPike: "Third Reading. House Bill 96. Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 96, a Bill for an Act to amend Sections of the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

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Speaker McPike: "Third Reading. House Bill 200. Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 200, a Bill for an Act relating to exemptions from jury service. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Because there is a Committee hearing at the present time, we will take Bills on Second Reading that have no Motions filed, and no Amendments filed until more Members get to the House floor. 200 is out of the record. House Bill 207. Out of the record. A fiscal note is requested. House Bill 220. Representative Topinka. Out of the record. House Bill 234. Representative Currie. Out of the record. House Bill 238. Representative Mautino. Out of the record. 239. Out of the record. House Bill 241. Representative Saltsman. Out of the record. House Bill 244 and 245. Out of the record. House Bill 247. Pierce. Read the Bill, Mr. Clerk. Out of the record. There's an Amendment filed. We're... we're only going to take those without any Amendments at this time. We'll get back to it. There's a Floor Amendment filed to that. House Bill 252. Representative Levin. Out of the record. House Bill 270. Representative Nelson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 270, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. We'll go back and pick up House Bill 60. Representative Flinn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House... House Bill 60, a Bill for an Act to

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amend the Bingo License and Tax Act. Second Reading of the Bill. Amendments #1, 2, and 3 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 272. Representative Nash. Out of the record. House Bill 275. Out of the record. House Bill... Representative Levin on the floor? You want any of your Bills called, 280...? Okay. 280, 283, 284, 285. Out of the record. House Bill 289. Representative Cullerton. Out of the record. House Bill 312. Representative Taylor. Out of the record. House Bill 321. Representative Cullerton. Out of the record. House Bill 336. Fiscal note requested. Out of the record. House Bill 338. Representative Stuffle. Out of the record. House Bill 343. Representative McCracken. Out of the record. House Bill 359. Representative Younge. Out of the record. House Bill 362. Representative Younge. Representative Younge, do you wish to have that Bill called? Out of the record. House Bill 367. Representative Brummer. Out of the record. House Bill 368. Representative Brummer. How about House Bill 367? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 367, a Bill for an Act to amend Sections of an Act concerning Public Utilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 368. Representative

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Brummer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 368, a Bill for an Act amending an Act concerning Public Utilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 375. Representative Stuffle. Out of the record. House Bill 402. Mautino. Out... out of the record. House Bill 424. Representative Bowman. Fiscal note requested. Out of the record. House Bill 456. Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 456, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 463. Representative Johnson. Out of the record. House Bill 468. Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 468, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 469. Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 469, a Bill for an Act to amend Sections of an Act to revise the law in relation to

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counties. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 471. Representative Deuchler. Out of the record. House Bill 200. Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 200, a Bill... There's a Motion to table an Amendment."

Speaker McPike: "There's a... What is the Motion, Mr. Clerk?"

Clerk O'Brien: "There's a Motion filed to table Amendment #1."

Speaker McPike: "Was Amendment #1 adopted in Committee?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker McPike: "Out of the record. House Bill 474. Representative Currie. Out of the record. House Bill 489. Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 489, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 490. Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill... there's a request for a pension impact note on 490."

Speaker McPike: "490. Out of the record. House Bill 494. Representative Younge. Out of the record. House Bill 509. Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 509, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 539. Representative Barnes. Out of the record. House Bill 544. Representative Johnson. Out of the record. House Bill 550. Representative Yourell. Mr. Johnson, we're on the Order of taking House Bills Second Reading that have no Motions and no Amendments filed. Representative O'Connell, for what reason do you rise?"

O'Connell: "For a point of order, Mr. Speaker."

Speaker McPike: "State your point."

O'Connell: "I am a hyphenated Sponsor of House Bill 539, and we have submitted about six Amendments to the Legislative Reference Bureau. I inquiry as to whether those Amendments are... are ready."

Speaker McPike: "You... could you come up and check with the Clerk on that? That's out of the record. House Bill 539 is out of the record. Okay. House Bill 550. Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 550, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 551. Out of the record. House Bill 554. Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 554, a Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 557. Representative Daniels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 557, a Bill for an Act to amend Sections of the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Are there any Amendments? I'm sorry. Are there any Committee Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker McPike: "No Floor Amendments. Third Reading. House Bill 561. Out of the record. House Bill 572. Representative Cullerton. Representative Cullerton. Out of the record. House Bill 580. Out of the record. House Bill 601. Fiscal note requested. Out of the record. House Bill 613. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 613, a Bill for an Act relating to the City of Alton. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 614. McPike. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 614, a Bill for an Act relating to certain charitable public trusts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 615. Out of the record. House Bill 616. Representative Huff. Read the

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Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 616, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments."

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 321. Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 321, a Bill for an Act regarding controlled substances and narcotics racketeering. Second Reading of the Bill. Amendment #1 was tabled in Committee. Amendment #2 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 200. Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 200, a Bill for an Act in relation to exemptions from jury duty. There's a Motion to table an Amendment."

Speaker McPike: "Who filed the Motion, Mr. Clerk?"

Clerk O'Brien: "Representative Preston."

Speaker McPike: "Representative Preston. Representative Preston withdraws the Motion."

Clerk O'Brien: "House Bill 200, a Bill for an Act relating to exemptions from jury duty. Second Reading of the Bill. Amendment #1... Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, Vinson."

Speaker McPike: "Representative Vinson withdraws Amendment #2."

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Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On page forty-four of the Calendar, Consent Calendar Second Day, Second Reading. Read the Bills, Mr. Clerk."

Clerk O'Brien: "Consent Calendar Second Reading Second Day. House Bill 176, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 921, a Bill for an Act in relation to payments and disposition of moneys received by officers and employees of the State of Illinois. Second Reading of the Bill. House Bill 1124, a Bill for an Act in relation to Public Water Districts. Second Reading of the Bill. House Bill 1285, a Bill for an Act to amend the Hospital Licensing Act together with Committee Amendment #1. Second Reading of the Bill. House Bill 1308, a Bill for an Act to amend the Northeastern Illinois Planning Act. Second Reading of the Bill. House Bill 1355, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1390, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. House Bill 1584, a Bill for an Act to amend certain Acts in relation to Pension Fund participation. Second Reading of the Bill. House Bill 1595, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 1650, a Bill for an Act to amend an Act in relation to public corporations. Second Reading of the Bill. House Bill 1680, a Bill for an Act to amend an Act in relation to construction of the statutes. Second Reading of the Bill. House Bill 1941, a Bill for an Act to amend an Act relating to the state self-insurance health plan. Second Reading of the Bill. House Bill 2000, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill.

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House Bill 2029, a Bill for an Act to amend the Professional Boxing and Wrestling Act. Second Reading of the Bill. House Bill 2060, a Bill for an Act to amend an Act relating to the Illinois Commission on Atomic Energy. Second Reading of the Bill. House Bill 2013 (sic - 2213), a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill."

Speaker McPike: "Third Reading. The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I heard the Clerk read 2013. I believe the correct number is 2213."

Speaker McPike: "Mr. Clerk, would you correct that?"

Clerk O'Brien: "On Consent Calendar Second Reading Second Day, correcting House Bill 2213, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill."

Speaker McPike: "Third Reading. On page two of the Calendar, House Bills Second Reading Short Debate Calendar. We will take those Bills with no Motions and no Amendments filed, at this time. House Bill 73. Representative Preston. Out of the record. House Bill 115. Representative Terzich. Out of the record. 116. Representative Terzich. Out of the record. House Bill 123. Representative Terzich. Representative Terzich takes all Bills through 165 out of the record. House Bill 250. Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 250, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 261. Representative

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Dunn. Representative John Dunn. Out of the record. House Bill 261. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 261, a Bill for an Act to amend Sections of the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 281. Out of the record. House Bill 345. Representative Mautino. Out of the record. House Bill 385. Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 385, a Bill for an Act to amend Sections of an Act in relation to state revenue sharing of local governmental entities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 391. Rep... Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 391, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Representative Mautino, did you want to call House Bill 345? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 345, a Bill for an Act to amend

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Sections of the Liquor Control Act. Second Reading of the
Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. Representative Mautino, did you
have a Motion?"

Mautino: "Mr. Speaker, the Motion, that I discussed with you
yesterday, was included in the amended reports of the
Committees, as of yesterday."

Speaker McPike: "So your problem was taken care of. Thank you."

Mautino: "Yes, Sir. Thank you."

Speaker McPike: "House Bill 395. Out of the record. House Bill
428. Representative White. Out of the record. House Bill
452. Representative Johnson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 452, a Bill for an Act to regulate the
duties which an occupier of a premises owes to his vistors
in respect to dangers do to the state of the premises or to
things done or omitted to be done to them. Second Reading
of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 481. Representative
Stuffle. Out of the record. House Bill 487.
Representative DiPrima. Out of the record. House Bill
502. Representative Leverenz. Out of the record. House
Bill 503. Representative Davis. Out of the record. House
Bill 516. Representative Capparelli. Read the Bill, Mr.
Clerk."

Clerk O'Brien: "House Bill 516, a Bill for an Act to amend
Sections of an Act in relation to adoption of persons.
Second Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker McPike: "Any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendment."

Speaker McPike: "Third Reading. House Bill 548. Representative Yourell. Read the Bill, Mr. Clerk. There's an Amendment filed? Out of the record. House Bill 556. Representative Hoffman. Out of the record. House Bill 635. Representative Cowlishaw. Out of the record. House Bill 643. Representative Ronan. Out of the record. House Bill 662. Representative Pangle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill..."

Speaker McPike: "There's an Amendment filed. Out of the record. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 662, a Bill for an Act to amend Sections of the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1..."

Speaker McPike: "Out of the record. We're only going to call Bills with no Floor Amendments and no Motions filed. House Bill 688. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 688, a Bill for an Act to amend Sections of an Act to provide for state grants to certain public television stations. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 689. Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 689, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

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Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker McPike: "Third Reading. House Bill 690. Representative Homer. Out of the record. House Bill 696. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 696, a Bill for an Act to amend the Workers' Compensation and Workers' Occupational Disease Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 727. Representative Saltsman. Out of the record. House Bill 751. Representative Brookins. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 751, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 805. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 805, a Bill for an Act concerning the regulation of orthotic and prosthetic practice. Second Reading of the Bill. Amendments #1, 2, 3, and 4 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate concurred with the House in passage of Bills, the following titles, to wit; House Bill 547, together with Senate Amendment #1, passed by the Senate as amended, passed by the Senate May 11, 1983. Kenneth Wright, Secretary.'

Speaker McPike: "On page thirty-eight of the Calendar, House Bills Third Reading. The Chair would encourage Members to call their Bills when we get there. Next Bill, House Bill 619. Representative Jaffe. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 619, a Bill for an Act in relation to closing, discontinuation, phase out, termination, or sig... significant alteration of facilities, programs, and services of the Department of Children and Family Services, the Department of Mental Health and Developmental Disabilities, and the Department of Rehabilitation Services, and the Department of Corrections. Third Reading of the Bill."

Speaker McPike: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House. House Bill 619 and House Bill 620 are actually a pack..."

Speaker McPike: "Excuse me, Representative Jaffe. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I... I think the Sponsor ought to have a chance to explain this Bill before I tell the reasons why its a bad Bill, so you go ahead with..."

Speaker McPike: "I thought you rose for a different reason. Representative Jaffe proceed."

Jaffe: "Okay. House Bill 619 and 620 deal with closurers or cutbacks in residential care services in state facilities. Now, I think that people who are residents of state

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institutions really live on the razors edge. They're dependent upon the state for their very survival and for their life needs. The fear of closure of these institutions or of major cutbacks of services provided by these institutions affects the residents entire life style and threatens their ability to recover or be rehabilitated. In recent years, closurers and cutbacks have been dealt with without much sensitivity. In the case of the Illinois Visually Handicapped Institute, it was done with surprise and intimidation. In the case of our mental institutions, the procedure used caused fear and havoc amongst the inmates and their families. In these cases, the quality of care was almost never considered. Also, when it comes to cutbacks and closure, the Legislature suddenly loses its status, as an equal partner with the executive. The Legislature is never consulted. All of us remember getting calls from terrified constituents, who... feared for their members of their family. So what House Bill 619 and House Bill 620 do is they deal with this closure situation. 619 deals with notices to the General Assembly. What 619 does is that it amends enabling Acts of various state agencies and requires notice to the General Assembly of at least 240 days prior to the closure, discontinuation, phase out, or termination of residential care services in state facilities. Notices required for reductions during in any twelve month period of either a 10% of bed capacity or 25 beds, or 10% of staff or 25 positions. These kinds of changes are considered administrative orders subject to the provisions of the Administor Procedure Act. All that 619 does is say to the Governor that he must give the General Assembly at least 240 days prior notice before he closes an institution. I would be happy to answer any questions."

Speaker McPike: "The Gentleman has moved for passage of House

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Bill 619. Is there any discussion? The Gentleman from Cook, Representative O'Connell."

O'Connell: "Mr. Speaker, a question of the Sponsor."

Speaker McPike: "The Sponsor indicates he will yield."

O'Connell: "Representative Jaffe, in relation to the law suit that was held... conducted this past year, I... first of all I want to preface my remarks saying that I support this concept. I just want to be able to reconcile with my constituents an issue that was raised in the Dixon case, I believe, wherein, the distinction between the executive and the judiciary was raised in the course of the litigation. How can we reconcile that argument as it relates to the executive and the Legislature?"

Jaffe: "Well, I think that if you look at House Bill 619, 619 deals only with notice. All that it says is that the Governor must give notice to the General Assembly of 240 days prior to the closing of an institution, so I don't think that there's any problem there. As a matter a fact, I don't think there's any problem with either Bill, but I would be happy to address that on 620, too."

O'Connell: "Okay. So this... this is restricted strictly to notice, and the Legislature would not be involved in the actual policy making question of whether a facility stays or..."

Jaffe: "Not... not in 619. In 620... 620 is... is something else. In 620 what we do in 620 is the... the Legislature then can within 60 days after the Governor indicates that he's going to close the facility, the Legislature then has 60 days to act by Joint Resolution in order to stop the Governor, but in 619, all that we have is a notice requirement by the... by the Governor to the General Assembly that, in fact, he is going close an institution or substantially cut it down. 619 just deals with the notice

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provision."

O'Connell: "Thank you."

Speaker McPike: "The Gentlemen from Cook, Representative Marzuki."

Marzuki: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. A closure of any institution regardless of where it occurs affects every Member of this Legislature. We have made extensive inquiry into the Department of Mental Health asking them to justify some of the moves they made. I'm afraid that I am not convinced that these closures were made in the best interests of the patients or the people of the state. I think that these Bills, in the future, will alert us to what is going on and enable us to take actions, which are going to be beneficial to all concerned. Thank you."

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

Vinson: "Mr. Chairman... Mr. Speaker, Members of the House, I would call the General Assembly's attention to the Fiscal Note Act, and how it pertains to this Bill. Members will recall that in the discussion on Second Reading, a fiscal note was filed on this Bill. The Fiscal Note Act states in part, 'Every Bill, except those making a dir... direct appropriation, the purpose or effect of which is to expend any state funds, or to increase revenues, or to require the expenditure of funds, shall have a fiscal note filed.' Now Members of the Assembly, when this Bill was ruled not to be applicable to the Fiscal Note Act, we engaged in a little bit of research, and I would call your attention to these facts. Last year, an institution was closed, a Mental Health Institution, Bowen, in Southern Illinois. On 2/1/82, the decision was made to close Bowen. If this Bill had been in affect, at that time, requiring the

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notification procedures, under this proposed Bill, Bowen could not have been closed at the time it was closed. Indeed, the additional cost to the state, if this Bill had been in affect, would have been \$1,000,000.00 in just the case of Bowen. What I am pointing out to you is the simply reality that this Bill necessitates a higher expenditure of funds, than would other wise be the case. And because of that, clearly the Fiscal Note Act applies to this. Clearly when you vote for this Bill, you're voting for increased state expenditures, for a higher state budget, and for the revenues necessary to fund a higher state budget. And at the same time the Fiscal Note Act was ruled inapplicable to this Bill. That made the entire discussion of this Bill a farce. It's a Bill that costs money, and the fiscal note should have been filed. We should have had the opportunity to see what the costs would have been. A simply procedure mandated by state law, encapsuled in the Rules of this House, was blatantly violated by the Speaker of the House in connection with this Bill. Individual Members have come to me. Individual Members, on the other side of the aisle, have come to me to personally say that they thought that it was a farce to rule that the Fiscal Note Act was inapplicable to this Bill. This is clearly the kind of Bill that the Fiscal Note Act was intended to apply to. It is a bad Bill. It is a wrong Bill. It is an expensive Bill. It is a Bill that will necessitate tax increases, if we pass it. I urge you to vote 'no' on this Bill. More than that, I request a verification, Mr. Speaker."

Speaker McPike: "The Gentleman from Hicks... I'm sorry. The Gentleman from Jefferson, Repre... Mr. Hicks on the Bill."

Hicks: "Yes, Mr. Speaker. I speak in support of this Bill. I come from an area which had a... one of their facilities closed last year. There were many state agencies in that

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building. There was also a... an annex for a mental health facility there. We took the mental health patients out of the state building and put them into motels in Mt. Vernon. If you can tell me that it costs less to put them in motels than it does to keep them in a building, that there was little or no thought, whatsoever, put into the closing. They simply came in one day and said, 'We're closing the building. Move out.' We've got state agencies all over Mt. Vernon looking for a place to work out of. They're renting very high dollar rental property, and it is no way is cost effective to close that building. I think that this is a good Bill. It's a Bill that we ought to be supporting, and I ask for a 'yes' vote on this Bill. Thank you."

Speaker McPike: "The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. For many of the reasons, earlier stated in opposition to this, are the reason why we should be supporting this legislation. I had the opportunity of seeing what the Department of Mental Health had done over the last couple of years on closurers, and Bowen was a good example, where they recommended for closure and conversion for FY '83 and then closed by the end of F... FY '82. And the plans for closure were implemented before local health planning agencies completed review of the proposal and before the General Assembly had completed action on the FY1983 budget. It was done in a... a very reckless way. It was done in a haphazard, reckless, political manner, without any consideration for the quality of care and for the residents that were there. We need this type of legislation. We need it to safeguard against those types of actions that were taken. Even during that time, the Governor had stated that he would not close the

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center, and then he came back and did close it. We need to assure against this type of inconsiderate decision making, not based upon the factual data, and we should be concerned again on the quality of... of care. This legislation would assure more of a rational process of... of change, instead of behind the closed doors. And I certainly recommend passage of this good piece of legislation."

Speaker McPike: "The Gentleman from Vermilion, Representative Woodyard."

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

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Should the...' The Gentleman has moved the previous question. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Motion carries. Previous question is put. Representative Jaffe to close."

Jaffe: "Yes, Mr. Speaker, in summary, all that I would like to underline is the fact that 619 does nothing but require a notice provision to the General Assembly, when the Chief Executive decides to close an institution. I think it's a reasonable Bill, and it doesn't cost any money, and I would urge an 'aye' vote."

Speaker McPike: "The Gentleman has moved for passage of House Bill 619. The question is, 'Shall House Bill 619 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. The Gentleman from Bureau to explain his vote, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. For the statements innumeraed by our colleague on the other side of the aisle, Representative Vinson, I would like to point out that, if in fact, the Governor and the Department would have been fair and presented us with a plan for the closure of Dixon, we would not have expended the additional \$8,000,000.00 for a supplemental. You can not, in all honesty, present a

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closing of a facility and not have available beds and care, as it pertains to mental health clients. If in fact, this were inacted, we would not have the financial boondoggal, the contractual service, the laying off of employees, and then submitting additional supplementals for contractual services for the same items that the people were laid off for. There was no planning. There was no program. At least, this would have given us, in the General Assembly, the opportunity to evaluate a proposal for closing, if it were enacted. It's a good piece of legislation. It gives protection not only to the clients but also the people who were involved, both in the business community and the employees of every facility. It's a good piece of legislation. It's about four years too late, and it's excellent."

Speaker McPike: "The Gentleman from Cook to explain his vote, Representative Marzuki."

Marzuki: "I'd like to say that I believe..."

Speaker McPike: "Excuse me, Sir. Did you speak in debate?"

Marzuki: "Yes, I did."

Speaker McPike: "Our Rules do not permit you to explain your vote."

Marzuki: "Sorry about..."

Speaker McPike: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Request verification, Mr. Speaker."

Speaker McPike: "On this Bill, there are 71 'ayes', 45 'nos'. The Gentleman requests a verification. The Sponsor requests a poll of the absentees. Mr. Clerk. Representative Cullerton. Representative Cullerton 'aye'. Representative Alexander. Representative Alexander would like leave to be verified, Mr. Vinson. Leave is granted.

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Representative Mulcahey, you are voted 'aye'.
Representative Leverenz."

Leverenz: "May I have leave to be verified?"

Speaker McPike: "Representative Vinson, Representative Leverenz
asks leave to be verified. Representative Braun would like
leave to be verified. Representative Braun. Leave."

Clerk O'Brien: "Poll of the absentees. Tate. No further."

Speaker McPike: "Verify the affirmative Roll Call, Mr. Clerk."

Clerk O'Brien: "Alexander, Berrios, Bowman, Braun, Breslin,
Brookins, Brummer, Brunsvold, Bullock, Capparelli,
Christensen, Cullerton, Curran, Currie, DeJaegher, DiPrima,
Domico, Doyle, Farley, Flinn, Giglio, Giorgi, Greiman,
Hannig, Hawkinson, Hicks, Homer, Huff, Hutchins, Jaffe,
Johnson, Keane, Krska, Kulas, Laurino, LeFlore, Leverenz,
Levin, Marzuki, Matijevich, Mautino, McGann, McPike,
Mulcahey, Nash, Oblinger, O'Connell..."

Speaker McPike: "Excuse me, Mr. Clerk. Representative Domico
would like leave to be verified, Mr. Vinson. Leave is
granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Panayotovich, Pangle, Pierce, Preston, Rea, Rhem,
Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw,
Slape, Steczko, Stuffle, Taylor, Terzich, Turner, Van Duynes,
Vitek, White, Wolf, Younge, Yourell, Mr. Speaker."

Speaker McPike: "Representative Tate, do you wish to be
recorded?"

Tate: "Mr. Speaker, I'd like to be recorded as voting 'no' on
this."

Speaker McPike: "Tate 'no'. Mr. Vinson."

Vinson: "Mr. Berrios."

Speaker McPike: "He's in his seat."

Vinson: "Representative Breslin."

Speaker McPike: "She's in her seat."

Vinson: "Representative Brookins."

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Speaker McPike: "He's in his seat."

Vinson: "Representative Brummer."

Speaker McPike: "Representative Brummer. Is Representative Brummer in the chamber? Mr. Clerk, remove Representative Brummer from the Roll Call."

Vinson: "Representative Capparelli."

Speaker McPike: "He's in his seat."

Vinson: "Representative Christensen."

Speaker McPike: "Representative Christensen. Remove Representative Christensen from the Roll Call."

Vinson: "Representative DiPrima."

Speaker McPike: "Representative DiPrima. Representative DiPrima in the chamber? Remove him from the Roll Call, Mr. Clerk."

Vinson: "Representative Farley."

Speaker McPike: "Mr. Farley is in his seat."

Vinson: "Where?"

Speaker McPike: "He's in his seat, Mr. Vinson."

Vinson: "Representative Giglio."

Speaker McPike: "Representative Giglio. Representative Giglio in the chamber? Mr. Clerk, remove him from the Roll Call."

Vinson: "Representative Homer."

Speaker McPike: "He's in his seat."

Vinson: "Representative Huff."

Speaker McPike: "Representative Huff. Representative Huff in the chamber? Remove him from the Roll Call, Mr. Clerk."

Vinson: "Representative Keane."

Speaker McPike: "Representative Keane is in his seat."

Vinson: "Representative Levin."

Speaker McPike: "Representative Levin is in the rear of the chamber."

Vinson: "Representative Nash."

Speaker McPike: "Representative Nash, right up front."

Vinson: "Representative Panayotovich."

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Speaker McPike: "Representative Panayotovich. Representative Panayotovich in the chamber? Remove him from the Roll Call, Mr. Clerk. Here he is, Mr. Vinson. Representative Panayotovich should be added back to the Roll Call."

Vinson: "Pangle".

Speaker McPike: "Representative Pangle's in his seat."

Vinson: "Representative Rice."

Speaker McPike: "Representative Rice is in his seat."

Vinson: "Representative Ronan."

Speaker McPike: "Say again."

Vinson: "Ronan."

Speaker McPike: "Representative Ronan is in his seat."

Vinson: "Representative Slape."

Speaker McPike: "Representative Slape. Representative Slape in the chamber? Remove him from the Roll Call, Mr. Clerk."

Vinson: "Representative Van Duyne."

Speaker McPike: "Representative Brummer has returned. Replace him on the Roll Call, Mr. Clerk. Representative Van Duyne is in his seat."

Vinson: "Representative Bullock."

Speaker McPike: "Representative Bullock. Representative Bullock in the chamber? Remove him from the Roll Call, Mr. Clerk."

Vinson: "Representa..."

Speaker McPike: "Representative Bullock has returned to the chamber."

Vinson: "Representative Flinn."

Speaker McPike: "Representative Flinn. Monroe Flinn in the chamber? Remove him from the Roll Call, Mr. Clerk."

Vinson: "Representative Richmond."

Speaker McPike: "Mr. Richmond is in his chair. Any further questions, Mr. Vinson?"

Vinson: "I don't believe so."

Speaker McPike: "What's the count, Mr. Clerk? On this question,

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there are 66 'ayes', 46 'nos', none voting 'present'.
House Bill 619, having received a Constitutional Majority,
is hereby declared passed. House Bill 620. Representative
Jaffe. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 620, a Bill for an Act in relation to
closure, conversion, or modification of state facilities.
Third Reading of the Bill."

Speaker McPike: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker, and Members of the House, House Bill
620 is the other part of the package that is part of 619.
Basically, what 620 does is it creates the State Facility
Review Act and provides a procedure under which plans for
closure, conversion, or modification of any facility
operated by the Department of Rehabilitative Services,
Corrections, Children and Family Services, Mental Health
are to be required to be submitted to the... to the
General Assembly. And the General Assembly then has a
period of 60 days, after which these plans are submitted to
it, in order to disapprove. What we have done in essence
is we have made this very similar to Executive Orders. As
a matter of fact, we've made it a lot tougher than
Executive Orders, because in Executive Orders, as you know,
either House can actually reject the Executive Order. In
this particular Bill, both Houses have to reject this
particular closing. And in the whole history of the State
of Illinois, since we've had Executive Orders, only one
Executive Order has actually been overridden by the
Legislature, so I don't think that we're going to have a
great flood of things to override the Governor, unless
those things are really horrible closings. It's a
reasonable approach. It gives the General Assembly the
input that the General Assembly ought to have. The General
Assembly then has 60 days in which it can disapprove the

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proposed change by Joint Resolution. I would be happy to answer any questions."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 620. On that question, the Chair recognizes the Gentleman from Kankakee, Representative Pangle."

Pangle: "Thank you, Mr. Speaker. I rise to speak in favor of House Bill 620, not only in favor for the residents of mental institutions, but for the area in which the mental res... residents are at. In Kankakee, we're fortunate enough to have the Shapiro Developmental Center and the Manteno Development Center. Our unemployment rate in Kankakee County is presently over 21%, and the closure of these two facilities would add to the roles 3,500 to 3,600 people. I question the integrity of the Governor and the Department of Mental Health in the closing of Dixon, and I would ask for an 'aye' vote on this Bill."

Speaker McPike: "Is there any further discussion? Being no further discussion, the Gentleman from Cook to close, Representative Jaffe."

Jaffe: "Mr. Speaker, I would merely urge an 'aye' vote."

Speaker McPike: "The Gentleman moves for the passage of House Bill 620. The question is, 'Shall House Bill 620 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 71 'ayes', 44 'nos', none voting 'present'. House Bill 620, having received a Constitutional Majority, is hereby declared passed. House Bill 622. Representative Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 622, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Lake, Representative Peterson."

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Peterson: "Thank you, Mr. Speaker, and Members of the House.

House Bill 622 enables school districts, except the Chicago Board of Education, to levy a tax subject to backdoor referendum in order to provide funds to lease educational facilities from other school districts. The long term goal is to have school districts with growing enrollments, which I do have in my district, utilize existing empty or partially empty schools, instead of asking taxpayers to fund new construction. If this Bill is enacted, it would save the taxpayers millions of dollars in new construction cost, and I ask for your support."

Speaker McPike: "The Gentleman has moved for passage of House Bill 622. Is there any question? Is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Would you please direct Larry to come up here, Mr. Speaker?"

Speaker McPike: "Larry, who?"

Vinson: "Standing in the well."

Speaker McPike: "Well, do you have any other requests, Representative Vinson?"

Vinson: "I'll get back to you if I do."

Speaker McPike: "Okay. The Gentleman from Cook, Representative Cullerton on the Bill."

Greiman: "May I be recognized at this spot?"

Speaker McPike: "Does your microphone not work?"

Greiman: "It may be impaired... visually impaired... I'm not sure. If you want, I'll go back and see if it works."

Speaker McPike: "Yeah, go back to your seat. The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Yes, Mr. Speaker. Would you ask Representative Vinson if he'd get me a Page to go get me a Coke?"

Speaker McPike: "The Gentleman from Cook, Representative Greiman on the Bill."

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Greiman: "Yes. Excuse me. Will the Gentleman yield for a question?"

Speaker McPike: "Indicates he will."

Greiman: "Is it my understanding this is an after the fact referendum?"

Peterson: "It's a back... backdoor referendum. It has to be published, and if one of the Amendments to this Bill was to give an extra allowance of time to the taxpayers to petition the board to put the ballot... to put the referendum on the ballot."

Greiman: "I see. But this... so this would be a... there would be a new property tax. Is that right?"

Peterson: "That's correct."

Greiman: "And it's limited to communities under 500,000. Is that right?"

Peterson: "All except the City of Chicago."

Greiman: "So... so that in downstate the... they would be able to levy a new tax?"

Peterson: "Correct, instead of..."

Greiman: "... downstate, outside of Chicago."

Peterson: "Right, instead of passing a bond issue for new construction. This would be in lieu of new construction."

Greiman: "And that... and that that would be after they had entered into the transaction to lease?"

Peterson: "Not necessarily. It's optional."

Greiman: "Well, not necessarily, or is it before or after?"

Peterson: "It's up to the Board of Education."

Greiman: "I guess what I'm driving at is, could the Board enter in the agreement and then find themselves subject to a backdoor referendum?"

Peterson: "That's possible."

Greiman: "I see."

Peterson: "I assume that they would not enter into the agreement

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unless they... until they had the authority to do so by either the referendum or they went past the thirty days to meet the requirements of the statute."

Greiman: "I see. Okay."

Speaker McPike: "The Lady from Lake, Representative Frederick... Frederick."

Frederick: "Frederick."

Speaker McPike: "Sorry."

Frederick: "Mr. Speaker, Ladies and Gentlemen, I rise in support of this Bill. Also, it simply allows school districts, which are still growing, and there is one like that in my district, to lease empty school buildings from another district that has a declining school population and an empty building. And it saves the taxpayers money in both school districts. I just urge a 'yes' vote on this Bill."

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

Yourell: "Yes, would the Gentleman yield?"

Speaker McPike: "He indicates he will."

Yourell: "Representative Peterson, what effect would this legislation have on the leasing of a high school building that is presently vacant to a community college in Illinois?"

Peterson: "This would not pertain to community college. It would only pertain to elementary and secondary districts."

Yourell: "So community college, now, are they... are they able to lease a school building from a..."

Peterson: "Yes, they can."

Yourell: "Thank you."

Speaker McPike: "Further discussion? Being no further discussion, the Gentleman from Lake to close, Representative Peterson."

Peterson: "I believe the long run goal of this Bill will save

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money in additional construction cost. I think we should look at leasing present facilities, and I think the taxpayers will save in the long... long run. I urge your support of this Bill. Thank you."

Speaker McPike: "The Gentleman has moved for passage of House Bill 622. The question is, 'Shall House Bill 622 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 95 'ayes', 21 'nos', 1 voting 'present'. House Bill 622, having received a Constitutional Majority, is hereby declared passed. House Bill 625. Representative Nelson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 625, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, and Members of the House. House Bill 625 eliminates a duplicate of service offered in Chicago. What it would do is abolish the Board of Examiners for the Chicago School District, as of July 1st, 1987. Beginning July 1st, 1984, all new teachers employed by the Chicago Board of Education, would hold teaching certificates issued by the State Teachers' Certification Board, which many of them do now. Approximately half of the teachers in the Chicago system now hold regular state teaching certificates, as to downstate teachers. The Chicago Board has been in existed, because over the years dual systems developed, and that really is not necessary. House Bill 625 would save a great deal of money for the Chicago schools. Estimates range between a quarter of a million to half a million dollars that I believe could well be spent on educational purposes. Presently the Board of Examiners in Chicago consists of the general Superintendent

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of Schools and two persons appointed by the Chicago Board. The certificates issued are only valid for teaching in Chicago. Teachers holding those certificated don't have the mobility that other teachers in our state have, and some staff members employed by the Chicago Board are not certified. The Board requires over a three year period that all teachers employed by the Chicago B... Board must exchange their Chicago teaching certificate for a certificate issued by the State Teachers' Certification Board. House Bill 625 is supported by the IEA. It is supported by the IFT, and I would ask for your favorable vote. I'd be happy to answer any questions. Thank you."

Speaker McPike: "The Lady has moved for the passage of House Bill 625. Is there any discussion? The Lady from Cook, Representative Alexander."

Alexander: "Thank you, Mr. Speaker. Representative Nelson, I'm looking at our Bill analysis, and you in... suggested that there would be a cost saving with the elimination of the Chicago Board of Education. According to our analysis, it reads that, 'The Board of Examiners perform other functions than certification of teachers.' And that the Chicago Board would not save the amount of money you just stipulated. Can you answer me where you are seeing the savings at this time? Can you answer me where you see the savings when our analysis says there would not be a savings?"

Nelson: "This Bill, Representative Alexander, was developed by the State Board of Education. They have filed the fiscal note answer, and they say that House Bill 625 would save approximately \$250,000.00 in the education fund of the Chicago School Board. This is a small group of people that issue certificates only to Chicago teachers. Those people then do not have the mobility to teach anywhere else,

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except in Chicago. And Representative Alexander, half of the people teaching in Chicago have state certificates. The Bill phases in, over three years, this adjustment that we're talking about."

Alexander: "Okay. Then there would not be a full savings as inanimated. There would be some savings, not the total savings."

Nelson: "Well, the estimate that I have..."

Alexander: "But they do other personnels... I mean work functions other than just a certification of the teachers."

Nelson: "That's correct."

Alexander: "Okay. Thank you."

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

Winchester: "Would the Lady yield for a question?"

Speaker McPike: "She indicates she will."

Winchester: "Representative Nelson, was this legislation approved or recommended to you by the Chicago Sch... School Study Commission?"

Nelson: "No, it was not. It was recommended by the State Board of Education."

Winchester: "All right. Thank you."

Speaker McPike: "Further discussion? Being no further discussion, the Lady from DuPage to close, Representative Nelson."

Nelson: "I would appreciate a favorable Roll Call. Thank you very much, Mr. Speaker."

Speaker McPike: "The Lady has moved for passage of House Bill 625. The question is, 'Shall House Bill 625 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Yourell, 'aye'. Have all voted who wish? The Clerk will take the record. On this Bill, there are 115 'ayes', 1 'no', 1 voting 'present'. House Bill 625,

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having received a Constitutional Majority, is hereby declared passed. House Bill 627. Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 627, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Mulcahey on the Bill."

Mulcahey: "House Bill 627... give me a second to see what it does here. House Bill 627 simply provides reimbursements to school districts that provide summer school programs for all pupils. This was... the way it was prior to 1977. Then because of some fiscal constraints, beginning in FY '77, the summer school reimbursement program has been limited to children, who are severely and profoundly handicapped, in public or private placements, and those handicapped children, who require extraordinary services. This... this Bill simply authorizes the reimbursement to those special education children. We do it every year, but there's an Amendment. Don't be fooled. That Amendment simply says that starting next year, we won't have to go through this Motion of having another Bill, because it provides in the legislation that it will automatically be reimbursed to these special education children every year, so we won't have to go through these Motions with a piece of legislation. Vote 'aye' please."

Speaker McPike: "The Gentleman moves for the passage of House Bill 627. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 627 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Doyle 'aye'. Representative Ronan, would you hit Representative Doyle 'aye', right here? Thank you. And Representative Brookins. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 111 'ayes', 4 'nos', 2 voting

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'present'. House Bill 627, having received a Constitutional Majority is hereby declared passed. House Bill 631. Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 631, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. House Bill 631 is one of several Bills being proposed by the State Board of Education to equalize taxing authority, local taxing authority, between downstate school districts and District 299 in the City of Chicago. This Bill...this Bill deals with a Fire and Life Safety Code, which currently applies only to downstate districts and authorizes a five cent tax levy without referendum and up to ten cents by referendum per hundred dollars assessed valuation. This Bill, House Bill 631, would give Chicago that same five cents and ten cents authority by...without referendum and then by referendum. The Bill would yield approximately \$6,000,000 in its first year of application to fund Chicago school building rehabilitation and maintenance. It would address an issue of Chicago's problems with having to maintain over 600 buildings, and as described in Committee, many of them crumbling. I also think that it would heighten the chance of this Assembly considering what may come down to a subsidy for Chicago, for their schools, in the context of this Bill giving Chicago...local taxing authority to help itself. I ask for your support for this measure. It was voted out of Elementary and Secondary Education 14 'aye', 2 'no' and 2 'present'."

Speaker McPike: "The Gentleman from Cook. I'm sorry, the Gentleman has moved for the passage of House Bill 631. On

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the question, the Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker McPike: "He indicates he will."

Bullock: "Representative Kirkland, I heard your dissertation, and it seems you want to do a lot of good things for Chicago. What does this Bill do for districts other than Chicago?"

Kirkland: "Well, this Bill is among a number of Bills that are going toward equalizing taxing authorities between Chicago and downstate, and Chicago is the only district that I know of that's going to come...that I think, anyway, is going to come to this General Assembly and ask for some kind of subsidy. Now this Bill and others, the next one I'll present and another one down the road, would give taxing authority to Chicago that they presently do not have, but that downstate districts have."

Speaker McPike: "The Gentleman from Cook, Representative Leverenz, on the Bill."

Leverenz: "The Gentleman yield?"

Speaker McPike: "He indicates he will."

Leverenz: "Tell me if my analysis is correct. It says, 'authorizes a new property tax'."

Kirkland: "Yes."

Leverenz: "I think that's wonderful that you would sponsor a new property tax."

Kirkland: "Thank you."

Leverenz: "Especially in an area you do not represent. I commend you. Thank you."

Kirkland: "We already...we already have this tax, Mr. Leverenz."

Leverenz: "Does not mean...to the Bill, Mr. Speaker. It does not mean, Ladies and Gentlemen, that the City of Chicago should be strapped with another tax. I do not represent that

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area. I have a fondness for that area. I am from the suburban area. If the City of Chicago is going to get hurt, then my suburban area will be hurt. And I suggest that if this went to the Senate, because it is a property tax Bill, that it might come over bigger than where we sent it..the way in the first place. So this should die a timely death."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise reluctantly because of the Sponsor, but only reluctantly because of the Sponsor, to oppose this legislation. I oppose it, because Illinois is one state. I oppose it, because one of the things that occurs in property taxation in the County of Cook and the City of Chicago is classification. As long as you have classification and increase in property taxes, disproportionately hits commercial and business property. And one of the things that that means for the entire State of Illinois is that our business climate will decline. If you have looked at the flight of jobs in Illinois, if you have examined the deterioration in our industrial climate, you will find that it is disproportionately concentrated in the City of Chicago and the County of Cook. That's where the jobs have departed from. And in part, that is caused by high property taxation. Illinois is a state which has a reasonable state tax structure. Every study so concludes. But one of the things those same studies highlight is that local taxes are high in Illinois compared to other states. And if we have...if we continue to increase taxes in Illinois at the local level and to apply those taxes disproportionately to commercial property to industrial property, then we're going to increase the business flight

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from the City of Chicago and from the State of Illinois.
And for those reasons, I rise to oppose this Bill and hope
people will vote 'no' on it. I would urge a 'no' vote."

Speaker McPike: "Any further discussion? The Gentleman from
Lake, Representative Pierce."

Pierce: "Mr. Speaker, I disagree with the previous Gentleman.
The City of Chicago has been getting away with low school
taxes for years and years, while we of suburban Cook County
and downstate pay the bill for them. They don't go to
referendum, because apparently people in Chicago don't
care...care that much about education, and they'd be
defeated in a referendum. And so because of that, this
Bill gives them the same authority that we have in suburban
Cook County and downstate. The Gentleman was crying about
Cook County real estate taxes. This only affects the City,
not the suburbs. It's not mandatory. The School Board has
the right to adopt this or reject it. And the School
Board, of course, represents the interests of the people of
Chicago, as appointed by Mayor Byrne, and I am sure it's a
very good school board. Isn't that right? And at any
rate, will soon be appointed by another mayor. All this
does is give Chicago the same authority downstate has. If
we don't give it to them, we are going to pay for it out of
our incomes taxes. That's what the previous Gentleman
doesn't realize. He's got a very narrow outlook. He
doesn't realize that the people of Chicago don't support
their own schools through taxes. They've got a lower tax
rate than your district, and my district has. What
they....they haven't had a referendum in about 15 years or
20 years in the City of Chicago on school taxes. They have
the lowest school taxes virtually of any district in Cook
County and northern Illinois. That's because they won't go
to referendum, because their voters in Chicago don't care

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that much about education. They need the money from us in Springfield. We're always shipping it to them. Here is a way for them to tax themselves if they want to. They're not mandated to do it. If they want to, to tax themselves and oppose the same taxes we have in the suburbs and downstate. And therefore, it is a good Bill. It gives the Chicago Board of Education the right to raise some money on their own if they want to. It doesn't mandate that they do it, and I support the Gentleman's Bill. We're always saying Chicago doesn't tax itself enough for its schools. Here's a chance to give them the opportunity to do it if they wish. They don't have to do it."

Speaker McPike: "The Gentleman from Cook, Representative Yourell, on the Bill."

Yourell: "Would the Gentleman yield please?"

Speaker McPike: "Indicates he will."

Yourell: "Representative Kirkland, in reading the Democratic analysis, it indicates that school districts in cities of less than 500,000 can levy a tax for energy conservation. Does that mean that they can levy a tax for energy costs? Can that provision be used for that purpose?"

Kirkland: "Okay, as I understand it, it can be used for that purpose if there is money left over not being used for life safety and fire safety. So it...it has to...priority has to go to fire safety."

Yourell: "Well, I'm delighted to hear that, because I had a Bill that was vigorously opposed by Republican Members of this House for the most part. That Bill was defeated, and the reason given was, and I quote, 'This is absolutely a tax increase without a referendum.' Now I understand this Bill, the law already provides that up to .05. If that's correct, you know, I'm going to support your Bill, because it will help strengthen the Bill that I had relative...that

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was defeated by the Republican Members of this House."

Speaker McPike: "Further discussion? No further discussion, the Gentleman from Kane to close, Representative Kirkland."

Kirkland: "Okay. I believe if you'd check the record, I think I voted for that Bill, despite what other Republicans did. I think Representative Pierce summed up as well or better than I can. I think this Bill and the others like it going both ways have - but particularly these Bills - have advantages for Chicagoans who are...have a school system that's in trouble and is looking for a variety of funding authorities. I also think it has obvious advantages for downstaters who are going to be asked, sometime in this Session, to provide a huge chunk of money for the Chicago schools, that indeed the Chicago schools may need at that time, but we'll be paying for it out of every pocket in the State of Illinois. I further think that it makes sense to try to equalize these funding authorities between Chicago and downstate. I would repeat that this came out of Committee 14 to 2 to 2, and I would ask for your support. Thank you."

Speaker McPike: "The Gentleman has moved for passage of House Bill 631. The question is, 'Shall House Bill 631 pass?'. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Braun to explain her vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber, of the Legislature. I forget. I get excited. I would encourage a 'yes' vote on this Bill. For all the people who have stood here time, and time and time again talking about equity in our schools, that's what this Bill does. It lets Chicago schools levy the same kind of taxes in the same manner that every other school district in the state does. You know full well from reports in the

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newspaper and the like how much trouble our schools are in. We need this money. It's just that simple. If you don't want to see the specter of the Chicago schools, which is the largest school district in the state, collapsing around us when the fall comes, coming back to this Legislature for special legislation and the like, give us the ability to take care of ourselves. Give us the ability to take care of the funding needs of our schools. I encourage an 'aye' vote on this legislation. Thank you."

Speaker McPike: "The Gentleman from Effingham to explain his vote, Representative Brummer."

Brummer: "Yes, I would. In brief explanation of my vote, I would urge more 'aye' votes with regard to this issue. I do not think that this Body can be very sympathetic when the Chicago school system comes down here for a bail out, when they do not have the same authority to tax their own homeowners and their own taxpayers that the school districts from downstate have. I think we ought to require them to impose that tax as a condition of them coming down here with regard to any state assistance. And until they do that, I do not think we should be sympathetic. I think any downstater should gladly rise and vote 'aye' for this to grant authority to the Chicago School Board to raise the real estate taxes in Chicago to finance their own education. I would urge more 'aye' votes."

Speaker McPike: "Representative Giorgi to explain his vote."

Giorgi: "Mr. Speaker, knowing the problems of the downstate school districts and knowing how they are...they solve their problems, and...I would like to urge support of this Bill, and I'd like to call on some of my colleagues from northern Illinois and central Illinois who go back home and blame Chicago for all their problems. And here's a chance to let Chicago solve some of their problems. They run back

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to the press and say, 'Chicago comes down and begs for this and begs for that.' Here Chicago is asking for a chance to do their own bit with their own responsibility, and the same Legislators that go back home and cry about Chicago this and Chicago that are voting red. I'm serving notice that I am going to use this Roll Call in central and northern Illinois."

Speaker McPike: "Representative Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, if you're under the impression that this imposes a new tax, look again. It only authorizes the Chicago School Board to have the discretion to put this additional tax on if they decide that it's necessary and wise to do so. I'm surprised to see that people who normally support local control are voting against this Bill. If you're really for local control, then you ought to give the Chicago School District...the School Board the authority to place this tax if they decide that it is wise and feasible to do so. Local control all the way. It should be comparable to downstate. I urge a green vote."

Speaker McPike: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 63 'ayes', 41 'nos', 12 voting 'present'. House Bill 631...Representative Vinson. House Bill 631, having received a Constitutional Majority, is hereby declared passed. House Bill 632, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 632, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "This is another relatively simple Bill. This...this

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is another in the package that I just described, and this Bill involves the special education taxing authority. Now downstate has taxing authority for special education, 4¢ for unit districts and 2¢ for either of the dual districts. This...this Bill...and in effect, the unit district number would be applied again to the City of Chicago. The same theory applies to this Bill. Let me see here. It would supply approximately 5...5.2 million dollars in its first year of operation if it were fully authorized and fully used by the Chicago Board of Education. There is an eight year limitation on this authority that existed in the original Bill for downstate. That eight year limitation still exists. There is no change there. I ask for support of this Bill."

Speaker Greiman: "Representative Greiman in the Chair. The Gentleman has...the Gentleman has moved for the passage of House Bill 632. Is there any discussion? The Gentleman from Lake, Representative Matijeich."

Matijeich: "Yes, Mr. Chairman...Mr. Speaker, Ladies and Gentlemen of the House, this is another Bill to provide equity as between Chicago and the other school districts. To me it is even more important than the last Bill, because it speaks to the issue of special education. And in fact later on down the line, I have a Bill which overwhelmingly passed the Committee removing all together the eight year limitation and opening up the special education tax for all special education purposes. The reason being that under the cuts that we have seen federally and state, nobody has been hurt more than special education. I don't think it's right that the handicapped of our State of Illinois should be severely punished in that way. So I commend Representative Kirkland and this Bill. It's very important to the education of the handicapped, and I would urge the

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Members to support it."

Speaker Greiman: "Is there any further discussion? There being none, Representative Kirkland to close."

Kirkland: "Point well made by Representative Matijevich, and I might indicate, this authority was opened up, I think, a year or two ago to apply to special...all special edu...every special education purposes rather than just a special education building program. This Bill...I urge your support. It's much the same as 631."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. The voting is now open. Mr. Vinson to explain his vote."

Vinson: "Thank you, Mr. Speaker, Members of the House. I rise for the same purpose on this Bill. Again, you're socking at the business and industry. You're driving jobs out of the state. You're raising taxes on consumer goods because of the disproportionate impact of property taxes on business and industry in this...in Cook County because of the classification system. We ought not do this. We ought not destroy the industrial and business climate of this state, and that's what a 'yes' vote on this Bill does. I would urge a 'no' vote, urge everybody to resist this kind of Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 65 voting 'aye', 39 voting 'nay', 10 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 633. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 633, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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Speaker Greiman: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 633 amends the School Code. Again, it's a Bill that addresses a problem with the Chicago Board of Education, and what it does is that in the past, when we reduced...when we set up the school authority, we reduced the education level by 50%. And all this Bill does is it says that in the event that the authority does not use that 50%, that part of the 50% which they don't use reverts back to the school board. Be happy to answer any questions."

Speaker Greiman: "The Gentleman has moved the passage of House Bill 633. Is there any discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 77 voting 'aye', 27 voting 'no', 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 638. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 638, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr....Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 638 amends the Park District Employees Article Pension Code to provide that duty disability benefits for an employee are based on the salary of the date of the duty disability begins, rather than date of the disability occurring. Under the present law, the duty disability benefit is 45% of the salary at the time of the employee's disability occurs. In certain cases, an employee continues to receive his full

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salary upon disability for a period of time prior to going on disability benefits. In such cases, the employee may receive a salary increase. When he or she starts to receive these disability increases, the benefit will be based on her final salary instead of the salary at the time they were disabled. I would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 638. Is there any discussion? There being none, shall this...the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', 1 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 644. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 644, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Hastert, the Gentleman from..."

Hastert: "Mr. Speak...Mr. Speaker, Ladies and Gentlemen of the House, 644 is a Bill that allows a credibility factor, an accountability factor, to be put into the township and county assessing process. What this Bill does is actually a...offer a carrot and a stick approach. If a township assessor and a supervisor of assessor is doing a good job, and those triggers of doing a good job are 33 1/3% level of assessment and a coefficient of dispersion on a sliding scale starting at 20 and going down to 15 over a period of six years, if they meet those standards, then they receive a stipend. If they don't meet those, then they don't receive a stipend. It's a Bill that...I've worked with the

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Department of Revenue. I've worked with Representative McPike and Representative Keane, and it has had extensive hearings in the Revenue Committee, and I ask for your support of the Bill."

Speaker Greiman: "The Gentleman has moved for the passage of House Bill 644. Is there any discussion? The Gentleman from McHenry, Representative Klemm."

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

Speaker Greiman: "Indicates that he will."

Hastert: "I will yield."

Klemm: "Representative Hastert, does the law now require that local assessing officials assess at 33 1/3?"

Hastert: "The law says that assessments shall be placed at 33 1/3. But in a study of the 102 counties with - really 101 excepting Cook County - that there's only four counties that actually do this."

Klemm: "So in other words, they are supposed to be doing this now."

Hastert: "That's correct."

Klemm: "But they are not, and they are still drawing their full salary?"

Hastert: "Well, Representative Klemm, if you look and study this at all from the top of the State of Illinois down to the bottom of the State of Illinois, there is a, I guess, a need for unitizing the assessing process. And not only do those people use terminology in different ways, they interpret the law in different ways from one end of the state to the other. And what we're trying to do is to bring some...some of these ideas together in force throughout the state, so this can be addressed."

Klemm: "So they are interpreting 'shall assess' as being more permissive. Is that what you're saying throughout the state?"

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Hastert: "You might say that."

Klemm: "So if we were to say they shall receive an extraordinary amount of salaries, would that also then be permissive as long as they are taking that tack on doing their job that is already supposedly mandated by state law?"

Hastert: "I didn't understand what you said."

Klemm: "If the law now currently says they shall assess, and you're saying it is not being done equally, because they are looking at it as being more permissive for them to do it, then would the salary increases that you say shall be given to them if they do it, would that also then be permissive?"

Hastert: "No, it's not. If they meet certain criteria set up by the Department of Revenue and set up by this piece of legislation and also by rules and regs, then they will be subject to that."

Klemm: "Alright, on the Bill, Mr. Speaker."

Speaker Greiman: "Proceed."

Klemm: "It would seem, certainly to me, that the law is quite clear, that the local assessors, both township and county, certainly are supposed to be assessing at 33 1/3. And obviously that's what's forced us to go to either township or county multipliers, because they have not really done their job. Now their salaries are being, by population, are in the mid to high \$30,000. It would seem to me that it would be more appropriate that if we said, 'If you didn't do your job, why should you be getting more money? In fact, you should probably not even be getting the money that we're giving you now.' So instead of saying that you can do it, but will I pay you extra, I would think we should say, 'You better do it, or we're not going to pay you what you're supposed to be getting.'. So I really think this is a, you know, this carrot before the assessors

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to have them do their job is certainly the reverse of what we think good government should be. So, I would think a 'no' vote would be more appropriate."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Gentleman yield?"

Speaker Greiman: "Indicates that he will."

Cullerton: "So this Bill basically then is a salary increase for doing your job. Is that correct, Representative Hastert?"

Hastert: "Well, Mr. Cullerton, what it is is a stipend. Right now we give assessors stipends for education and things like that. I've done a study and found that through some of those people receiving the most hours for education stipends aren't necessarily doing the best job when it comes to coeffic...coefficient of dispersion and delivering 33 1/3% assessments. So what this does is give them the stipend for actually completing a task."

Cullerton: "Was Representative Klemm's point that...wouldn't it make more sense to deduct from the current salary if they don't do their job?"

Hastert: "I'm not sure that, you know, those people are local officials, and they are township officials, and their salaries are paid by taxpayers in those local districts."

Cullerton: "Who is paying this increase?"

Hastert: "This increase comes from the State of Illinois."

Cullerton: "And does this increase apply to Cook County?"

Hastert: "No, it does not."

Cullerton: "So we can't...if our assessor does a good job, he won't be able to get this...this money?"

Hastert: "Well, I found that your assessor always does a good job, Mr. Cullerton, but however..."

Cullerton: "Is that why our multiplier is so high?"

Hastert: "There's only one person that would actually be eligible for this in Cook County, because you don't have township

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assessors."

Cullerton: "What's wrong with giving Tom Heinz more money if he does a good job?"

Hastert: "Well, I'm sure that he has some excellent representation in this Body, and, you know, we would have been open to do that."

Cullerton: "This is state money. This is state money. It would go onto his salary. Why is Cook County excluded? The last Bill we talked about raising our taxes, you graciously allowed us to raise our taxes so we could pay for our schools."

Hastert: "I don't think I was on that vote. I was not on that Roll Call."

Cullerton: "Well, I think it should include Cook County. I don't see any reason why..."

Hastert: "Well, we brought this up and discussed it in Committee, and this was the topic of discussion in Committee."

Speaker Greiman: "Excuse me. Would you propound your questions for informational purposes rather than debatable purposes and respond in the same way?"

Cullerton: "Well, are you going to add it on in the Senate, that Amendment to add Cook County to the Bill?"

Hastert: "I think that would be acceptable. I wasn't sure that Cook County wanted to be on this Bill, Sir."

Cullerton: "Thank you."

Speaker Greiman: "Mr. Cullerton on the Bill. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Friedrich: "Representative Hastert, who determines whether the assessor is meeting his requirements or not? Right now the supervisor of assessments supposedly is over the township assessors. Was he the one who is going to determine if

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they are doing a good job?"

Hastert: "No, the Illinois Department of Revenue when they do their...when they do their township studies. And they, first of all, have to meet the first trigger of being at 5...5% above or below a 33 1/3."

Friedrich: "Well..."

Hastert: "The second trigger then is a coefficient of dispersion. And the coefficient of dispersion they have to be at is, at the first year, 20%. Then there is a sliding scale to bring them down into a focus of 15%."

Friedrich: "Well, what I am wondering now, they use sales as a basis for determining whether the assessments are right. But to do this, they'd have to go into properties, assessed properties, other than sales, or it won't work. And that's...I wondered how many people that was going to take, considering how many townships we have in the State of Illinois."

Hastert: "Well, what they do is use the sales ratio study. You're absolutely correct. But in cases where there's 25% or less sales, then they would do an audit. But you have to realize that, first of all, there's right now only about 60 assessors in the State of Illinois that would be eligible for this. What we're doing is actually setting up some type of standards that those people can meet. Otherwise, we're setting up some goals that they can meet and, of course, the Department of Revenue would be involved in this."

Friedrich: "On...on the Bill. This is an area that needs some attention. I would respond to Representative Cullerton. If you deducted anything from some of these township assessors' salaries, they wouldn't be getting anything, because they get paid almost nothing now in some of those rural townships like \$500 a year, and that is part of our

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problem."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this. I think that for a number of years we have recognized that the equity in property taxation is one of the most troublesome areas at the local level. People do object to taxes, but they object even more when they think that they are paying more than their neighbor who has an identical house, or from someone across the street that has an identical house. This Bill addresses itself to the equity question. Now we have been opened to suggestions as to how we improve assessments, and this is the best idea that we could come up with. The coefficient of dispersion measures how...how accurately an assessor does his job, so that if a house that has a market value of 100,000 is assessed at 1/3 of that, and a similar house with a market value of 100,000 is assessed again identically, it brings this coefficient of dispersion into line. What we are suggesting is to put very, very tough mandates into this Bill. As the Sponsor indicated, there are only four township assessors in the state out of 102 counties and out of 1,000 township assessors, there's only four people that qualify for this stipend. Now if we can encourage the assessors to do his job and to assure that every individual homeowner is treated the same, then I think that some of the complaints on local property taxes would disappear. And that is the intent here. The intent is to try to make sure that everyone, everyone is treated the same by the assessor, and that no one gets a favor. Because as the assessor gives political favors or as the assessor makes mistakes, then he or she no longer qualifies for this stipend. So that if we can ensure that everyone is treated the same and

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that everyone whose house has the same market value receives the same assessed value, then we have gone a long way to improving local property taxation. If you have better suggestions, we certainly would like to hear them. But I think that if we can encourage this by paying the \$3,000 stipend to only four people in the state, I think that down the road we will have more and more people taking a very, very hard look at their own townships to see if they can't get them in line and qualify. I think it's a good idea and would suggest that you vote for the Bill."

Speaker Greiman: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I think the concept of this Bill is admirable. I have a couple of questions, I guess, of the Sponsor. Will he yield?"

Speaker Greiman: "Indicates that he'll yield for questions."

Brummer: "First of all, Representative Hastert, what is the minimum salary, if there is a minimum salary, with regard to township assessors?"

Hastert: "It depends on the size of the county, but I believe the range starts for some very small counties below \$10,000, coming up with some medium sized counties around 40,000 (sic) to 16,000, until they get into the larger counties, and I think their salary is around 30,000."

Brummer: "Well, if I recall correctly, prior to passing the Bill creating the multi-township assessing districts, we had some township assessors that were being paid annual salaries of like \$300 or \$500, and I was thinking we still had some that were paid less than \$3,000. Is that..."

Hastert: "I'm not aware. I don't think that...those salaries are that low. But I have tried...May I answer?"

Brummer: "Sure."

Hastert: "What I've tried to do here is to bring a stipend that is enough of a carrot that will bring those people into

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play."

Brummer: "Okay, in...in many of the very rural areas, quite frankly, the reason the township assessors' salary is extremely low is the township assessor does nothing. The entire assessing in some rural counties is done by the supervisors of assessment's office, and I guess I question the necessity or desirability of bringing in under this...these provisions those very small counties in which the township assessors really are not involved in the assessing practice, despite whatever the statute says. In reality, they are not involved, and we could, of course, cut out much of the potential stipends if we eliminated the township assessors out of the provisions of this. Secondly, many of the small townships have no coefficient of dispersion. There are not sufficient property transfers. The Department of Revenue does not, on a township by township basis, issue coefficient of dispersions. There's...those simply do not exist in most of the rural townships. And I wonder how you would propose to address that issue, since the...one of the triggers with regard to the stipend is the...is the coefficient of dispersion number."

Hastert: "I'm glad you asked that, Representative. We said before that if there's less than 25 sales, so there is no sales ratio study in the township, that the Department of Revenue will make an audit within that...within that township or multi-township assessing district. That audit will make sure simply that a selected number of parcels, that there is a low coefficient of dispersion. Otherwise, they are going to make sure that you and your neighbor are at least assessed equally across the road."

Brummer: "As a result of the Department of Revenue coming in and determining that the assessments are determined equally? I

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mean, they arrive at the coefficient of dispersion figure today simply from the filing of the revenue transfer tax declarations."

Hastert: "That's right. But if there's an assessor that, first of all, hits that first trigger of 33 1/3 - and everybody can figure that out - and he is eligible, and he asks that he be eligible for this stipend, then the next step is there will be an audit done in his assessing district."

Brummer: "Thank you."

Speaker Greiman: "The Gentleman from Knox, Mr. McMaster."

McMaster: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Greiman: "Indicates that he will yield for a question."

McMaster: "Representative Hastert, I guess my question to you is how did you arrive at \$3,000 as a stipend?"

Hastert: "Well, there's no magic number. It was a number that we kind of mutually agreed upon, that it's enough of a number to turn people's heads in order for them to work a little bit harder, to meet some standards that we hope will bring some integrity to the assessing process across...across the state. There's no magic number in that. It was...is a mutually agreeable number. I worked with supervisors of assessors. I worked with assessors. I worked with the Department of Revenue, and it was a number that we figured that we could work with."

McMaster: "Denny, another question, I guess. In my county, we have probably eight townships, or perhaps fewer than that, maybe...we have 20 townships. We have a township multiplier applied to probably about five or six of those townships in order to bring them up to the proper medium with the rest of the assessors. By this means, we have evidently arrived at the 33 1/3% assessment level, because we have a multiplier of one. In the case of that county, would those...some 15 assessors be receiving this \$3,000

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stipend?"

Hastert: "If they meet those criteria: number one, of 33 1/3%, and secondly - and this is the important thing, Representative McMaster. The important thing is that in their assessments if they reach that sliding scale of coefficient of dispersions, then they'll be eligible. And only then they'll be eligible. That meaning...anybody knows if you have a house that's worth \$100,000, and you have two houses that are worth \$100,000, and the first house you're assessing at \$70,000, and the other house you're assessing at \$130,000, anybody can come up with a 33 1/3. Which this Bill does is say it has to be a coefficient of dispersion, and that means that those houses have to be assessed, not at \$70,000 or \$130,000, but at \$100,000, where their assessed value is."

McMaster: "May I speak to the Bill, Mr. Speaker.?"

Speaker Greiman: "Proceed."

McMaster: "I guess that I am not too much against the idea of a stipend. I don't especially like it. However, I do think that \$3,000 a year stipends is too much, and this is money that the state is going to be paying. And personally, I feel that it's too big a stipend, and I hate to vote against it. I like the Sponsor and all of that, but quite frankly, I don't feel I can support this Bill, because I think the stipend is too high."

Speaker Greiman: "The Gentleman from Cook, Mr. Yourell. The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Greiman: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Mr. Hastert, the Gentleman from Kendall, to close."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, what

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this Bill does is try to take the politics out of the assessing system. What it tries to do is set some strong standards so that our assessors, the supervisors of assessors, county assessors, those people in the assessing process know what's expected of them. And if they do meet those strong standards, if they meet those criteria, that those people shall get a reward. Alright, it's a stipend that they shall achieve. If they achieve, if they do the job that they're expected to do, then they'll get some type of a reward. This is a good Bill. I think that one thing we have to keep in mind is that we are plagued in this Body by changing the assessing process, by multipliers, by other governmental bodies coming in and trying to change multipliers and doing this. If the assessing process is done right, we won't need a multiplier in this state in five years. I think this is a good Bill. It's a good...a Bill that addresses a lot of problems, and I ask for your support."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. I see in the...Mr. Nash, for what purpose do you rise, Sir?"

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, for the purpose of a personal privilege. At this time, I would like to introduce a former Member of the House of Representatives, presently Commissioner of the Metropolitan Sanitary District of Greater Chicago, Chester Majewski."

Speaker Greiman: "Nice to see you, Chester. The Lady from Lake, Ms. Frederick, to explain her vote. Ms. Frederick, do you want to explain your vote? Alright, have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 95 voting 'aye', 14 voting 'no', 1 voting 'present'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 646.

Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 646, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker, Members of the House. House Bill 646 increases the minimum lump sum of a survivor benefit from 1,000 to \$3,000 or 1/6th of last annual salary, which is ever the greater amount. This Bill would affect a group of teachers that have been subject to the same \$1,000 minimum for a long period of time. This Bill has been recommended 'do approve' by the Pension Laws Commission. I ask for your approval of this Bill."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 646. Is there any discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 84 voting...85 voting 'aye', 24 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bill Third Reading appears House Bill 647. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 647, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Saltsman."

Saltsman: "Thank you again, Mr. Speaker. This Bill provides that benefits payable to children shall not cease upon the child's attainment of age 18. If the child is independent

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(sic - dependent) by reason of physical or mental disabilities. This Bill has been amended to satisfy the Pension Laws Commission, which provides that the disabled come under the Probate Act of 1975. A definition of a disabled person under the Probate Act is a fairly restrictive one and should ensure that only persons who are unable to look out for themselves are entitled by this benefit. Other pension funds do have this benefit, and I do ask for your passage."

Speaker Greiman: "The Gentleman has moved for the passage of House Bill 647. Is there any discussion? There being none, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 91 voting 'aye', 25 voting 'no', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 653. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 653, a Bill for an Act to amend an Act relating to acquisition, possession, transfer of firearms and firearm ammunition. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. What this Bill does is to exempt a law enforcement officer from the requirement of having an FOI card when he acquires a firearm for on-duty purposes. If he has a firearm or purchases ammunition for hunting or other private purposes, he will still have to have the FOI card. He's already exempted under the present Unlawful Use of Weapons Statute for possessing the weapon, but many police departments require the individual officer to purchase the weapon on his own, and this would provide

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for the exemption from the FOI for that acquisition when he uses it only for on-duty purposes."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 653. Is there any discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Greiman: "Indicates that he will."

Preston: "Thank you. Representative, if a police officer uses more than one weapon in the course of duty, for example, a police officer may have six or seven different weapons that he wants to use. This would still...he would still be able to do so under...under the provisions of this and not have to pay his five dollars."

Hawkinson: "Yes. You only need one card regardless of the number of weapons you own."

Preston: "What...what's the revenue impact of this Bill? How much money does it mean to the state?"

Hawkinson: "Initially the Department of Conservation was opposed to the Bill in its initial form for that reason. However, when we amended it to include only on-duty situations, they dropped their opposition as apparently having not that significant a revenue impact."

Preston: "Alright well, Mr. Speaker, if I may just speak to the Bill."

Speaker Greiman: "Proceed."

Preston: "I am opposed to this Bill. It's not the worst idea that ever came out of the House certainly, but it is also not the best. It's a Bill that is there for some reason I can't understand. I don't know a police officer who can't afford the five dollars. This is a piece of special legislation that is...there's no crying need for this legislation. I think it's quite bad, especially in the

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area of weapons and firearms, to be involved with liberalizing the ability to own weapons. It's one thing where we're at right now, but to start liberalizing it to reduce even for police officers who have a very legitimate need, of course, to have firearms, a must to have firearms. But to reduce the requirement, the five dollar requirement, is so small to have a piece of special legislation aimed only at them, I think it's again taking the time of the House in useless, unnecessary and unneeded legislation. And I move..."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

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

Speaker Greiman: "He indicates that he will."

Bowman: "In Cook County, we have sheriff's police. Now, these are kind of a special status. They are people who are part-time and who receive no formal training, but are nonetheless authorized to carry badges and to carry weapons. And I would like to know if this legislation would apply to such personnel."

Hawkinson: "Only during their on-duty hours, if they're required, as a part of that duty, to purchase the weapon. It would not apply to their private use of weapons or their need for an FCI card in those circumstances."

Bowman: "Well, but they may be autho...when I say part-time, we sometimes refer...excuse me just one second."

Speaker Greiman: "Are you prompting Mr. Bowman, Mr. Slape?"

Bowman: "Well, Representative Slape wanted to get into the debate here and was giving me some information. My concern is that these police personnel are not the typical kind of police personnel that we normally think of. They are not necessarily uniformed, and there are hundreds, perhaps even thousands of badges on the street, and many of these persons do carry weapons, but they do not have a formal

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training, because they do not serve the normal function of a police officer. And I just wondered if you could specifically tell me whether the...anyone...is it your understanding that anyone who is entitled to carry a badge as a police officer, particularly in the Cook County Sheriff's Department, is that person exempt from under your Bill?"

Hawkinson: "I don't believe so. I do not change, under this Bill, the definition of who is exempt. The present Unlawful use of Weapons Statute exempts peace officers when they possess the weapon on duty. This adds to possess merely the acquisition. It does not expand in any way the definition of peace officer."

Bowman: "Okay, wait a minute. I thought what you're doing is saying that such peace officers did not need a firearm owners' identification card. Am I mistaken?"

Hawkinson: "No, you are not. But this takes place under the Chapter 38, Section 24 of the Unlawful Use of Weapons."

Bowman: "I see. My feeling is...okay, to the Bill then, Mr. Speaker."

Speaker Greiman: "Proceed."

Bowman: "I am a little perplexed, and so I'll probably wind up voting 'present' on this Bill, because my understanding is that these officers have some kind of special status, and I think probably would otherwise be expected to carry an FO I.D. card. And I want to make sure that, in casting my vote, that I do not exempt these particular officers, and that's the reason for my 'present' vote, because I'm not sure that the question was answered. Thank you."

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

Leverenz: "The Gentleman yield?"

Speaker Greiman: "Indicates that he will."

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Leverenz: "What is the position of the Department of Law Enforcement on this Bill?"

Hawkinson: "No one has indicated any opposition. Initially, Conservation opposed the Bill for the revenue loss, but when we changed the statute to be amended to the Unlawful Use of Weapons Statute and to not expand the group in any way, they withdrew their opposition."

Leverenz: "This will exempt a law enforcement officer from paying the five dollars for the FOI card?"

Hawkinson: "At the present time, the law enforcement officer is exempt if the Department purchased the weapon for him. All law enforcement officers are exempt from the FOI card in the possession of the weapon on duty. This will add the acquisition of the weapon in addition to the possession. It does not expand the group or...of officers in any way."

Leverenz: "Now you've really confused me. What's the loss of dollars to the state?"

Hawkinson: "Again, this is a Department of Conservation. They were concerned about the loss when we were going to exempt officers all together. When we elim...when we limited it to on-duty hours, they withdrew their opposition as feeling that the fiscal impact was minimal."

Leverenz: "Well, I don't know...understand the on-duty hours now."

Hawkinson: "Well, let me try and explain that to you, Representative. At the present time, under the..."

Speaker Greiman: "Well, is that a question, or is that just a frustration expressed?"

Leverenz: "Both, and it's a question."

Speaker Greiman: "Thank...succinctly respond, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. At the present time under the Unlawful Use of Weapons Section, peace officers are exempted from the FOI requirement for the possession of

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their weapons. This would simply allow those peace officers who are forced to purchase their own weapons by their departments and not have them purchased for them to be exempt."

Leverenz: "Well then, to the Bill."

Speaker Greiman: "Proceed."

Leverenz: "I suspect if we're going to give an exemption here, then next will be a senior citizens exemption, a handicapped exemption, all those that shoot ducks exemption, all those that shoot fox exemption, all those that shoot pheasant exemption, and you'll just destroy the whole thing, but it will probably pass. Thank you."

Speaker Greiman: "Mr. Yourell. The Gentleman from Cook, Mr. Yourell."

Yourell: "Speaker, I move the previous question."

Speaker Greiman: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Mr. Hawkinson to close."

Hawkinson: "Just briefly, Mr. Speaker. This does not expand the existing exemption as to the class of persons. The police officers are already exempt for on-duty possession. This just protects those who are forced to acquire the weapon. I'd appreciate a 'yes' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is now open. The Gentleman from Kankakee, Mr. Pangle, to explain his vote. One minute."

Pangle: "One minute. I just want to say, evidently this doesn't cover the Department of Conservation, and I feel that they are also peace officers. I am going to vote 'present' on this Bill."

Speaker Greiman: "Thank you. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill,

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there are 81 voting 'aye', 13 voting 'no', 18 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 655. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 655, a Bill for an Act in relation to powers of conservation police officers. Third Reading of the Bill."

Speaker Greiman: "Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 655 will give full police powers to the conservation police officers. The legislation resulting in full arrest powers for conservation police officers is not intended to supersede or circumvent the duties and responsibilities of other agencies. The prime responsibility of these officers on a statewide basis is and will remain the protection of our state's valuable natural resources. Officers utilizing such powers will be under the strict guidance and control of the guidelines of the Division of Law Enforcement and the Department of Conservation. The ultimate purpose of this legislation is to give conservation police officers such authority when immediate and effective action is mandated for law enforcement and public safety. And our conservation police officers have gone through...had very intensive training, the same as other police officers, like at the State Police Academy. Throughout the country, there are presently 28 states which have conferred this authority on their own conservation law enforcement officers. House Bill 655 does have the support of most all of the police officer groups, including the Speaker of the House Committee on Law Enforcement, the Illinois Police Association, Fraternal Order of Police, Troopers Lodge, the Department of Law Enforcement, Chiefs of Police

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Association, Secretary of State's Police, Conservation Police, Illinois Department of Conservation, Illinois Governmental Law Enforcement Training Board, State Appellate Defender and also the majority of the sheriffs of the State of Illinois, including at least 75 to date. And I would ask for a favorable vote."

Speaker Greiman: "The Gentleman has moved for the passage of House Bill 655. Is there any discussion? On that, Mr. McAuliffe, the Gentleman from Chi...from Cook."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would just rise to agree with what the previous speaker said. I have travelled with some conservation officers in downstate Illinois. I know the fine job they do, and they would be a credit to the state if they were given full police powers as the rest of the law enforcement officers have."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, would the Sponsor...right now, do the conservation officers have arresting powers?"

Rea: "The powers they have now are very limited and only provide for, under the provisions of the Fish and Wildlife Code, the Nature Preserves Act, the Boat and Snowmobile Registration and Safety Acts and the Forest Fire Act. That's the only authorization they have at the present time."

Terzich: "At the present time, they also carry weapons, don't they?"

Rea: "That is true."

Terzich: "Now if they are considered as peace officers, are they entitled to any other benefits such as early retirement and also the death benefit for peace officers that might be killed in the line of duty and things of this nature?"

Rea: "They....they have their own special pension benefits

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program, and unless they are added under these other provisions, that would not be the case."

Terzich: "Then they wouldn't get any other benefits that fire and police...policemen get, such as the death benefit and things of that nature? They wouldn't get that?"

Rea: "Yes, yes, they do get those."

Terzich: "So then in other words, with the peace officer status, they get a lot of other benefits other than just the right to make arrests."

Rea: "Well, they have already gotten some of the benefits, including the death benefits if killed in the line of duty."

Terzich: "And also they do not have arrest powers outside their immediate district. They can't come into Chicago and arrest someone who might be fishing in Lake Michigan, can they?"

Rea: "Absolutely. In fact, they have that power now under the Fish and Wildlife Codes."

Terzich: "Then they can make arrests anywhere in the State of Illinois."

Rea: "As a peace officer."

Terzich: "That mean...the Chicago police can't come out to Rockford and make an arrest or anywhere or that? So they would have arresting powers throughout the entire State of Illinois? The same...like a State Trooper, he could go anywhere, do anything, and..."

Speaker Greiman: "Mr. Terzich, ask a question, or ask to proceed on discussion of the issue, either one. I don't care which, but one or the other."

Terzich: "Well, I did ask a question, if they would have statewide arresting powers if we give them peace officer status."

Speaker Greiman: "Mr. Rea for a response please."

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Rea: "They...as I mentioned earlier, they are...they would certainly be limited, and the...there is no intent to supersede or circumvent the duties and responsibilities of any other agencies and would be under their own supervision. And I think that also Representative Stuffle, who is a hyphenated Sponsor, would like to make a comment on that."

Speaker Greiman: "Mr. Terzich, do you want to address the Bill?"

Terzich: "Well, I still asked a question, whether or not, by giving the conservationists...officers peace officer status, whether or not they would have arrest powers to go throughout the entire State of Illinois and make arrests as a policeman or a peace officer?"

Speaker Greiman: "Mr. Stuffle, the hyphenated Cosponsor of the Bill, to respond."

Stuffle: "I guess if you assumed that they would be willy-nilly out to arrest anyone anywhere, that's possible, unless you read the rest of the Bill that says they are under the supervision and the direction of the Department. They already have the authority that you talked about here to make arrests throughout the state under all of these Acts. What this is intended to do and clearly does is to provide that they would have arrest power beyond those statutes under, and only under, the supervision of the Department. Obviously any conservation officer, worth his 'salt', I don't think is going to be out making arrests willy-nilly without the supervision of the Department in a tight manner, because he or she would then be subject to any and all recourse by persons for liability, or false arrest, harassment and so forth. So I think that is carrying this to a ridiculous and unwarranted conclusion."

Speaker Greiman: "Mr. Terzich."

Terzich: "Well, again, that really didn't answer my question of

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the fact that we would then be bestowing upon a conservationist officer arresting power that is not given to any other law enforcement agency throughout the state. All the other law enforcement agencies either have to report to their sheriff or to their local governmental unit and are restricted in that area. So now we would be bestowing upon a select group of people who are not really peace officers, but conservationists, the power and the strength of a peace officer to extend their power throughout the entire State of Illinois. And I don't think that's the intent of the Bill."

Speaker Greiman: "Mr....The Lady from Marshall, Ms. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor yield for a question please?"

Speaker Greiman: "Indicates that they will."

Koehler: "Representative, you gave us a very fine explanation of what the Bill does; however, I wish you would explain to the Members of the House why this legislation is needed."

Speaker Greiman: "Mr. Bea."

Koehler: "Why is it necessary?"

Rea: "There are many times when they are out, and they do not have the arrest power. For instance, we might just take...they can be out in the lake enforcing the Fishing Code and find a stolen boat. But actually they have no authority. They would have to call the sheriff's office out or some other, depending upon who has the jurisdiction there, and so they have no authority whatsoever. And this would give them that authority...and which they need to really be able to carry out their job."

Speaker Greiman: "The Gentleman from Cook, Mr. Davis, the Gentleman from Will."

Davis: "Well, I'll be from Cook if you want me to be for today. And simply for an introduction, Sir. I hate to break into

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the debate, but filling the galleries, you'll note on both side, is the Central Junior High School from Zion, Illinois, represented by Representative Bob Churchill right here."

Speaker Greiman: "Thank you. Now the Gentleman from Cook, Mr. Piel."

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

Speaker Greiman: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and Mr. Rea to close. Mr. Stuffle will close."

Stuffle: "Yes, Mr. Speaker and Members of the House. To address first the same question that Representative Terzich, I think, had answered three times, but he would lead us to believe he didn't have answered at all. The Bill clearly limits, as he proposes ought to be limited, the arrest authorities in the Bill, so that these people would still be operating under the egis and the control of the Department for which they work and still would be, as I said, subject to all the liabilities and penalties of anyone else who would make false arrests outside their jurisdiction or in their jurisdiction. We already have extended powers for arrest for State Police, for example. They see a bank robbery in progress, they can act on that. This only does the same thing. If you're from downstate, you know that these conservation officers often have large areas to cover. They may be in a situation of only being able, at the current time, to stop and hold someone and attempt to find a law enforcement officer, be it day or night, to come in and handle the arrest of that person who's breaking a law outside their current arrest jurisdiction. We've already extended necessarily, I think, arrest authority in other areas. We've even allowed the

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arming of firemen by legislation passed by Representative Terzich. I think this is far more restrictive, far more reliable, and I might add, this Bill is supported by and has gone through the Speaker's Committee on Law Enforcement. The IPA supports it. The FOP supports it. The PB and PA supports it. The Chiefs of Police Association, the Secretary of State's Police, the Conservation Lodge, the Department of Conservation, the Law Enforcement Training Board, the Appellate Defender, and 75 of the sheriffs of the state, and I ask for a 'yes' vote."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 655. The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. The voting is now open. And Mr. Friedrich, the Gentleman from Marion, to explain his vote."

Friedrich: "Well, Mr. Speaker, I think if we're going to give these gentlemen all this power, we just as well make them part of the State Police, because they'll have the right to issue traffic tickets, do anything they want to do in their jurisdiction, roving around and doing everything but watching the conservation business. I think that if we're going to do it, let's just make them part of the State Police and be done with it."

Speaker Greiman: "The Gentleman from Macon, Mr. Tate, to explain his vote."

Tate: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this. Unfortunately, I didn't have an opportunity to ask a question. It says in our comments, the Department of Conservation has indicated we'll set up the guidelines and regulations. If we need guidelines and regulations, why don't you have it in the Bill. The fact of the matter is that conservation officers should be conservation officers. We're cutting back on conservation

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officers this year. If we're going to introduce legislation like this, we might as well just provide for 30 additional State Policemen and have State Police do these jobs. We don't need a bunch of people going out that are not trained for this kind of authority, to go out and make a lot...place a lot of unnecessary hardship on hunters and sportsmen throughout this state. Thank you."

Speaker Greiman: "The Lady from Kane, Ms. Karpziel."

Karpziel: "Well, yes, thank you, Mr. Speaker. I had wanted to ask a question, but in explanation of my vote, I just want to say that I hope that they're not going to be able to set up any speed traps with this. And if they do, Representative, that they don't have a quota system."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. I also wanted to ask a question. Jim or Larry, if you could please nod on this. It was in the area of job classification, because I'm not real sure I know what a conservation police officer is. Is it a site superintendent 1, 2, 3 or 4? Is it a ranger 1, 2, 3 or 4? Is it a maintenance worker? In other words, none of those people that are going to be laid off can actually take a potshot at us. Right. Thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 87 voting 'aye', 26 voting 'no', 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 659. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 659, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Bowman."

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Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Prior to a month ago or two months ago, the City of Evanston, the Village of Oak Park and the Village of Rosemont all levied, pursuant to what they believed to be their proper home rule powers, a...an additional tax on utility services, which the Supreme Court struck down, because there was no basis in the statutes for that...that tax. Now this legislation is introduced in order to rectify this situation and to permit these communities to continue levying the measure that they had levied in the past. The City of Evanston supports this Bill to replace that authority. It is...was collected...the tax was collected since 1975. It had not been challenged prior to that time. Since the Supreme Court struck down the ability of Evanston to raise money in this fashion, we made numerous adjustments to the '83-'84 operating budget to offset the substantial revenue loss, and frankly, the City is struggling right now. This simply provides authorizing legislation. It is restricted to municipalities in Cook County, outside the City of Chicago. So downstate and the City of Chicago are not affected at all, and as to the other municipalities, it is permissive only, and I move for the passage of House Bill 659."

Speaker Greiman: "The Gentleman has moved for the passage of House Bill 659. Is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "I wonder if the Sponsor might yield for a question."

Speaker Greiman: "The Gentleman indicates that he will."

Vinson: "Representative, does this somehow deal with the utility tax?"

Bowman: "Yes. You are very sharp-eyed, as usual, Representative Vinson. That's what I said in my opening remarks."

Vinson: "Does somehow this permit an increase in the utility

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tax?"

Bowman: "It may under...in some instances. In the case of Evanston, for example, it would be a continuation of the tax that had been levied before."

Vinson: "And somehow was their attempt to do this previously declared unconstitutional or illegal?"

Bowman: "No, not until quite recently. The tax had been levied since, I believe, 1975 and had not been challenged at all. It was challenged only recently through a court action brought in another jurisdiction."

Vinson: "Don't you feel that the utility tax is a little bit regressive?"

Bowman: "Well, let me tell you about my community, Representative Vinson. Approximately 25% of the real property in Evanston is exempt. We are home to many institutions. Evanston is known as the headquarter city. It is also home to a major university. And these institutions, because they are tax exempt, pay no other taxes into the city coffers. And when this tax was struck down by the Supreme Court, Northwestern University continued to pay what would have otherwise been its liability. It did so voluntarily. We've received voluntary payments from a number of major institutions in the City. However, I don't know how much longer that can be expected to continue, that sort of generosity. But I do want to point out to you that, in this particular case, the tax that...in question, is the only tax that is paid by a large number of institutions that use city services."

Vinson: "Are there any poor people in Evanston?"

Bowman: "There are."

Vinson: "Now, right now, because of this voluntary payment system, those poor people aren't paying this increased utility tax, are they?"

Bowman: "Well, Representative Vinson, I would point out

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that...two things. First of all, not all of the institutions are paying voluntarily, although Northwestern is. Secondly, that the...if we were to raise a given amount of money, say a million dollars, in the normal way that's available to municipalities, which would be an increase in the property tax levy, the average burden on the average homeowner, including homeowners and tenants who pay property taxes, of course, to their rent, would be greater than through this particular method. That is why we are proposing this particular method."

Vinson: "But am I right in thinking that those poor people in Evanston would have to pay this regressive utility tax that you're trying to pass?"

Bowman: "Well, Representative Vinson, everybody would have to pay the utility tax. But because the tax has a broader base, the amount of money that would be collected from the poor people would be less than the amount of money that would be collected under property tax yielding the same amount of income to the city."

Vinson: "Well, aren't there other kinds of taxation than home rule units of government can rely on than regressive utility taxes?"

Bowman: "We rely on all of them, Representative Vinson."

Vinson: "Do you have a head tax in Evanston?"

Bowman: "I don't believe so, but I believe that might be an exception. We have quite a few of them, let me tell you."

Vinson: "So you don't have a head tax? Was that the..."

Bowman: "I don't believe so, but I wouldn't want you to hold me to that."

Vinson: "Well, to the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Vinson."

Vinson: "I would rise in opposition to the Bill, because clearly the utility tax is a regressive tax that comes to bear on

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poor people disproportionately. And we ought not be authorizing a higher utility tax that taxes those poor people disproportionately. I think if the Gentleman wants to come forward with more progressive forms of taxation, the Assembly would certainly carefully consider them. But I really question whether we ought to be authorizing at this time a utility tax with soaring utility rates, and a utility tax based on gross receipts that disproportionately comes to bear on poor people, and I am really ashamed of the Sponsor who has, in the past, cared about poor people and been opposed to regressive taxation, coming forward with such a proposal."

Speaker Greiman: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, tears were brought to my eyes by the compassionate speech from the other side of the aisle about the regressiveness of this tax. The regressiveness of this tax seems to be much more of concern to him than the tax that he helped to defeat on this House floor yesterday that was only for people who were wealthy. I don't feel that a utility tax is the right way to go either, but I ask you to look with some discretion on the comments coming from the other side of the aisle. And when people talk out of both sides of their mouth, it is very difficult to know when you should pay attention to what they say and when, in fact, they are being sincere."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this lawsuit was not filed by anybody from either Evanston or Oak Park. It, in fact, was filed by a Gentleman who is now Senator Barkhausen, and let's face it, you and I know that he had political motivation in filing that lawsuit."

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Nobody in Evanston, nobody in...in Oak Park evidently felt that the law should be challenged. And so what Representative Bowman is trying to do is trying to legalize something that had been in effect for about eight years, and I disagree with Representative Vinson with regards to being so regressive. In the City of Waukegan, we have that three percent only for a short while, so we're not covered under this Bill. We don't have the problem of a possible refund in the...heavy amounts. But because of the fact that it was invalidated in Waukegan, the City of Waukegan now has the largest tax increase of any city in Lake County, a property tax increase. The fact of the matter is sometimes people don't know what's better for them, because everybody was paying the utility tax. The burden was shared equally all along the line. And maybe Representative Vinson is more interested in protecting some of those industries and businesses who also pay their fair share of the utility tax. The truth of the matter is, Woods Bowman knows what's best for his district, because of the fact that so many were paying the utility tax that in no other way would pay any...any tax to pay for services. Here is, for example, Northwestern University. And you know with 30,000 or more, 50,000 students, whatever, at Northwestern University, you know that they must have many police services, many city services, and they should pay their fair share. The utility tax was a means so that they and others are paying their fair share. And I commend Woods Bowman in this, because otherwise, the Village of Oak Park and the City of Evanston would be in dire straights. And if it is not corrected, it'll fall on that poor property taxpayer. And I urge your support."

Speaker Greiman: "Is there further discussion? There being none, Representative Bowman to close."

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Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...in my closing remarks, I would especially like to address the Gentleman from Clinton, and I appreciate...I hope he takes his pipe out of his ear so he can hear. He can hear the people of the City of Evanston speaking to him. I want to tell him what the practical consequences of failure to pass this legislation will be. We owe eight years of back tax collections. We have to pay back all of those taxes. Now where are we going to get the resources? If this doesn't pass, community centers on the west side of Evanston will be closed. Parks will be closed. Programs will be eliminated. The branch libraries will be closed. We need this legislation. It doesn't affect your district. Why don't you vote for it?"

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', all those opposed vote 'no'. The voting is now open. Yes, Representative Bowman to explain his vote."

Bowman: "Yes, Mr. Speaker..."

Speaker Greiman: "Or to recover."

Bowman: "...This is my first Bill, and...so I am sure all those red lights up there are just...just a gag, right?"

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Leverenz 'present'. Yes, Representative Bowman."

Bowman: "Yes, Mr. Speaker, let me tell you, I am really serious about this legislation."

Speaker Greiman: "Representative Bowman, for what purpose do you rise? We assumed you were serious."

Bowman: "Okay, wait a minute. Mr. Speaker, yeah, I would like to ask for this to be put on Postponed, but I know that it needs 47 votes. Now if it gets put on Postponed, let me tell you what I'll do. I'll offer an Amendment to try and

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make it more restricted to satisfy the people who are...who are voting red. So...and if it's put on Postponed, the Roll Call gets dumped. So I am asking for people to go on as 'aye' and get 47."

Speaker Greiman: "Leverenz votes 'aye'. Jaffe votes 'aye'. Curran votes 'aye'. Taylor 'aye'. Mr. Johnson votes 'aye'. No? Mr. Johnson."

Johnson: "You know, we're making a mockery of the whole process here. This Bill had a full debate. It got 23 votes. He's spoken six times in debate, and you're absolutely totally out of order by recognizing people under these circumstances."

Speaker Greiman: "Mr. Johnson."

Johnson: "If it gets 49 votes, I am going to ask for a verification."

Speaker Greiman: "Mr. Johnson, I have no other alternative but to...except to recognize them, Sir."

Johnson: "To announce the Roll Call."

Speaker Greiman: "Members...Members are asking for recognition, and I shall give them that courtesy. Representative Brummer 'aye'. Representative Rea 'aye'. Representative Krska 'aye'. Representative Pangle 'aye'. Representative McGann 'aye'. Representative Mulcahey 'aye'. Representative Hicks 'aye'. Sorry. Well, we were at Hicks, McGann, Mulcahey, Flinn, Richmond, Marzuki, Representative Kulas, Representative Terzich. Repre...Ronan. I think he's going to pass it, for God's sakes. How many does he have? I'm sorry, Mr. Clerk. You said you had 40? I didn't hear you. Okay, thank you. Have all voted who wish? Have all voted who wish? Take...take the record, Mr. Clerk. On this Bill, there...yes, who seeks recognition? Mr. Piel, yes."

Piel: "Next page."

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Speaker Greiman: "Mr. Tate, I'm sorry. Mr. Tate, you were asking for recognition, Sir? Proceed, to explain your vote."

Piel: "No, I'm not...I'm not speaking. I'm asking recognition."

Speaker Greiman: "To explain your vote?"

Tate: "Well, no, Speaker. We've had..."

Speaker Greiman: "Is it a parliamentary inquiry?"

Tate: "We've had several lights over on this side of the aisle for the last ten minutes."

Speaker Greiman: "Mr. Tate, you have..."

Tate: "Representative Johnson asked for a verification..."

Speaker Greiman: "Mr. Tate. Mr. Tate. Mr. Tate. Mr. Tate, I assume that you cannot see the board, so you have no idea that your light was the only light that was on, and I am calling on..."

Tate: "My seatmate had his light on for the last ten minutes, Mr. Speaker."

Speaker Greiman: "And I called upon Mr. Johnson. But in any event, Mr. Tate, are you rising to change your vote?"

Tate: "No."

Speaker Greiman: "Are you rising for a parliamentary proced...parliamentary point?"

Tate: "Mr. Speaker..."

Speaker Greiman: "Make your point."

Tate: "Yes, I would just like to verify 49 votes then."

Speaker Greiman: "The Gentleman asks...well, there are not 49 votes, but you can certainly verify it if you like to later. Mr. Clerk, what is the count? On this Bill, there are 40 'ayes', 77...how many 'nos' are there, Mr. Clerk? There are 40 'ayes', there are some 'nos', and some...12 'present'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. And on the Order of House Bills Third Reading appears House Bill 674. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 674, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "For what purpose do you rise, Mr. Hastert?"

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to introduce to this Body the...members of the Valley Industrial Association from Aurora and the Fox Valley, led by their President, Mr. Jim Johnson, and those Gentlemen...would like to have them stand and be recognized."

Speaker Greiman: "Mr. Tate, for what purpose do you rise?"

Tate: "Nothing, nothing, next Bill...this Bill."

Speaker Greiman: "Pardon?"

Tate: "This Bill."

Speaker Greiman: "Oh, I see, Sir. Alright. On House Bill 674, Mr. Ronan, the Gentleman from Cook."

Ronan: "Thank you, Mr. Speaker. I'd like to move this Bill back to Second Reading so we can have an Amendment put on."

Speaker Greiman: "Gentleman asks leave to remove the Bill to Second Reading. Gentleman have leave? Leave is hereby granted. Mr. Clerk, Read the Bill."

Clerk O'Brien: "Amendment #3, Tate, amends House Bill 674 on page 2, in line 23 and so forth."

Speaker Greiman: "Mr. Tate."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of this House. I'd like to move to table Amendments 1 and 2."

Speaker Greiman: "Gentleman asks leave to table Amendments #1 and 2 to House Bill 674. Does Gentleman have leave? Gentleman has leave. Leave is hereby granted to table Amendments #1...Amendments #2 to House Bill 674. Now, on Amendment #3, Mr. Tate."

Tate: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3, we had a problem with the Bill and is, as

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you recall, this deals with habitual traffic offenders, and we had a provision in the Bill that dealt with...misdemeanor traffic violations, and the Teamsters' Union, as well as several different salesmen...different people had expressed a concern about the issue pertaining to tickets that they would receive from a minor violation, like running a stop sign, or whatever. Amendment #3 takes out all the...the provision completely for minor traffic violations pertaining to 8 violations within a 3 year period. It is agreed upon by both Representative Ronan and myself, and it satisfies all objections to the Bill. I'd...I'd ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #3 to House Bill 674. Is there any discussion? There being none, the question is...oh, I'm sorry. Representative Jaffe, Gentleman from Cook."

Jaffe: "Yeah, would the Gentleman yield for a question?"

Speaker Greiman: "He indicates that he will."

Jaffe: "I mean when you say 'minor traffic violations', what are you talking about?"

Tate: "Well, like..."

Jaffe: "Not...not like 'uh'. Why don't you give me specifics?"

Tate: "Running a stop sign."

Jaffe: "No, no...but, but, all the...You said it eliminates all the minor traffic ones. What does...How about speeding?"

Tate: "Yes."

Jaffe: "You consider speeding a minor traffic violation?"

Tate: "Yes."

Jaffe: "...You've eliminated speeding. You've eliminated running a traffic light. What else have you eliminated?"

Tate: "Everything that was included under that category."

Jaffe: "Well, I haven't seen the Amendment, but I think that when you get into a situation of running a stop sign, when you

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get into the situation of speeding and so on and so forth, those are not really minor violations, and for that reason, I...I would vote against this Bill, Mr. Speaker, and I would request a Roll Call on it."

Speaker Greiman: "That's fine. Is there any further discussion? Any further discussion? Mr. Tate to close."

Tate: "Yes, again...Amendment #3 quite simply just eliminates the provision for minor violations. It satisfies the opposition that was demonstrated or expressed from the Teamsters' Union, as well as a lot of other concerned citizens. What we are essentially trying to get at in the intent of House Bill 674, is the serious offender, the serious habitual traffic offender, and we don't want to penalize law abiding citizens that have their livelihoods that depend upon driving every day, and that is why we are taking this provision out. I'd ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall Amendment #3 to House Bill 674 be adopted?' All those in favor, signify by saying 'aye'. Those opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments? Representative Jaffe, I'm sorry."

Jaffe: "I...I had requested a...Roll Call on it."

Speaker Greiman: "I...I had asked the Parliamentarian if you had. I had been distracted."

Jaffe: "Oh, okay."

Speaker Greiman: "I...Mr. Ronan."

Ronan: "Yeah, Mr. Speaker, rather than taking a Roll Call on the Amendment, that is the Bill now. Why don't we just...Well, well...I'd like to...take...ask for leave..."

Speaker Greiman: "Well, the Gentleman asked for Roll Call. I was distracted, and we will...let's give him a Roll Call, unless he withdraws that."

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Ronan: "Representative Jaffe can vote on the Bill. He can vote 'no' on the Bill."

Speaker Greiman: "He's...Mr. Ronan, he indicates that he will withdraw the ...the request. Thank you. I'm sorry, Representative Jaffe. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Representative Ronan."

Ronan: "Yeah, Mr. Speaker, I'd like leave to...I have the...Bill heard right now."

Speaker Greiman: "Wait...okay. Representative Jaffe. Representative Jaffe objects, and the Bill will remain on Third Reading. Well, for purposes of an introduction, Representative Farley."

Farley: "Thank you, Mr. Speaker. For the purposes of an introduction, I'd like everybody to just say 'hello' to Representative Mike McClain from Quincy."

Speaker Greiman: "And now, Ladies and Gentlemen, for an introduction, we turn the Speaker's podium over to Representative DiPrima. Representative DiPrima."

DiPrima: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I am proud to have with us today the National Commander, the State Commander, the National President, all of the ANVETS, a very potent veteran organization, and I was telling them about how...true Americans you people have been in supporting veterans' legislation. Now, I want to take the opportunity to introduce them individually. First we have Department Commander 'Frank Gudgeon', that's the State Commander. Frank."

Commander 'Gudgeon': "Thank you very much. I don't want to take up too much of your time, other than to say continue on with your wonderful work in...in supporting the veterans and all the veterans' benefits, and that is what we need to help the veterans, whether they are on the street or on

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the...in the hospitals. Let's help them veterans. Thank you."

DiPrima: "Thank you, Frank. Now we have the National Commander, Bob Martin, from Maryland...or Louisiana."

Commander Martin: "Mr. Speaker, distinguished Members of the Illinois House of Representatives, I am honored to appear before you today to...represent the 200,000 national members of...of our American Veterans of World War II, Korea and Viet Nam, known as AMVETS. The State of Illinois has been among the nation's leaders in the provision of services and programs to assist resident veterans. The farsighted veterans' policies that have been so consistently demonstrated by your state are, no doubt, due to sincere concern for the welfare of those who served their country in time of war. I must commend the Illinois House of Representatives on behalf of all AMVETS for these progressive actions. Yet, at the same time, I urge this Legislative Body to remember that every day America's veterans face new challenges to the benefits and programs they earn through wartime service. We are now ten years away from the last war America fought. As that war recedes from the public memory, so too will there be a tendency for the citizens to forget the sacrifices by those who served. On behalf of the members of AMVETS nationwide and the 15,000 who reside in Illinois, I would ask the Illinois House of Representatives to consider what veterans must face in these changing times and to continue to give to veterans the outstanding legislative support it has done in the past. Thank you so much for allowing me to be here with you today. Thank you."

DiPrima: "Thank you, Commander Martin. Now we have the National President of the Auxiliary of the AMVETS, and her name is Ruth Singler, and she is from the great State of Ohio, from

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whence my infantry division was activated in World War I, and, of course, I was assigned to it in World War II. Mrs. Singler, President."

President Singler: "Thank you very much. We have another great man from Ohio, the one right here behind me. It's my joy to...and privilege to bring you greetings from the National AMVETS Auxiliary. We are very proud of the work that our Auxiliary and our 50,000 members do all over the United States, but especially the work that is being done right here in Illinois, and I can see by all the representation out there, a lot of Ladies doing an outstanding job, I understand, and the support they have received from you, our organization and all the veterans of Illinois are very fortunate to have you. Thank you for your kind invitation here this afternoon."

DiPrima: "Thank you ever so much, and now we have our own Department President from Bloomington, Phyllis Deavers. She's a little..."

President Deavers: "I'd like to extend greetings to you from the Department of Illinois and its Auxiliary. I thank you very much for having us here this afternoon, and keep up your good work for our veterans. They need you all. Thank you."

DiPrima: "Alright, we also have with us here Norm Best. He's the Executive Director for the AMVETS from the State of Illinois. Norm Best."

Best: "Thank you, Representative DiPrima. It's a pleasure to be here this afternoon and see some familiar faces around here that I have been working with here in the Capitol for the last five years, and I'm looking forward to working with you in the very near future and many long years ahead. Thank you."

DiPrima: "Thank you, Norm. We also have 'Janine Baker',

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Department Third Vice-President; Juanita Appleyard, Third Division President; June Maple and Pearl Best and last, but not least, our own Bob Mitchler, who was a Senator and is still in the forefront with veterans all the way through. Thank you ever so much."

Speaker Greiman: "On the Order of House Bills Third Reading appears House Bill 675. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 675, a Bill for an Act..."

Speaker Greiman: "Excuse me. For what purpose does the Gentleman from Peoria, Mr. Tuerk, rise?"

Tuerk: "Well, Mr. Speaker, I just want to take just a brief moment to introduce to the chamber...some of you people will remember him, but most won't, because he served here a number of years ago, but Bob Day is standing with me here. He served in this chamber for four terms, and I just wanted to welcome him back."

Speaker Greiman: "Thank you. Welcome back, Mr. Day. Representative Reilly. No, I'm sorry. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 675, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 675 is one of those good pension Bills that don't cost anything. What it does is simply put...or allow the Pension Board to put into the regulations dealing with teacher retirement a definition of salary. The problem that has come about in recent years is that sometimes in order to get teachers to retire early, school boards give all kinds of extra payments in the last year or so to make that more desirable, which is fine, but the problem is that the pension is a certain percentage of the last salary, and it is unclear in present law what that is.

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This is agreed to by the...both by the pension system and by...the people affected, the teachers. Be glad to answer any questions; otherwise, I'd ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for passage of House Bill 675.

Is there any discussion? Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, would the Sponsor yield to a question?"

Speaker Greiman: "Indicates that he will."

Stuffle: "Representative Reilly, could you tell us, basically, what the effect of the definition change is with regard to salary, in terms of how it relates to benefits, and the definition of salary that happens to be received, and how the action of the Board of Trustees of this particular system affects that definition?"

Reilly: "What the...all this adds is it says, 'and recognized by the system in accordance with the rules of the Board.' That is to say that the Board can define what that term means and, you know, would have to define it in terms of what the English language means by salary. There have just been some disputes between some school boards and the Retirement Board over...over what that means. Again I say, this is not in any way an attempt to cut pensions. The...the Bill is...as a matter of fact, is a Teacher Association Bill by origin."

Stuffle: "Could you give us an example of some type of compensation where there is a dispute?"

Reilly: "Excuse me?"

Stuffle: "Could you give us an example of some type of compensation where there is a dispute over whether or not it should fit into the term salary for pension purposes?"

Reilly: "Yeah, I...I did in...in opening..."

Stuffle: "I'm sorry, I didn't hear you."

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Reilly: "...and I think that's probably the best example. In order to get a teacher to retire early, to go into the early Retirement System, some Boards actually give...call it what you want, a bonus in the last year. It's not part of their regular compensation. It's not on the salary schedule, but you could make a kind of twisted argument that that...that that is salary, which would then jack up the average of...of the last years. That...That's the only example I am aware of."

Stuffle: "What kind of...what kind of compensation would that be if not salary, is what I am getting at?"

Reilly: "Well, salary, in the...in the normal English language sense of the word means your regular compensation, and the whole idea of a pension is to be based on...to give you some percentage of what you have been making. If you make for nine years \$18,000 and then all of a sudden, because of a bonus for one year, you make \$25,000, there is no special reason why the pension of every other...you know, everybody else ought to be penalized because of that...that situation. Salary normally means just your regular year-by-year, month-by-month compensation, not a bonus, and, indeed, that's...that's what the IRS would mean by the term. I think that is what, you know, most of us would mean by the term, and most of us, I think, would understand the difference between some kind of retirement bonus and...and regular salary."

Stuffle: "You're just suggest...well, there is already a cap in place, so you can't do exactly that. You can't kick it up over a certain limit in the last year. Put that in there last year. You're just suggesting they couldn't manipulate the thing and try to claim, say, a nontaxable fringe benefit as part of salary so they can push the guy out adversely selecting against the system, costing it more

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money?"

Reilly: "Correct."

Stuffle: "Thank you."

Speaker Greiman: "Is there further discussion? Representative Reilly to close."

Reilly: "Would just appreciate a favorable Roll Call."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 100 voting 'yes', 1 voting 'no', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 676. Mr. Clerk, read the...read the Bill."

Clerk Leone: "House Bill 676, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 676 provides for interest on taxes paid under protest, when either the State Property Tax Appeal Board or a Court orders a refund to the taxpayers. We've cut the interest rate down by Amendment to 5% in order to satisfy the counties because of lower interest rates. It...It's good legislation that provides when you have been found to have been overtaxed and found, either...either by the Court or the State Property Tax Appeal Board, that you shall get some interest back, along with your money, the same thing Uncle Sam does, the same thing we do on the State Income Tax, and the rate would be 5%. I urge passage of House Bill 676."

Speaker Greiman: "Gentleman moves for passage of House Bill 7...House Bill 676. Is there any discussion? On that, the

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Gentleman from Kendall, Mr. Hastert."

Hastert: "Mr. Speaker, Ladies and...Ladies and Gentlemen of the House, I'd just like to go along with the previous speaker, the Sponsor of this Bill. This is a good piece of legislation. It passed out of the Revenue Committee unanimously, 14 to nothing, and I would urge its support."

Speaker Greiman: "Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "Indicates he will yield for a question."

Cullerton: "Representative Pierce, can refunds be ordered by the Board for any reason or for only those which the Board currently has review powers?"

Speaker Greiman: "Mr. Pierce, the answer?"

Pierce: "By Board, I take it you mean the State Property Tax Appeal Board?"

Cullerton: "Right."

Pierce: "...which operates outside of Cook County?"

Cullerton: "Right."

Pierce: "Refunds can be ordered by them only on assessment protests. They don't hear rate protests. Rate protests would be by the Circuit Court."

Cullerton: "But, this Bill is...is only intended to allow refunds for the reasons that they...that they currently..."

Pierce: "Yeah, it doesn't expand their jurisdiction. It only says under their present jurisdiction where they find the taxpayers entitled to a refund that the taxpayer also receive 5% interest with that refund."

Cullerton: "Alright, thank you."

Speaker Greiman: "Further discussion? There being none, Mr. Pierce, close."

Pierce: "I urge the passage of House Bill 676."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor, voting...vote 'aye'. Those opposed, vote 'nay'."

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Voting is now open."

Pierce: "Good Bill everybody."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk..."

Pierce: "God bless Mayor Washington."

Speaker Greiman: "Mr. Clerk, take the record. On this Bill, there are 110 voting 'yes', none voting 0, none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 682. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill..."

Speaker Greiman: Yes, Mr...excuse me. Mr. Vinson, for what purpose do you rise, Sir?"

Vinson: "Mr. Speaker, on House Bill 659, a few minutes ago, when you announced the final Roll Call, you announced that there were 40 people voting in favor of the Bill. That will clearly show on the tape. During the course of people changing votes on the Bill, you read off a list of people that included, at least, Mr. Brummer, Mr. Hicks, Mr. Marzuki and Mr. Terzich. Now, we just obtained a copy of the Roll Call on that Bill from the Clerk's Office. The Roll Call does not show...show those specific Gentlemen changing their vote, and it only shows 27 people voting for the Bill, even after the changes. I would like to have that corrected. I would like to have the Clerk look into that. I would like to have dubs of the tape, and I'd like to have Roll Calls, which are supposed to be official records of this House and reflect how people voted on the floor when they change their votes in the course of the Bill, have that recorded correctly and honestly according to the Constitution of this state and the rules of this House. Now will you please direct that to be looked into?"

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Speaker Greiman: "We'll sure look into it, and the record is the record. The...there's a tape of it, so you can take it from there. Alright, we were now... Representative Matijevich."

Giorgi: "What do you need?"

Speaker Greiman: "I need Representative Matijevich."

Giorgi: "John, wherever you are, come here."

Speaker Greiman: "We'll take that...We'll take that out of the record and perhaps come back. On the Order of House Bills Third Reading appears House Bill 684. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 684, a Bill for an Act to amend the Illinois Farm Development Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Stuffle, the Gentleman from Vermilion."

Stuffle: "Yes, Mr. Speaker and Members of the House. As amended, this Bill puts the same restriction per real estate transaction under the Farm Development Authority that's found in the Bill sponsored by Representative Tate, Johnson and myself. Additionally, it defines another possible creditor, loan source, underneath this existing statute to include agri-businesses. They are defined as 'small businesses engaged in agricultural activities', or those that could create at least 100 jobs in the estimation of the authority. Additionally, there are other restrictions set out on the Bill, and there is an increase in the overall authority of this particular lending authority within the state. This lending authority has experienced dramatic, quick growth since its birth a year ago through legislation that we passed here. It's been able to put in place a number of low rate loan transactions to stimulate a depressed farm economy. I think it's very important to note that I know of no organized opposition to the Bill, and for that reason and the fact that it's vitally needed

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so that this Agency can continue to grow and continue to make these low interest secured loans that are made through what is, basically, a type of revenue bond procedure that does not utilize any state general obligation notes that the Bill needs to be passed at this time, and for that reason, I would ask for an affirmative Roll Call on House Bill 684 and be glad to answer any questions you might have."

Speaker Greiman: "Gentleman has moved for the passage of House Bill 684. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'nay'. Voting is now open. Gentleman from Cook, Mr. Yourell, to explain his vote. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting...109 voting 'aye', 5 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 691. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 691, a Bill for an Act in relationship to the preservation of wildlife and of wildlife habitat. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Basically, what this Bill does is it would allow the Department of Conservation to sell wildlife conservation stamps for the purposes of raising money for conservation. The monies would be put into a special fund, which would be separate from other state monies. The whole fund would be overseen by a Commission that would include the Illinois Environmental Council, the Illinois Wildlife Federation, Department of Conservation, Natural History Survey, Endangered Species Protection Board, Wildlife Society and

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the Illinois Chapter Society of American Foresters. This would be a noncompensated Commission. These people would be on the Board because they wanted to serve on the Board, or if they felt they did not, we certainly could replace them. There is no appropriation to this Bill. It has, we believe, its own means of raising money, and it is my sincere hope that, indeed, this will raise money to help promote conservation in this state. The Bill provides for an automatic repealer in case it is not successful, and I would ask for your 'yes' vote."

Speaker Greiman: "Gentleman moves for the passage of House Bill 691. Is there any discussion? Representative Ropp, the Gentleman from McLean."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Greiman: "He indicates that he will."

Ropp: "What kind of a stamp are you talking about? I mean, are you going to put it on an envelope, or do you...what do you do with it?"

Hannig: "It would be a collector's type of stamp that we could sell to raise money. I've also talked to former Representative Jake Wolf, who suggested that perhaps we just have sheets of stamps that people could use the same way Christmas seals, for example, or Easter Seals are used. Duck Hunters, Ducks Unlimited, folks like this would use these stamps."

Ropp: "Okay, how much revenue do you anticipate you are going to generate with this sale?"

Hannig: "Well, we're not certain. As with any new program, it's difficult to say. There is a program like this that exists, I believe, in Colorado, and they are having some success with it out there, and I would certainly hope that we could have success here in Illinois."

Ropp: "Wouldn't it have been just about as easy and surer to

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increase some of the duck license, fishin...fishing license stamps a modest amount to be assured that you are going to have some funds to do what you want to do, Hannig, well...rather than to be somewhat nebulous about how much money you may end up having?"

Hannig: "This proposal would be strictly voluntary. It would not require anyone to provide any additional monies. In many cases, we already have hunters and fishermen who feel that the fees are already too high, or at least that they are high enough, and this is just a proposal to try to find a way to raise money in a somewhat painless fashion."

Speaker Greiman: "Have you concluded, Mr. Ropp? The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Bill. It's...as the previous speaker said, it's a voluntary program. It has been successful in some of the other areas. We are rapidly losing more and more habitat here in the State of Illinois, and we have not given the focus to it that we should, and this would provide an opportunity to deal with it and to begin to collect some monies to put in...especially back to the private landowners an incentive to encourage them to leave areas out and to seed them and to provide habitat, which we are so rapidly losing here in the State of Illinois. I think this is good legislation and is one that we should certainly be supporting,"

Speaker Greiman: "The Lady from Marshall, Mrs. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker Greiman: "He indicates that he will."

Koehler: "Representative, I would like to ask you why is it necessary to create a Commission to oversee the selling of these stamps?"

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Hannig: "Well, the...the Commission, itself, would actually be to advise the Department of Conservation as to natural habitat that they would like to see purchased from the revenue that this...these stamps generate."

Koehler: "Well, Representative, I am familiar with the stamps that are being sold in other states. In fact, the State of Minnesota does a marvelous job with this and does raise revenue, and I think that the idea of the stamp is certainly exemplary and is a good method of raising revenue. It's good for art collectors and people who are interested in saving of habitat. However, I think it is entirely unnecessary to create a special Commission for the overseeing of this. The Department of Conservation is certainly capable of...administering this program, itself, and, in fact, I think most of the Departments in State Government already have, within their structure, the ability to create Citizen Advisory Commissions and so forth, and I do not believe that it is at all necessary to create a special Commission that would oversee the selling of these stamps. Therefore, I would oppose this legislation, although I do not oppose the idea of selling stamps."

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

Mulcahey: "A comment to the Sponsor, Mr. Speaker. I'll vote for this Bill, Representative, if you will guarantee me that none of these new monies will go to pay the salaries of those conservation officers who an hour ago we gave the power to arrest me as I drove up the highway. Do I have that guarantee? Thank you."

Speaker Greiman: "Is there further discussion? There being none, Representative Hannig to close."

Hannig: "Well, just in closing and in response to Representative

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Koehler, at lease in part the purpose of the Commission would be not only to oversee and help to...to advise which land should be purchased, but it is my feeling that if we bring these groups into the overall decision-making process, they will, in effect, serve as a means to help us sell the stamps. So by bringing people into the process, allowing them to make suggestions, we also tell them that we would appreciate it if they could sell the stamps to their members. As I stated, this Bill is simply an effort to try to provide some additional funds to the Department of Conservation for the purchase of wildlife habitat in our state, habitat which is dwindling, and once it is converted into industrial or other use, in many cases, will never be put back into the original form. The Commission is nonpaying. There will be no compensation for expenses, for salaries, for anything. These people are volunteers. They want to serve on the Commission, and if they indicate that they do not, we simply will take them out of the legislation at a later date. It has an automatic repealer so that if this is not successful, we will simply have it erased from the books on its own. As Representative Koehler has indicated, other states, including Minnesota, and I am aware of Colorado, have used this program with success. I'd ask for your 'yes' vote.

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 92 voting 'aye', 14 voting 'no', 3 voting 'present', and this Bill, having received a Constitutional Majority...Representative Laurino, 'aye'; Representative Karpel, 'aye'; and Representative McCracken, 'aye'...no, McCracken,

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'no'...Representative Wojcik, 'aye'; Representative Harris...no, who...oh, Hawkinson, I'm sorry, 'aye'. Now, Mr. Clerk, what's the count? Mr. Kirkland votes 'no'...Kirkland, 'no'. Mr. Johnson, did you disapprove of that? Is that all right, Mr. Johnson? Oh, I'm sorry. On this Bill, there are 96 voting 'aye', 16 voting 'no', 3 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Now, Mr. Vinson...Mr. Vinson...Mr. Vinson, we have had the Clerk investigating the Roll Call. The machine, as you know, does not respond to changes that are made orally. The transcript will have to be obtained and gone through. We are in that process, and the Journal will be...will reflect the appropriate Roll Call with...which will respond to the oral modification. We'll get back to you with the precise Journal entry. Yes, Mr. Vinson."

Vinson: "I would still like a copy of the tape of the Roll Call portion of that Bill."

Speaker Greiman: "Those can be requested by any Member from the Clerk, and I would suggest that you make that request. You will certainly get it."

Vinson: "I just made the request."

Speaker Greiman: "Fine. Perhaps you could make them a little less formal. On the Order...On the Order of House Bills Third Reading appears House Bill 694. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 694, a Bill for an Act to amend a Act relating to disputes concerning terms and conditions of employment. Third Reading of the Bill."

Speaker Greiman: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Back in 1925, this Legislature passed and the Governor signed legislation dealing with injunctions, and let me

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read you a portion of that law as it presently exists: 'No restraining order or injunction shall be granted by any court of this state or by a Judge or Judges thereof in any case involving or growing out of a dispute concerning terms or conditions of employment.' Now, that's the law as it stands today. What we are trying to do is clarify that law to tell the Judicial System that we clearly intend that law to apply to public educational employees. There has been some question, I suppose, as to whether or not that should be the case, and Judges have looked at it from different points of view. It has been...It is my opinion that this should be the law, as it is today, but because the Judiciary Branch does not agree in all cases, we are offering this Bill in order to clarify that law. I would appreciate your 'yes' vote."

Speaker Greiman: "Is there any...the Gentleman has moved for the passage of House Bill 694. Is there any discussion? Representative Birkinbine, Gentleman from Cook."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What the Sponsor of the Bill did not say was that in 1974, in the case of the City of Pana vs. Crowe...excuse me, the Illinois Supreme Court, by a unanimous decision, held that the Illinois Anti-Injunction Act was not applicable to public sector labor disputes. Unanimous decision. Basically, what this bit of legislation would do would be through...allow a de facto right to strike in our schools. Now, this Legislature, over and over again, has indicated that that should not be the case. This piece of legislation, primarily, is designed to overturn that unanimous Supreme Court ruling. I do not think it's a good idea. I don't think the people of this state want it, and I recommend a 'no' vote. Thank you."

Speaker Greiman: "Lady from DuPage, Ms. Nelson."

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Nelson: "Thank you, thank you, Mr. Speaker, Members of the House.

I rise in opposition to this Bill and in agreement with Representative Birkinbine. This Bill has one purpose and one purpose only, and that is to overturn a court decision. We should not be about that kind of business. The intent of House Bill 694 is to allow educational employees a de facto right to strike. Proponents of the Bill believe that court injunctions do not resolve labor-management disputes. They are designed, instead, to force action by upping the ante, but this legislation is intended to allow public school and university employees protection against management instigated court injunctions. Please think about that before you vote. We are, in effect, overturning a court decision and granting the right to strike to educational employees. I intend to vote 'no', and I hope you would join me in voting against House Bill 694."

Speaker Greiman: "Is there further discussion? There being none, Representative Hannig to close."

Hannig: "Mr. Speaker, I would ask that my hyphenated Cosponsor, Representative Stuffle, close."

Speaker Greiman: "Gentleman from Vermilion, Representative Stuffle, to close."

Stuffle: "Mr. Speaker, Members of the House, I think we ought to look at this for what it is. I don't think that the arguments on the other side are directed to the real matter of the legislation. The court did make the ruling, we do not dispute that, that was stated here today. The point of the matter is though, that the legislative provisions passed by this General Assembly, on the books of this state now for the past...over fifty years, provide very clearly, without any qualifications, that the Anti-Injunction Act applies to all employees. The court said in that case it didn't apply, because there was no statute expressly

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granting the right to public employees that are enjoyed by other persons in private employment. This does not preclude a Circuit Court Judge from granting an injunction. It merely provides, as anyone can tell you who has read the case law, who has knowledge of this existing statute or the cases thereunder, or the history of that case law, it merely provides that there would be a hearing on the question of why an injunction ought to be issued because we cannot prevent a Circuit Court from granting an injunction. This Bill merely clarifies that this particular Anti-Injunction Statute on the books for 58 years in this state says and intends to say just what it said when it was passed in 1925, nothing less and nothing more. It merely says you've got to have a hearing. You can't willy-nilly say we enjoin any action by any public employee simply because the Court in the past has said that's the case. It treats everyone the same, in terms of the public employees covered here and those who have always been covered. An injunction can still be issued without a doubt. It merely clarifies the legislative intent of this statute, which is obviously clear in our meaning, and we are saying to the Court, 'The General Assembly said all employees, not just some,' and for that reason, I would ask for an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 71 voting 'aye', 43 voting 'no', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 695. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 695, a Bill for an Act to amend the

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Downstate Public Transportation Act. Third Reading of the Bill."

Speaker Greiman: "Mr. Dunn."

Dunn: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill simply provides that in situations involving downstate mass transportation systems where federal funds result in a short fall of revenue, and where the operating subsidy provided by the State of Illinois is tied to operating expenses that if the federal share of funds go down, and then operating expenses goes down, the money that was provided by the State of Illinois will still remain at last years level, subject to the availability of funds. This Bill is supported by the Association, which is the Illinois Public Transportation Association representing all the downstate transportation districts. And I would request a favorable Roll Call."

Speaker Greiman: "The Gentlemen has moved for the passage of House Bill 695. Is there any discussion? On that Representative... the Gentlemen from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Cullerton: "Representative Dunn, the Bill would specify that in no event, shall the reimbursement be less than the previous year. Is that correct?"

Dunn: "With a proviso though... that's the general rule. Yes."

Cullerton: "Okay, now, what if there is a cut in services, so that there's not a need for the same amount? I understand that you want to make sure you don't get less than you got the previous year. But what if you have fewer buses going around, wouldn't there... shouldn't there be a provision are is it your intention that they not get the..."

Dunn: "I don't know of any downstate district... your question is

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given. I don't know of any downstate districts which have planned any cuts in service. As a matter of facts, the ones that I am familiar with are... if anything, looking for ways to expand, particularly, where I come from because we have so many people that are out of work that they need to ride the buses."

Cullerton: "Where I come from, there's a lot of request for us to cut services. By people where you are. Where I come from, they asked us to cut services. So, it interesting that downstate they're expanding their mass transit program. But, I... I just want to know..."

Dunn: "I don't if we are expanding, but I don't know if we are cutting either."

Cullerton: "Okay. Thank you."

Speaker Greiman: "Is there any further discussion? Mr. Dunn to close."

Dunn: "I know of no opposition to this legislation. Would request a favorable Roll Call."

Speaker Greiman: "Thank you. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. On this... Have all vote who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 101 voting 'aye', 15 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed.. Now, moving back on the Order, we passed over one Bill. On the Order of House Bill Third Reading, House Bill 682. Representative Stuffle. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 682, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, before I proceed on the Bill, let me take a point of personal privilege in introducing in the

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west gallery, Mr. David Carroll, the class from Lincoln School in Danville that I represent."

Speaker Greiman: "Thank you. Proceed. On House Bill 682, announcements."

Stuffle: "House Bill 682, is a Bill Sponsored by Representative Matijevich, with his leave I will present the Bill. The Bill provides for clarification of the amount of money that must be set aside by municipalities each year under the Downstate Firemen's Pension System Act, and provides that the amount of money that must be set aside in reserve for amortization of the third part of the existing law shall include interest. This is the forty year funding amortization that we passed with regard to that unfunded liability, that existed in these various funds in 1980. Also, the Bill provides that there shall be an actuarial valuation done by an actuary specifically from the Department of Insurance, so that we attempt to get uniform figure on what the actuary valuation is in each of these downstate pension funds. Those are the two changes made in the Bill as amended. Be glad to answer any questions on the Bill for the Members."

Speaker Greiman: "The Gentlemen has moved for the passage of House Bill 682. Is there any discussion? On that, the Gentlemen from DeKalb, Representative Ebbesen."

Ebbesen: "Yes. Will the Sponsor yield? Representative Stuffle, you said that this, as I understood you, would mandate the... on the forty year basis the amount of... of the money that would... a minimum amount of money... you giving it the funding, and your mandating that local government come up with in that open ended tax, that they have to put in so much money any particular time to bring it to a certain level. I didn't quite grasp what you said."

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Stuffle: "What we're doing is attempting to provide in that third section of the existing funding statute for these downstate fire funds of provision, that indicates that there will be a level amount of money provided in each of the forty years with interest to meet the standard that's already in place for forty year funding of those liabilities, unfunded... accrued liabilities that were enforced of January 1, of 1980."

Ebbesen: "Well. Yes, I know what the attempt is. But, what this really does is, is this really mandating local government through the open ended tax to come up with a certain level plus interest in all local systems and local government?"

Stuffle: "This is the fire system only. The statute already requires the amortization as you know of those unfunded liabilities on a forty year basis. This clarifies, if you will, that that intention is that there be a level payment in each of the forty years."

Ebbesen: "Alright now, in other words, if it's mandated, it's written into the statute. Does that mean... such as the City of DeKalb, or Rock Island, or Quincy would be mandated to... on that open ended tax to come up with a tax levy necessary to increase property taxes to generate that revenue. Is that what you're saying, plus interest?"

Stuffle: "Well, the point is, we are trying to make sure that they do come up with the actuarial amount. And there's been some questions of whether or not they have been doing so in all cases."

Ebbesen: "Well, all you have to do is go to the local police and fire pension system and see that some of them are funded 10%, 12%, but what this legislation is doing, is in an essence, is mandating local government municipalities to fund those in increase property taxes, and you're taking the local option away and mandating it from right here in

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these chambers. Is that what you think?"

Stuffle: "Well, I don't agree with that, because the current law already provides this. We're merely making clear, that the local municipalities is not going to be able to low ball that figure. They already have to do that in the clear language of the existing statute. I think this merely spells it out a little better."

Ebbesen: "Well...to the Bill. If what I think this Bill does, is true. I am not getting a direct answer, I do not think. But, when you vote on this Bill, I think what you're saying to your local municipalities and I'm all for increase funding, but I think the option ought to be left to the local elected officials with that open ended tax levy, that goes right back to the property taxes. And you better look at this Bill twice before you cast an affirmative vote."

Speaker Greiman: "The Gentlemen from Madison, Mr. Wolf"

Wolf: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Greiman: "Indicates that he will."

Wolf: "Representative Stuffle, under the initial Bill, it provided that the actuary requirements should be the amount determined by the Department of Insurance or a qualified actuary. I notice on Amendment #2 that it changed this language to provide that the actuary requirements must be the amount determined by the Department of Insurance only. Do you know as to whether or not there is anything in that Amendment to require the Department of Insurance to use a qualified actuary? Are is it your intention to amend that in the Senate?"

Stuffle: "My understanding is that that Amendment does have some provision in it regarding who the department would select as the actuary for this particular program. Our problem is, and if there is an continuing issue there, I don't

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think we have a problem resolving it. Representative Matijevich, I think, is in an agreement with that. The whole issue is whether or not the local municipality can go out and find themselves an actuary that is going to low ball what the forty year figure is suppose to be. We're trying to make it uniform. That was one proposal that we used actuary determine pursuant to federal aegis standards. Federal aegis standards, as you know, don't apply to these particular system, or to public employees, so, we thought that was inappropriate."

Wolf: "Well, I don't have any problems with the Bill, but I think that the Pension Laws Commission does have a problem with the determination by... as to who in the Department of Insurance is going to make and set the actuary requirements. Now, if it is your intention to address that problem in the Senate, I wouldn't have any problems with it either."

Stuffle: "I have no problems, if that can be resolved. We want to have without a doubt, an actuary who is going to give us a uniform valuation throughout these funds and that's the whole basic purpose of the Bill."

Wolf: "Thank you."

Speaker Greiman: "The Gentlemen from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I arise for purposes of an introduction. With us today, near his old haunt in this chamber, is former Representative Ron Stearney, who served many years in the south, and is now an effective trial lawyer in private practice. Mr. Stearney, would you stand up so the Members can recognize you?"

Unknown: "We welcome this particular Representative."

Speaker Greiman: "Is there further discussion? There being none.
Mr. Stuffle to close."

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Stuffle: "Just to say, Mr. Speaker, and Members, I don't think it was our intention, when we reached the compromise in 1980, to fund the unfunded liability of this system when we agreed that the cities would pay their share over forty years, to let them pay less than their share in a given year, or to inadvertently, or advertently do so in such a way that they low ball the figures to jeopardize the pension systems that we keep saying we want to fund whether we support benefits or not in increases. I think this Bill clarifies that. I think that's its intention. I think it does that job. And for those reasons, I would ask for your 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Representative Terzich to explain his vote."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the Pension Laws Commission did have a problem with this Bill. They are not against properly funding any pension system which they agreed to. However, the Department of Insurance... there are approximately 200 different fire department pension plans. And I don't believe that they have the facilities to... or actuarial expertise to provide the services that the Representative is requesting. And I would think that if the Bill would be amended to set up the standards for an actuarial report, I think would satisfy that problem. And I would hope that he would accept that type of Amendment in the Senate. And under those circumstances, I would vote for this Bill."

Speaker Greiman: "Have all vote who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 84 voting 'aye', 28 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is

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Stuffle: "Just to say, Mr. Speaker, and Members, I don't think it was our intention, when we reached the compromise in 1980, to fund the unfunded liability of this system when we agreed that the cities would pay their share over forty years, to let them pay less than their share in a given year, or to inadvertently, or advertently do so in such a way that they low ball the figures to jeopardize the pension systems that we keep saying we want to fund whether we support benefits or not in increases. I think this Bill clarifies that. I think that's its intention. I think it does that job. And for those reasons, I would ask for your 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Representative Terzich to explain his vote."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the Pension Laws Commission did have a problem with this Bill. They are not against properly funding any pension system which they agreed to. However, the Department of Insurance... there are approximately 200 different fire department pension plans. And I don't believe that they have the facilities to... or actuarial expertise to provide the services that the Representative is requesting. And I would think that if the Bill would be amended to set up the standards for an actuarial report, I think would satisfy that problem. And I would hope that he would accept that type of Amendment in the Senate. And under those circumstances, I would vote for this Bill."

Speaker Greiman: "Have all vote who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 84 voting 'aye', 28 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed.. On the Order of House Bills Third Reading, appears House Bill 697. Mr. Yourell. For what purpose do you arise, Sir?"

Yourell: "Thank you, Mr. Speaker. As the principal Sponsor of House Bill 634, I would ask leave to have that Bill placed in Interim Study."

Speaker Greiman: "The Gentlemen asks leave to place House Bill, what... House Bill 634 in Interim Study. Does the Gentlemen have leave? Leave leave is hereby granted. Now, Mr. Clerk, read House Bill 697."

Clerk Leone: " House Bill 697, a Bill for an Act to amend Sections of the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Greiman: "Mr. DeJaegher."

DeJaegher: "House Bill 697 is a permissive piece of legislation. It does not affect the Chicago tracks. It affects only two tracks that are downstate. There are certain limitations to this Bill. The Amendments addresses themselves to the Bill. The Amendment was... and I had assistance from Ron Swanson, lobbyist, so that we do not create a conflict with other tracks. The restraint is, that tracks must be separated by a 75 mile radius. What the intent of this Bill is, currently on the books, there is a restriction that permits, that does not... that restricts a track from running more than seventy-five consecutive days without reorganizing. This would eliminate the reorganization procedures. In my locale, we do have a track. It presently operates a 168 days. So you can see that they have to reorganize quite constantly. Some of you people may be objective to the racing association, but here is a track that's been receptive to the community. They have been involved in the community. They sponsor many many charitable dates. And basically, what this is saying, is

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my thanks for what that track and it's operators that have done for the community and hope that you will vote accordingly."

Speaker Greiman: "The Gentlemen moves for the passage of House Bill 697. Is there any discussion? The Lady from Cook, Representative Topinka."

Topinka: "Yes. Will the Gentlemen yield? Please."

Speaker Greiman: "Indicates that he will yield for question."

Topinka: "Yeah. I'd like to know how this would affect, for instance, parks like Sportsman's, Hawthorne, and Arlington, who are significantly within their 75 mile radius. Because, I can perceive just looking at the top of this, that they would be bumping. And I know I've talked to our people at Sportsman's, and they seem a little bit concerned by this."

DeJaegher: "This this Bill would not would not affect those tracks operating presently in the City of Chicago."

Topinka: "There're not in the City of Chicago."

DeJaegher: "Huh."

Topinka: "There're not in the City of Chicago."

DeJaegher: "Are even in the Suburbs of Chicago. These race would tracks have to be separated by a 75 miles radius."

Topinka: "They would have to be separated by a 75 mile radius."

DeJaegher: "At least 75 miles. These tracks must be separated by at least 75 miles..."

Topinka: "These tracks are not separated by 75 miles. Hawthorne and Sportsman are abut each other."

DeJaegher: "That's what I say. So, that would not have no affect on these particular tracks, because of the distance. The only two tracks that would be affected by the elimination of this particular statute would be the two downstate tracks. The Chicago tracks would not be affected by this. They would still have to adhere to the present statute."

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Topinka: "Okay."

Speaker Greiman: "The Gentlemen from Bureau, Mr. Mautino."

Mautino: "Yes. As a Cosponsor of this legislation, I would like the opportunity to address the Bill and probably respond to Representative Topinka's concern. As it is now the metropolitan tracks, basically in Cook County, have enough charity and organizational entities that they don't have to do this on a continuing basis. In the downstate area, this affect only two tracks, Quad cities and Fairmont, because they have to reorganize every period, basically, with about the same people, and just submit another reorganizational provision. So, it only affects the two downstate tracks. And it's only for a continuation of what they are doing now."

Speaker Greiman: "The Gentlemen from Cook, Mr. Marzuki."

Marzuki: "I have checked with the Balmoral Race Track people in my district. They are in support of this Bill. They feel that it will not affect the Chicago tracks at all. They feel that it's a good Bill and will help horse racing in general. I, therefore, urge all of you to give this a 'yes' vote."

Speaker Greiman: "The Gentlemen from DeWitt, Mr. Vinson."

Vinson: "Will the Gentlemen yield?"

Speaker Greiman: "He indicates that he will."

Vinson: "Has the... what is the position of the Illinois Racing Board on this Bill as amended?"

DeJaegher: "Representative Vinson, when I originally conceived this idea, I contacted the lobbyist from the racing board. He and I, you might say even he himself, drafted the Amendment that we have to this particular Bill. So, it wouldn't have an adverse on those other tracks. So, I'm assuming that you're a supporter of this particular Bill."

Speaker Greiman: "Mr. Vinson. Further discussion. Mr. Ropp, the

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Gentlemen from McLean."

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

Speaker Greiman: "He indicates he'll yield for a question."

Ropp: "I have a question. This has to do with the Bill that was talked about this morning in appropriations? And maybe someone in that Rockford area might answer that. There's consideration dealing with a possibility of setting up dog tracks in the state. And that currently, the horse racing tracks would be allowed to also, have dog track facilities. I'm not sure that they would have them right exactly together. But, does this Bill in anyway, would you see down the road have some problems, if we should have a dog track in the same location that a horse... where horses would be running that could cause some date setting problems?"

DeJaegher: "This should have nothing to do with your concern pertaining to dog racing, or greyhound racing. Your racing Commission.... your racing board would still allow the specific dates, so would have no bearing. I mean, these two subjects would have to be addressed to in separate matters. This has nothing at all to do with the dog racing."

Speaker Greiman: "Is there further discussion? There being none.
Mr. DeJaegher to close."

DeJaegher: "All I ask for is an affirmative vote, and I'd appreciate that."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all vote who wish? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', 6 voting 'no', 2 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Representative

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Breslin, in the Chair."

Speaker Breslin: "House Bill 701. Clerk, read the Bill."

Clerk Leone: "House Bill 701, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Breslin: "Representative Greiman, House Bill 701."

Greiman: "Thank you, Madame Speaker. May we suspend the appropriate rule and refer to you as Madame Speaker? May I have leave?"

Speaker Breslin: "Does the Gentlemen have leave? There being no objection. The Gentlemen has leave. Representative Greiman."

Greiman: "Thank you, Madame Speaker. House Bill 701, changes the township law and provides that townships may lease property to other governmental units at whatever terms the township may desire, and upon whatever length of lease they would desire without going through the bidding process. The Constitution of Illinois quite clearly...in 1970, quite clearly suggests that there be intergovernmental cooperation stimulated and encourage by state law, and in response to that, that this Bill has been put in. I know of no oppositions to the Bill. And I would ask for passage."

Speaker Breslin: "The Gentlemen from Marion, Representative Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will yield."

Friedrich: "Representative Greiman, would there... this can be done by an action of the Township Board?"

Greiman: "Yes, by the board."

Friedrich: "Conceivably then, taking extreme case, on the last day that a Township Board held office before the new board took over, they could lease a township building for forty or fifty years, and the lease would be irrevocable if both

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parties agreed to it and the new board couldn't know anything about? Is that right?"

Greiman: "Well, they could lease it to another intergovernmental agency. Well, I suppose if that would be... that might be true. They would have some basic problems, I suppose, in that time frame. They could do that two weeks before or a month before as well. The purpose of this, is to allow intergovernmental cooperation."

Friedrich: "On the Bill, Mr. Speaker. I'm one of those who helped put the provision in the Constitution for other governmental cooperation. But I don't think that we anticipated, that a board which might not be a continuing board could make an irrevocable lease to someone. And I can conceive where a board going out of office might, to spite their successors, enter into an unbelievable lease which is irrevocable. I wonder if this is really what you want to do."

Speaker Breslin: "The Gentlemen from Lake, Representative Peterson."

Peterson: "Madame Speaker, I would like to address the Bill. I think this is a good Bill. Currently under the statute, townships can enter into rental agreements for the purposes of branch circuit court. It is being done. There is no limit to the time that a branch court can be availed in a township building. I think this is something that once again will help save the taxpayer's money. And I would urge your affirmative vote."

Speaker Breslin: "There being no further discussion. The Gentlemen from Cook, Representative Greiman to close."

Speaker Greiman: "I merely ask for a favorable Roll Call. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 701 pass?' All those in favor vote 'aye', all those opposed vote

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. This Bill has 107 'ayes', no voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 708. Clerk, read the Bill."

Clerk Leone: "House Bill 708, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 708 was legislation that passed the House last year, last Session with an overwhelming majority. It got tied up in the crunch in the Senate last year. What 708 does, is to allow downstate park districts to levy for a police tax at the rate that is authorized for all park districts that were established after 1973. For those park districts that were established before 1973, there was no provisions in the corporations. There are probably 25% of the Park Districts in downstate Illinois that do not have the opportunity to fund police protection. What they normally do, is get into an agreement with either the sheriff's department or the local municipalities, police department for police protection. In a sense, the Park District pays for that funding to those other entities for police protection. What this legislation will do by virtue of backdoor referendum, is to authorize its .025 for police protection for downstate park districts. The City of Chicago and Cook County Park Districts come under a different statute. And this addresses only downstate park districts. I'll be happy to respond to any inquiries."

Speaker Breslin: "The Gentlemen has moved for passage of House Bill 708. Is there any discussion? Is there any discussion? There being no further discussion, the

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question is, 'Shall House Bill 708 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 79 voting 'aye', 36 voting 'no', and no voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed.. House Bill 709, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 709, a Bill for an Act to amend Sections of the Park District Code. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "709, is a companion to 708. But this one, addresses the park districts that were formed before 1963, whereby the lighting and street provisions for park districts was not included in the levy. What we are doing here is authorizing under the same provisions .005 for paving and lighting of streets within a park district facility. We have found that most of the expense within park districts pertain to the upgrading and maintenance of the roads within a park, and the problem with vandalisms and other items happen to be in the area where the lighting and expenditures for utilities has not been levied for. All those that were formed after 1963, have that provision in the code. Those that were inactive before 1963 did not have the provision in the code as well. What we have here in terms of dollars for the average park district, is about 30% per property owner in a park district for the lighting and paving. And there is a backdoor referendum provision in the legislation. I'll be happy to respond to any inquiries."

Speaker Breslin: "The Gentlemen has moved for passage of House Bill 709. Is there any discussion? There being no discussion. The question is, 'Shall House Bill 709 pass?'

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All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 72 voting 'aye', 40 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed.. House Bill 710, Representative Bullock. Clerk, read the Bill."

Clerk Leone: "House Bill 710, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 710 relates to the Prevailing Wage Act. In an essence, House Bill 710 would allow the food service employees to have the same opportunities and the same rights that are presently provided to many other unions of the state, those involved in janitorial services, and window cleaning and security. House Bill 710 would, in fact, amend the Purchasing Act and require that prevailing wage be paid to employees performing food service contracts entered into by the state. The letter that I received from the Department of Central Management Services indicates that this Bill has no fiscal impact and that the administrative work would continue, and there would be no additional dollars required by the state. The Bill further requires that purchases and vendors, the legislation would only cover those who total more than \$200 per month or contracts totalling more than \$2,000. I'd be glad to answer any questions that might be, otherwise, I would request an 'aye' vote. Flag vote."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 710. The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madame Speaker. Representative, when this Bill went through Committee, I think we kind of lost

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track of who was supposed to do what on this. I raise some observations as to its applicability to those food service facilities where Department of Rehabilitative Services is given preference in contracting. And I think I also raised reservations about those facilities that are not food service cafeteria style, but vending facilities only, in which a possible vending service operator would be paying his salesmen on the basis of commission on sales, rather than on hourly wage. Is it your intent to continue to try to work up an Amendment, should this Bill pass out of the House and go on over to the Senate?"

Bullock: "In answer to your first question, I'm not certain who was to prepare the Amendment, but I held the Bill on Second Reading for about a week, and we moved it to Third Reading. I don't recall who had the responsibility for drafting an Amendment."

Mays: "I don't either."

Bullock: "Had I had that, I probably would have drafted it. But certainly if you feel that there are some things that ought to be clarified in the Bill, it's too late to do it in the House. But I certainly would not object to someone in the Senate clarifying the language only. Certainly this legislation does apply to all food service contracts, and it relates to those who handle vending machines and operate on a commission basis. Wherein the legislation does apply, it would, and where the legislation does not apply, it should not. And if you feel that there is some language that would clarify that or of a technical nature, I would have no objections."

Mays: "Well, Representative, my staff just assured me that he could have some clarifying language drawn up right tomorrow, or by tomorrow, if you will hold this Bill on Third Reading and bring it back on an Agreed Amendment

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basis for consideration tomorrow."

Bullock: "Well, I have not counted the number of Bills we have on the Calendar, but I been around here long enough to know that you'd better strike while it's hot. I wouldn't want to hold this Bill and have it get caught up in something tomorrow. But I assure you that I will ask the Senate Sponsor if staff will get that Amendment. I'll ask the Senate Sponsor to put it on in Committee, and I'm certain that the Senate Sponsor would be willing to do that."

Mays: "Well, Okay. To the Bill. There was a lack of communication between the staff as to which was responsible for what and two possible Amendments that I think are warranted on this particular Bill were not appropriately drafted in a timely manner. I do feel at this time though, because of these reservations, that I will have to oppose this Bill. And I look forward to working with the Sponsor, however, in the Senate to amend it to a more acceptable form."

Speaker Breslin: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you. Thank you, Madame Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "The Sponsor will yield."

Piel: "Representative Bullock, would this raise the cost of food, say downstairs?"

Bullock: "Not to my knowledge. The fiscal note from Central Management Services indicates to me, and I quote, 'We do not anticipate additional dollar toward administrative work in terms of the cost of food.' I don't know."

Piel: "Yeah, but you say... you're saying it would raise administrative costs?"

Bullock: "It would not."

Piel: "Okay, but that would have to be taken in to effect on their contract, wouldn't it?"

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Bullock: "It all depends."

Piel: "Wouldn't they bid on the contract, I mean the wages they're paying?"

Bullock: "Well it all depends on the existing contract. It certainly would not apply to the existing contract. If future contracts negotiated arm length agreement in good faith by the union and the state, whatever that contract required, I think that it should be honored. In terms of your question about the cost of food, I don't know if the price of a hotdog is going to go up, because of this Bill."

Piel: "You don't have to worry about that, Larry, cause very seldom do they have them down there. What as far do you think it might possibly lower the price of food down there?"

Bullock: "Well, I don't know. It'll probably improve the quality."

Piel: "Well, you know, I don't think we have to worry about the quality, because very seldom do they have the food down there. I mean, when you consider today at 1:15, they had already ran out of hamburger, and at 2:00 o'clock they'd already ran out of salads. And when they bring the stuff up here, it's all... anyway."

Bullock: "Well, we probably can send Zeke Giorgi down there. He's pretty good at the culinary sciences."

Piel: "No, We had the Secretary of State to call down there today, and they just forgot to order. But I was just wondering if this would increase the food cost, because, you know, there is no need in increasing the food cost when the food is lousy in the first place. Thank you very much."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Madame Speaker and Members of the House, I think I

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could answer that last question. They will raise the price. There's no question about that. Because what you're doing with this Bill is raising the cost of food service; and therefore, the price of food service is going to have to be increased. Now, the Gentlemen from Adams, a while ago, talked about Amendments, that he even talked about in Committee, and I assumed that those Amendments had been drawn, offered and adopted, but apparently they haven't been. I think with this Bill, it's an unnecessary thing. It creates a dual system, a dual scale for some food service employers, particularly smaller employers, whereby their state contract workers are paid the prevailing wage and their private contract employees another wage. So, as a result, I think it create a lot of problems within the system. Frankly, I don't see any need for it. I think it's unnecessary, and I would ask you to vote 'no' on the Bill."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Madame Chairman and Ladies and Gentlemen of the House, would the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield."

Hastert: "I'm asking some legitimate question... I have some questions about the Bill. What about in a state prison situation? We've been... one of the things we've tried to do is have those inmates more involved in working, you know, earning money, things like that. Do they... are they... If they work in the prison food system, the food service contracts, are they prevailing wage?"

Bullock: "Well, first of all, if you're talking about nonprisoners in state institutions, the answer is affirmative. If you are referring to prisoners, I certainly don't think they'd be classified as employees of

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the state, and they would not be included."

Hastert: "Okay, I'm asking as a legitimate question. I don't know if they're classified as an employees when they do that work or not."

Bullock: "But I tried to respond in a legitimate fashion, and it's affirmative on the first question. It's negative on the second."

Hastert: "Okay, secondly, how about hospitals and those types of organizations that have state contracts and receive state monies funding, Medicare and this type of thing? Does this extend to their food service programs also?"

Bullock: "The definition of State Government is clear, and state agencies are included. State universities and all corporate outgrowths of State Government are included. Local governments are not included, and it relates to employees performing food service contracts entered into by the State of Illinois. That is the intent of the legislation. If such contract exists between the state and an individual hospital, then that contract would be obviously covered under the provisions of House Bill 710."

Hastert: "It would be. Thank you."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Bullock, to close."

Bullock: "Thank you, Madame Speaker. I think the issue has been thoroughly addressed. We're asking for equity and fairness. Janitorial services, and cleaning services, a... window cleaning services and security guard services are presently covered under the provisions of the prevailing wage. I think now is the time to cover the food service employees. I would request an affirmative vote."

Speaker Breslin: "The question is, 'Shall House Bill 710 pass?' All those in favor vote 'aye', all those opposed 'no'. Voting is open. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this Bill, there is 70 voting 'aye', 41 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed.. House Bill 713, Representative Pierce. Out of the record. House Bill 722, Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 722, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. Under present law, local entities have the power to levy at whatever rate is needed for insurance coverage to pay toward immunity with respect to Unemployment Insurance, Workmen's Comp. and Occupational Disease Act. This currently does not, however, go beyond insurance. Some of the larger school districts in the state are able to achieve economies with respect to the unemployment and workmen comp. through self insurance, and in house administration. House Bill 722, would extend the power to levy which is currently limited to insurance to cover self insurance for school districts for this specific purpose. Originally, this Bill only apply to the City of Chicago Board of Education. In Committee it was a request for an Amendment to have it apply statewide."

Speaker Breslin: "The Gentlemen has moved for passage of House Bill 722. Is there any discussion? There being no discussion. The question is, 'Shall House Bill 722 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this vote, there are 90 voting 'aye', 21 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed.. House Bill 730,
Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 730, a Bill for an Act to amend the
Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Vinson. For what purpose do you
arise?"

Vinson: "Mr. Speaker, I arise for purposes of an introduction. I
would like to introduce to this chamber, State
Representative Ginger Burr, the State of Kansas, represents
the 51st District, Shawnee County, and she is seated next
to Representative Tate, Mike Tate of Decatur, right here in
this row, Ms. Burr."

Speaker Breslin: "Welcome, Representative. Representative Rea on
House Bill 730."

Rea: "Thank you, Madame Speaker, and Members of the House. House
Bill 730 allows credit for corporations for investments on
coal utilization research and equipment purchase to
increase Illinois coal use. The Bill presents two income
tax credits for corporations in a area of Illinois Coal
Research and coal use. An amount equal to 20% of
expenditures during the taxable year on coal utilization
research sponsored and approved by the Coal Research Board,
in which this General Assembly had approved in the last
Session. It also provides a 5% of expenditures during a
taxable year on equipment purchased for increasing the use
of Illinois Coal at any facility owned, leased or operated
by the corporation. This Bill will, be helpful, especially
at a time when the coal research and development is still
at somewhat of a risk. It would be an encouragement, an
incentive to the corporations to utilize Illinois Coal.
And I would ask for a favorable Roll Call."

Speaker Breslin: "The Gentlemen has moved for passage of House
Bill 730. And on that question, the Gentlemen from

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Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Breslin: "He indicates he will yield."

Hastert: "Could the Sponsor tell us what the cost to the State of Illinois on these investment tax credits to corporations would be?"

Rea: "Well, actually the revenue loses resulting from the credits, it is hard to estimate the exact cost but it would be partially, if not largely, offset by revenue gains from increased mine employment and production. And this is being reported out from the Economic and Fiscal Commission."

Hastert: "But do you have dollar and cents cost to the state?"

Rea: "No, I do not but if you notice the note that is attach to this it says, 'that the... that it's not likely to be very much'."

Hastert: "Alright, is there any stipulation that once these corporation, get a tax credit that they have to use Illinois Coal?"

Rea: "Yes. And not only that, but they would have to... their application would have to go through the Coal Review Board or Research Board before it could be approved for the tax incentive."

Hastert: "Do these corporations receive any other types of tax credits, say from the federal government already?"

Rea: "As far as I know, only just the normal investment tax, which everybody else receives. And this would pertain strictly to the use of Illinois Coal."

Hastert: "What did you say again? I didn't hear that."

Rea: "Only the normal investment tax is, as far as I know, and that other incorporations receive. This would, of course, be the... Yeah, there's no special provision that I know of."

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Hastert: "Madame Chairman, to the Bill. I think what we have here is a clear cut case, that we have no guarantees that these companies that are going to get investment tax, corporations are going to get investment tax credit, are actually going to use Illinois Coal. As I... as far as I can see, stipulations in the Bill, there is no stipulation that these... Once they usually have the tax credits, there is stipulation for Illinois Coal. Secondly, the Illinois... those corporations that are eligible for these tax credits, already receive tax credit from the IRS, the federal government of 10%. They received this tax credit through 1982. These tax credits are extended through 1985. Any corporation that has research development testing high risk technology for use in any type of energy alternatives, or agriculture energy alternative which include nuclear energy as well as coal energy are receiving 10% IRS credit already. What we're really doing is stripping the coffers of Illinois, the State of Illinois, where these corporations already receiving tremendous tax credits, federal tax credits, and we're not getting any guarantee that they're getting a return. I think this is a ridiculous Bill, especially at a time now in the State of Illinois, when we're facing a financial crunch a financial deficit. And we're giving tax credits away to corporations who really should be the base of carrying the burden of the tax burden in the state. I think this is a bad Bill. And I would ask for your negative vote."

Speaker Breslin: "The Gentlemen from Cook, Representative Cullerton."

Cullerton: "Yes. Representative Rea, there are two tax credits found in this Bill. The first one is a credit of 20% of the amount spent during the taxable year for research. And that research has to be approved by the Illinois Coal

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Research Board. But the second credit, is 5% of the amount spent during the taxable year on equipment purchased for the purpose of increasing use of Illinois Coal. Now, how can or would we know whether or not the equipment was being used for the purpose of increasing use of Illinois Coal? There's no requirement that the Illinois Coal Research Board make a determination that equipment is going to be used in increasing use of Illinois Coal. I tend to agree with Representative Hastert that once the equipment is purchased that there's no restriction at all as to its use. It just doesn't seem to be very tight. And I know of what you've said, you intend the Bill to do. But I don't see how it can be policed and as a result it could lead to a tremendous amount of abuse. I can ask that in a form of a question so that you can respond. But at this point the way it's drafted, I think it's a bad... poorly drafted, and we should be against it."

Speaker Breslin: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Madame Speaker, and Ladies and Gentlemen of the House. Would the Sponsor please yield?"

Speaker Breslin: "The Gentlemen... he will yield."

Koehler: "Representative, in our analysis, it lists several projects that might qualify for these tax credits. There are two projects that are located in and around my district. The BF Goodrich plant in Henry, Illinois, the Midwest Solvents Company in Pekin. Now, each of these two projects have received several million dollars in state grants for the development of fluidized beds coal... the burning of coal with fluidized beds. Now, what I was going to ask you is, in addition to the grant that they have already qualified for and would receive, on top of that, would they also receive a tax credit for the use of coal?"

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Rea: "Only if they would make additional advancement there for additional use of Illinois Coal, as I understand the way it's drafted now. And I might also indicate to you that that's true, they have received monies through the Coal Bond Act, but there's very limited monies there for this type of activity. So, we're trying to do something else to encourage... especially other companies and corporations to use cleaning devices, technology equipment and so on. And it also... such equipment would include direct combustion, liquification, gasification, and any type of pollution control devices."

Koehler: "Well, I realize that it might be some what limited, but theoretically, a company that had already received, for example, the BF Goodrich in Henry, already has received... could receive over \$4,000,000, midwest... over \$2,000,000. Then in addition to that they could receive state tax credit and federal tax credit."

Rea: "Only if they go beyond, and it would increase the use of Illinois Coal of high sulfur coal on a desulfurization."

Koehler: "Thank you."

Speaker Breslin: "The Gentlemen from Macoupin, Representative Hannig."

Hannig: "Yes. Thank you, Mr... Madame Chair... Speaker and Members of the House. I would... when I look at this Bill, basically, what we are trying to do is encourage the use of Illinois Coal. Now for a business, which is operating in this state and wants to burn coal, really the only considerations they have, are whether they should burn Illinois Coal and put the investments out on the line immediately by putting scrubbers and pollution control devices out, or whether they should simply buy western coal, which means they would have to pay the higher cost of transporting the coal in. Now, I would simply argue that

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it's ridiculous to think that on the one hand, that they would pay for the scrubbers and the pollution control devices simply to get this credit, which obviously is only a part of their initial outlay. And then...and then turn around and bring in western coal from Colorado, for example. I think the Bill is properly drawn. I think it does address the issues that we wanted to address, that is to burn more Illinois Coal. In downstate Illinois coal equals jobs. And God knows we need all the jobs we can get in this state. Now, this is an opportunity for this legislature to show that we do have a commitment to coal, that we want Illinois Coal to be burned. And we want to see Illinois Coal Miners on the jobs, not in the unemployment lines. I would ask for your 'yes' vote."

Speaker Breslin: "The Gentlemen from DeWitt, Representative Vinson."

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

Speaker Breslin: "He says, he will yield."

Vinson: "Representative Rea, I too, am concerned about the... particularly the second tax credit that you provide in your Bill. Am I'm not correct in thinking that with that second tax credit, a utility could build a coal fired power plant, the whole power plant? I don't know, 250, \$500,000,000 and apply the credit against that?"

Rea: "No. It's... No, this would not include the entire plant. It would only involve the necessary equipment that would be attached to the plant, for instance the pollution control devices."

Vinson: "Why wouldn't it include the entire plant if it were a coal fired plant that the utility intended to burn Illinois Coal in? What language would prevent that in that particular portion of the tax credit?"

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Rea: "If the... If it's not clarified there, Representative, I will be certainly glad to ask for an Amendment to be placed on it in the Senate, for the Senate Sponsor to address that."

Vinson: "Would you be willing to take the Bill back to Second Reading and amended it in the House to do that?"

Rea: "Well, I think it was indicated earlier with the heavy schedule that we've got here in the House. I would not want to do that because I know that no telling when or if we would ever get back to it. And this is a very important piece of legislation. And as it relates to the use of Illinois Coal, but I would be glad to work with you in regards to an Amendment in the Senate."

Vinson: "Mr. Speaker, to the... Madame Speaker, I certainly apologize, to the Bill. I think the Sponsor now concedes and I don't think that it can be honestly debated. What this Bill would provide for, is if a utility builds a coal fired power plant, that utility can claim a 5% credit for the entire cost of that power plant against their Illinois Income Tax. Now that coal fire power plant may cost 100,000,000, 200,000,000, \$500,000,000. But against that entire cost, not against the pollution control equipment, not against some special process in it, not against some small additional part of it, but against the entire cost of that coal fired power plant, the utility can claim that credit. Do you really want to give that kind of enormous tax credit to the utilities in this state? I think you ought to consider that before you vote for this Bill. The cost on this Bill could be horrendous. And the question is, 'At a time... at a time when some people maintain that we have over built on utility capacity, do you want to supply a special 5% tax credit against the Illinois Income Tax for building new coal fire power plants. I think not,

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and I would urge a 'no' vote on the Bill because of the horrendous cost that might be entailed with it."

Speaker Breslin: "The Gentlemen from Cook, Representative Ronan."

Ronan: "Madame Speaker, I move the previous question on the fine Bill."

Speaker Breslin: "The Gentlemen moves the previous question. All those in favor say 'aye', all those opposed say 'nay'. The previous question is moved. Representative Rea to close."

Rea: "Thank you, Madame Speaker, Members of the House. I think that in regards to the concerns that have been expressed by... and I'm a little bit surprise to hear opposition from over there on the tax investment plan. But, I will certainly be glad to address that issue to make sure that it is clarified and worked with the Sponsor in the Senate. I might also say that, you know we have done a tremendous amount in Illinois to promote agriculture, we've gone a long ways. We've done somewhat in terms of tourism, in terms of business. But we have really drug our feet on trying to make every attempt we can to promote the use of Illinois coal. And this is very important to us, and one of the valuable resources that we have here in this state. We are sitting here; the leaders of bituminous coal. And this will certainly help take away some of the risk that some of these corporations are being faced with today on converting to and using technology on the use of Illinois coal. So, I think that this will help us in employment. It will help the business climate. And I would certainly ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Will House Bill 730 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there is 65 voting 'aye',

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47 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 730. Strike that. House Bill 742, Representative Kulas. Clerk, read the Bill."

Clerk Leone: "House Bill 742, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Kulas."

Kulas: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. House Bill 742, amends the Chicago Teachers Article of the Pension Code. It makes a number of changes that are primarily of an administrative or clarifying nature. This Bill has been introduced at the request of the retirement system, and is intended to be the system's house keeping Bill, making a number of changes primarily of an administrative and a clarifying nature to help the system more efficiently operate and administer its affairs. This Bill has been approved by the Pension Laws Commission. And I'll be glad to answer any questions, if there are any."

Speaker Breslin: "The Gentlemen from Cook, Representative Bullock. Representative Bullock. The Gentlemen is not in his seat. There being no further discussion, the question is, 'Will House Bill 742 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. All voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 72 voting 'aye', 38 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 743, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 743, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madame Speaker. House Bill 743 would

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require that school districts with established salary schedules, by collective bargaining or otherwise, place certified school nurses on the same schedule as...schedule as certified teachers. Now, this Bill is the same as Senate Bill 647 from last year as amended. And as amended, that Bill came out of here 141 to 17, came out of the House and came out of the Senate 34 to 20. It was vetoed by the Governor. And I have to make a correction, this year's Bill does have a change by Amendment 1 in Committee. And that is Amendment 1 clarifies, we believe, that this Bill does not come under the State Mandates Act. The reason we believe it does not come under the State Mandates Act is that it... one, school districts need not hire certified nurses if they don't want to. And it only applies if you go above the schedule that is the minimum schedule for teachers as set out in Section 122, Paragraph 24-8. This is a Bill that we ask for your support on. Take any questions."

Speaker Breslin: "The Gentlemen has moved for passage of House Bill 743. And on the question, Representative Cullerton from Cook."

Cullerton: "Yes, Representative Kirkland, as I understand this, the Governor vetoed this same Bill last year, because there was no appropriation."

Kirkland: "That is correct."

Cullerton: "And what is... is there an appropriation this year?"

Kirkland: "It will need an appropriation this year, if it doesn't come under the State Mandates Act, as I understand it."

Cullerton: "Okay, and have you discussed that with your Governor?"

Kirkland: "I have not discussed it with him personally. No."

Cullerton: "Well, I didn't mean personally. We don't get a chance to talk to him. He's one of my constituents. I'll

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see if I can arrange for something for you. How much money will it cost?"

Kirkland: "It's estimated. It affects about 200 out of about 900 certified nurses presently employed. And it's estimated to cost around 360,000 dollars, if all those...all 200 nurses would be retained."

Cullerton: "Well, I think it's a great Bill, and I hope the Governor signs it this year."

Kirkland: "Me, too."

Speaker Breslin: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes... very briefly, Madame Speaker and Members of the House. We passed this Bill at least two times that I know of. The will of the House clearly was in favor of support of the Bill in the past. I've had at least twice myself. These people we're talking about here already are basically covered by all the other statutes that deal with certification. They have bachelor's degrees. They meet the requirements effectively of what basically are teachers. They have to do everything teachers do. They're treated the same except for salary purposes. There are very few of them in the state. It's been our will year after year to pass this Bill in this House. But it's never gotten by the Governor's desk. I think that this is the time that we put this Bill on the Governor's desk and make these people fully first class citizens within the provisions of the School Code and pay them a requisite amount of money, which is the bare minimum that we require to be paid to teachers at this time who are also certificated."

Speaker Breslin: "There being no further discussion, the Gentlemen from Kane, Representative Kirkland, to close."

Kirkland: "Yes. Well, I think that was a very good closing given

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by Representative Stuffle. But I would again repeat, this Bill has come out of here before, and we think with the single change which we think is justifiable that the Governor may sign it this year. We ask you for your support."

Speaker Breslin: "The question is, 'Shall House Bill 743 pass?' All those in favor vote 'aye', all those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 90 voting 'aye', 26 voting 'no', and no voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 744, Representative Van Dyne. Out of the record. House Bill 747, Representative Capparelli. Clerk, read the Bill."

Clerk Leone: "House Bill 747, a Bill for an Act in relationship to prisoners in jails. Third Reading of the Bill."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madame Speaker. This is a product that the commissioner appointed by the Governor to recodify Chapter 75, it establishing requirements relating to the care, custody and maintenance of prisoners confined in county jails. The Bill makes three changes. It does away with the outdated language, such as furnishing buckets which one time which they had to do, white washing of cell walls, and it makes the Sheriff responsible for the supervision and the training of jailers. It also does away with the limitation of good behavior allowance time by striking 'misdemeanant'... and makes the time available for all prisoners. This is a product also, of the correction officers, the sheriffs and the county boys. I would ask your support."

Speaker Breslin: "The Gentlemen moves for passage of House Bill 747. There being no discussion. The question is, 'Shall

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House Bill 747 pass?' All those in favor vote 'aye', all those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 voting 'aye', 6 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 749, Representative Deuchler. Clerk, read the Bill."

Clerk Leone: "House Bill 749, a Bill for an Act to require the installation of smoke alarms in dormitory bedrooms at state colleges and universities. Third Reading of the Bill."

Speaker Breslin: "The Gentlemen from Champaign, Representative Johnson. For what purpose do you arise?"

Johnson: "I'm just asking the Sponsor a question."

Speaker Breslin: "Okay. Representative Deuchler on the Bill, House Bill 749."

Deuchler: "Madame Speaker, Ladies and Gentlemen of the House, House Bill 749, amends various Acts regarding state colleges and universities. Requires the university governing boards by Amendment, the Amendment becomes the Bill, to submit to the State Fire Marshall by January 1, 1985, plans for smoke detection systems in all dormitory quarters. Be glad to take any questions."

Speaker Breslin: "The Lady moves for passage of House Bill 749. On that question, the Gentlemen from Champaign, Representative Johnson."

Johnson: "Well, we're all aware that the various state universities are facing what's mildly described as a fiscal crisis right now. I wonder if this is going to have any fiscal impact, any cost to the various university systems in the state."

Deuchler: "It's my understanding that it does not... no fiscal note has been filed and that plans are underway that this legislation would merely enhance the planning and give a

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date certain, so that plans could be completed by January 1, of 1985. The Bill did come out of Committee 11-1."

Johnson: "The reason I ask, is because our staff analysis indicates that with respect to Eastern Illinois University, the cost would be 55,000 battery operated, 81,000 central alarm."

Deuchler: "I believe that you looking at the analysis, Representative, of the Bill and the Amendment essentially is the Bill. So, that that has all been striken."

Johnson: "There's no fiscal impact to requiring alarms in the university?"

Deuchler: "No."

Johnson: "How do you put in alarms without money to do it?"

Deuchler: "This Bill merely stipulate a day certain for plans. It does not require any equipments."

Johnson: "Well. It mandates that they all have to be installed by January 1, 1985. Is that right?"

Deuchler: "No. No, that's incorrect. The plans must be submitted by January 1, 1985 to the State Fire Marshall."

Johnson: "Okay. Well, as long as there's no fiscal impact and you think it's a good idea, I'll support it."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Yes, Mr. Speaker and Members of the House, we have worked carefully with the universities involved in this case. The original Bill would have had fiscal impact, which would have been borne through the dormitory fees that would have been charged to the residence. However, the Bill was substantially amended in Committee. It is something that the universities have been planning for, anyway. As the Sponsor has indicated this simply gives a definite date by which those plans will now have to be submitted to the fire marshall. And it will move things

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along in terms of bringing those dormitories into safe standards. It is a very good Bill in its present form.

And I support it."

Speaker Breslin: "The Gentlemen from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. I think that... Madame Speaker. I think that Representative Johnson is right. I can't understand why we would force colleges to spend money on smoke alarms just to stop students from burning to death. I think it's silly."

Speaker Breslin: "The Gentlemen from Cook, Representative McGann."

McGann: "Thank you, Madame Speaker, and Members of the House. Could I ask the Sponsor of the Bill to yield?"

Speaker Breslin: "The Sponsor will yield to a question."

McGann: "Representative Deuchler, isn't it true that at Southern that the cost the fiscal impact would be from 75,000 to 1,800,000? And isn't it true that the Board of Regents also state that the fiscal impact could go as much as \$3,000,000 plus...?"

Deuchler: "Representative, that was the Bill as was originally drafted. The Amendment alters the Bill and merely requires plans."

McGann: "The Amendment... the original Bill stated you had to go into the individual bedrooms."

Deuchler: "Yes."

McGann: "And now, it's been moved into the corridors only."

Deuchler: "Plans to move them to the corridors, yes."

McGann: "I do believe that this Bill... and I would not want to ever have or be responsible of having thought that we voted against a Bill that would protect lives. But I'm not so sure that we're ready for this especially with the fiscal problems we're having, and especially for the increase in

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tuition to the students as it stands if we don't get the property monies to fund them. I think that all of the Member of this House should give this Bill some very deep consideration before they put their green light on."

Speaker Breslin: "The Gentlemen from Perry, Representative Dunn."

Dunn: "Thank you, Madame Speaker. I would like to reiterate what Chairman said a while ago about the Bill. The Bill as it is now, is not expenses. It doesn't cost anything. It's a planning Bill. And the universities were satisfied with it when it left, as far as I know, when it left the Higher Education Committee. I think that Representative Deuchler has a good Bill. And I would urge that we pass it."

Speaker Breslin: "The Gentlemen from Macon, Representative Dunn. Representative Dunn. There being no further discussion. The Chair recognizes Representative Deuchler to close."

Deuchler: "Thank you, Madame Chairman. Just merely to say that apparently, there is a little confusion on the part of some of the Members of the House who are looking at the what original Bill stated, not the Amendment, and the Amendment is merely requiring plans. As we said, the universities are supporting the Bill. And I think that... and we have all been quite aware throughout the country that there have been some very tragic university dormitory fires. And we do not want to see anything like that happening in Illinois. So, we need to get some planning on the books so that we so protect our students."

Speaker Breslin: "The question is, 'Shall House Bill 749 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 voting 'aye', 5 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Now, Representative

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Brookins for a Motion."

Brookins: "Mrs. Speaker, having voted on the prevailing side, I move to reconsider the vote on House Bill 659 lost, and rescind and expunge from the Roll Call and placed upon the table."

Speaker Breslin: "The Gentleman has moved to reconsider House Bill 659. He has also moved to exunge the minutes and to table the Bill. This Motion requires a Constitutional Majority, a vote of 60 votes. It is timely put, and the Motion is debatable. The Gentleman from Champaign, Representative Johnson, on the question."

Johnson: "My first inquiry is how we happen to go from the Bill where we were, which I guess was House Bill, whatever Representative Deuchler's Bill was, 749, back to 659 on the Calendar."

Speaker Breslin: "The Gentleman from Cook, Representative Brookins, was recognized for the purpose of placing a Motion."

Johnson: "I didn't ask that. I ask how we happened to get from that Order of Third... House Bills Third Reading back to House Bill 659."

Speaker Breslin: "I have given you the answer, Sir."

Johnson: "Well, you didn't give me the answer, Ma'am."

Speaker Breslin: "Representative..."

Johnson: "Does that mean we can go anywhere on the Calendar on Third Reading, backwards or forwards, regardless of where we are on the Calendar?"

Speaker Breslin: "We went to the Order of Motions, Representative."

Johnson: "Is the Motion been distributed? Is it in writing? Is it on the Calendar?"

Speaker Breslin: "The Motion is not in writing, and it does not need to be in writing. Representative..."

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Johnson: "Where... can you cite the rule that indicates that that does not have to be in writing nor distributed on a Supplemental Calendar that we can consider a Motion that's not been distributed, that's not been submitted in writing? Could you give me the rule and citation on that?"

Speaker Breslin: "Motions, I understand, do not need to be in writing unless the rules specifically require it, Representative. If you can cite a rule that requires it, we will certainly consider it. However, it is being put on the same day. The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. (sic - Madame) Speaker, and Ladies and Gentlemen of the House. To Representative Johnson's questions. Representative Brookins was recognized. Representative Brookins made a Motion. That Motion is timely. It deals with a Bill that was before us a short time ago. It's a timely Motion, and the Chair recognized at that as a timely Motion put in a timely fashion. I would like to speak to that Motion, if I may. For the last... for as long as I have been here..."

Speaker Breslin: "Representative... Representative Johnson on a point of order."

Johnson: "My point of order is that he is addressing himself to a Motion that's not properly before the Body. And would specifically direct the intention of the Chair to House Rule 71(a), which indicates that, quote, 'Any Motion shall be reduce to writing if the Speaker or any Member desires it'. I desire it, and I'm so asking."

Speaker Breslin: "Representative Johnson, pursuant to your request, the Motion has been put in writing, and it's in the hands of the Clerk. And now I recognize Representative McPike to conclude his discussion on the Motion which is debatable. Everyone will be recognized."

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McPike: "Thank you, Madame Chairman."

Speaker Breslin: "Gentlemen, everyone will be recognized."

McPike: "Madame Chairman, could I have some order?"

Speaker Breslin: "Gentlemen, everyone will be recognized. Right now, it's Representative McPike's turn to discuss the Motion. The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madame Speaker. I would ask for a little bit of courtesy, so that we could discuss the Motion."

Speaker Breslin: "Proceed, Representative."

McPike: "Thank you very much. Thank you, Madame Speaker. To the Motion. Every individual Member of this House..."

Speaker Breslin: "Ladies and Gentlemen, we ask for decorum in the chamber. Everyone will be heard. Is there a person making a point of order? And that person on that... a point of order, the Gentleman from Will, Representative Davis."

Davis: "The point of order is, Madame Speaker, I wish to make a substitute Motion that Representative Brookins' Motion lie on the table."

Speaker Breslin: "Representative Davis, the Membership asks, if your Motion is in writing."

Davis: "It is on my desk. It can be down there in four seconds."

Speaker Breslin: "Another point of order. Representative Brummer."

Brummer: "I think the Gentleman was recognized for a point of order. I would suggest respectfully to the Chair that a substitute Motion is not a matter of point of order. He was not recognized for that purpose."

Speaker Breslin: "Representative, the Gentleman's comment is well taken. You were recognized for a point of order. Is there anyone seeking recognition on a point of order? Is that Representative Davis? Representative Davis."

Davis: "The point of order was that Representative Brookins'

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Motion was not properly put in the first place, since you had to hustle down and get it in writing. Now, a Motion to table, a reconsideration Motion or any Motion, is always in order, Madame Speaker. It is always in order. It's a device use parliamentary in this House time after time to lock in a Roll Call vote. You know it. I know it. The Motion to table is in order right at this moment, and you're aware of that. And it is not a debatable Motion."

Speaker Breslin: "Representative. Representative Davis, the issue is whether or not you rose on a point of order. At the present time, Representative McPike has the floor. Once he finishes with his discussion, you will be recognized to make a Motion. Okay? Do you arise on a point of order, Representative Johnson? Representative Johnson is recognized..."

Johnson: "First, before I make my point, again I inquire we are on the Order of Motions. Is that right? You indicated that's how we got from to Third Reading, 15 Bills beyond this one, to this Motion. So we're on the Order of Motions. That's what you told us."

Speaker Breslin: "I recognized Representative Brookins."

Johnson: "On the Order of Motions, you said."

Speaker Breslin: "He made a Motion."

Johnson: "Do you want the Clerk to read back the transcript?"

Speaker Breslin: "For a Motion. That's correct."

Johnson: "Well, are we on the Order of Motions then? What Order are we on? You told us we're on the Order of Motions. We either are or we aren't."

Speaker Breslin: "I told him specifically, and all of you specifically that he was recognized for the purpose of a Motion."

Johnson: "Yeah. Well then what Order of Business are we on?"

Speaker Breslin: "We're on the Order of Representative Brookins'

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Motion."

Johnson: "Well are we on the Order of House Bills Third Reading or on the Order of Motions?"

Speaker Breslin: "We were on the Order of House Bills Third Reading. We had finished with the Bill. And... Representative Brookins sought recognition and was recognized for the purpose of putting a Motion."

Johnson: "... Okay, and so, that means your answer is where... instead of your previous answer, we're on the Order of House Bills Third Reading. Is that right?"

Speaker Breslin: "We were on that Order and..."

Johnson: "Well what order are we on? We got to be on one Order or the other. We're either on Third Reading or on Motions. Which one?"

Speaker Breslin: "Representative Johnson, we are on the Order of Representative Brookins' Motion. And Representative..."

Johnson: "Well then, what Order of Business does that included with..."

Speaker Breslin: "Representative, Representative McPike has the floor. He has been recognized for that point. We are on the Order of Representative Brookins' Motion. He sought recognition, and he was recognized for the purpose of putting his Motion. Representative, you haven't... Representative, would you... We are on the Order of Representative Brookins' Motion. And on that Motion, Representative McPike is recognized."

McPike: "Thank you, Mr. (sic - Mrs.) Speaker. I can't understand why anyone is upset about this. I think that we should calm down a little bit and listen to what the Gentleman is trying to do. I don't think it's unusual. And I don't think there should be any objections to the procedure. As long as I have been here, every individual Member is respected, because they were elected from their district.

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They have the right to hear their Bills. Their Bills are important to them. But over and beyond that, we try to extend courtesies to everyone on this floor, so that when they request their Bill to go on Postponed Consideration, that is generally recognized as a Member's right, just because we are courteous to one another. In my time here, I don't think that I have seen it denied a Member to put his Bill on Postponed Consideration. Very often a Bill will fall short, and the Member will get up and say, 'I recognize that there are differences. I would like an opportunity to put my Bill on Postponed Consideration to work out those differences.' A few minutes ago, Representative Bowman ju... did just that. There were a number of Members that were opposed to his Bill. At his request, at my request, they changed their votes, so that he could have his Bill put on Postponed Consideration. Unfortunately, he never received 47 votes. There are a number of Members, then, that are now on record as voting 'yes' when they clearly intended to vote 'no'. Everyone knows the only reason they switched their votes was to be courteous to a fellow Member. That is part of this process. The purpose of this Motion, then, is to reconsider the vote, to expunge the record, and to table the Bill. The Bill is important to the Sponsor, but he does not intend to insult or to embarrass individual Members that had the courtesy to try to give him the extra consideration of working out the differences, the problems with his Bill. That is the simple matter of this Motion. I think that we have always extended that courtesy to one another, and if we stop now, I don't think it helps this process."

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

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Vinson: "Thank you, Madame Speaker, Members of the House. I don't believe, in the period that I have been in the General Assembly, I have ever seen anything like this occur. Now, I want to state in detail for the Members and the public and the press who are here, precisely what has happened. A Sponsor, Mr. Bowman, came in with a Bill. That Bill was a Bill to raise utility taxes. The Sponsor got 23 votes for his Bill, and then the Bill appeared to be lost, but Members started changing their votes. A number of Members changed their votes. As a matter of fact, as a matter of fact, Representative Brummer changed his vote. Mr. Rea changed his vote. Mr. Krska changed his vote. Mr. Curran changed his vote. Mr. Mulcahey, Mr. Hicks, McGann, Mulcahey, Flinn, Richmond, Marzuki, Kulas, Terzich, they changed their votes to try to get that Bill to Postponed Consideration. It takes 47 votes to get a Bill to Postponed Consideration. Now, they didn't get 47 votes. They only got 40, and so the Bill was declared lost. And there was a Roll Call, a Roll Call that we happen to have here that showed a total of 27 votes, despite the fact that here in the transcript of the House, 40 votes were declared by Mr. Greiman to be for the Bill. But the Roll Call... the Roll Call shows 27 votes. I suspect that the Roll Call only showed 27 votes, when in fact 40 votes were for it, was because you were trying to protect some Members from having publicly recorded that they were for higher utility taxes on poor people. That's the only reason for doing it. In the tape, the tape right here, which we'll play for anybody who cares to see it or listen to it, the tape shows that 40 Members changed their votes on that too. Now, what we get to then is, because those Members don't want to go on record and don't want to go home to their constituents and demonstrate that they voted for higher utility taxes on

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then, they get another Member to come in and ask that the official record of this House, required by the Constitution of the State of Illinois, be expunged... be expunged. Now, that may be the way they do things in the Kremlin or in the City Council in Chicago, but that's not what the Constitution of Illinois requires. And then, there's another constitutional requirement that requires a vote be by record vote, and they try to expunge the record of the vote to deny to their constituents and the public of this state, the right to know how they voted on higher utility taxes. That's what they're trying to do. They're trying to hide from it by a Motion to expunge. Now, you are using the Office of the Speaker of the House, a Speaker who says he's for public meetings, a Speaker who says he's for open records and goes on record with sponsoring legislation to do that, to try to expunge and to hide from the people what's going on down here. You ought to be ashamed to even entertain such a Motion. It's a violation of Rule 38(b). It's a violation of several other Rules. You know that, but beyond that it's a violation of the Constitution of the State of Illinois. Everything the Speaker has tried to do, to restore order, to... restore assemblance of dignity to this House, has been lost by you, Madame Speaker, being willing to use that Chair and that gavel to entertain a Motion that's patently unconstitutional on this issue. You can't expunge the record of this House. No one can expunge the record of this House. It's right here in black and white. It's right here on tape. We'll play it. We'll provide copies for anybody, even if you take an unconstitutional vote to try to expunge it. Let those Members go home and explain to their constituents why they voted that way. That's their duty and obligation, and you can't protect them from that."

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Speaker Breslin: "The Gentleman from Wol... Will, Representative Davis."

Davis: "Well, thank you, Mr. Speaker or... Madame Speaker. I beg your pardon. I just want to inquire if Representative Brookins' Motion included expunging the record?"

Speaker Breslin: "Yes. His... his Motion require..."

Davis: "Would the Parliamentarian..."

Speaker Breslin: "... no, not expunging the record, expunging the minutes."

Davis: "Expunging what minutes? That go into the Journal?"

Speaker Breslin: "Correct."

Davis: "Would you quote to me in the Rules what Rule you are referring to that requires that... that a Member may expunge the official record of this House against the arguments Mr. Vinson just made of the constitutional requirements that those be published?"

Speaker Breslin: "Representative, the Gentleman has made a Motion to do so. He has not done so."

Davis: "We're... we're aware of that."

Speaker Breslin: "And according to Roberts' Rules, he... he is within his rights."

Davis: "To expunge..."

Speaker Breslin: "To expunge the minutes, not the record."

Davis: "Would you quote me... would... to expunge the minutes that make up the record? Is that correct, Madame Speaker?"

Speaker Breslin: "The record stands for itself. There is a record vote, and it exists. That cannot be and has not been asked to be expunged."

Davis: "Madame Speaker, we would like, of course, then to know what... what Rule in Roberts' Rules of Order to which you refer that allows that, but we can have that a little bit later. If I may speak just to the... just briefly, I say, Madame Speaker, it's... it's unfortunate that you, Madame

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Speaker, are caught in the switches on this obvious ploy by apparently the Majority Leader to protect his Members from a very awkward Roll Call vote to raise utility taxes in this state. Now Representative Vinson was absolutely correct, and I now have a Motion to table, Madame Speaker, on the floor that I was going to be recognized for. But let me say to you this, that if that Motion is defeated, we want Roll Call votes on that Motion, and then on Representative Brookins' Motion, and believe me when that tape plays, those two record Roll Call votes will be right with that tape for anybody that wants to hear it. This is a travesty, and I say shame on you, Madame Speaker, for being a part of this travesty of trampling on the Constitution, not the Members. You do that all the time. Just like you planned it all the time. Just like the Majority has planned it all the time to trample on the rights of the Minority, but now you're tinkering with the Constitution, Madame Speaker. And I say shame on you."

Speaker Breslin: "The Gentleman from Will, Representative Davis, has made a Motion that Representative Brookins' Motion lie upon the table. Representative Brookins' Motion was to reconsider the vote on House Bill 659, to expunge the minutes and to table the Bill. Representative Davis' Motion is not debatable. Representative Davis' Motion that the other Motion lie upon the table requires a majority vote. That's a majority of those voting. The question is, 'Shall the previous Motion lie upon the table?' Unfortunately, it is not debatable. Representative Friedrich, for what purpose do you arise?"

Friedrich: "A... a point of order, Madame Speaker."

Speaker Breslin: "State your point."

Friedrich: "My point of order is that the proper ruling from the Chair when that Motion was made that it was out of order."

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I helped write the Constitution of this state. I helped write the Rules of this House, and the Motion is patently out of order, and you, as Chair... as Speaker of this House should know that. And I say you should rule Mr. Brookins' Motion out of order, as you know it is."

Speaker Breslin: "The Motion before us is, 'Shall Representative Brookins' Motion lie upon the table?' All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 50 voting 'aye', 61 voting 'no', and no voting 'present'. The Motion to table does not carry. It fails. Now, Representative Johnson from Champaign, for what purpose do you arise?"

Johnson: "Now, we're... we're... as I understand it, since we've been on nineteen different Motions, we're on Representative Brookins' Motion, and before I make my point of order, could you just restate what his Motion is?"

Speaker Breslin: "Representative Brookins' Motion is to reconsider the vote, by which House Bill 659 lost, to rescind and expunge the Roll Call vote from the minutes and to table House Bill 659."

Johnson: "Okay, my... my... point of order is twofold. The second part of his Motion in which he seeks to re... what's the language... to rescind and..."

Speaker Breslin: "The written Motion says, 'to rescind and expunge the Roll Call vote from the minutes'."

Johnson: "Okay, there... there... there is nothing in Roberts' Rules of Order or our House Rules that permit that Motion, number one. Number two, I would make the point of order under our Rule 60(a), I wish Representative... or Parliamentarian Getty were here, since he has a little more familiarity with the Rules than the 'hacks' that you have up there with you. I... I... I would make the point of

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order that, quote, 'after an electrical Roll... If I could finish with my point of order, Mr. (sic - Madame) Speaker, I direct your attention to Rule 60..."

Speaker Breslin: "Representative, you are interrupted. Turn him off. Representative Brookins is recognized."

Brookins: "Madame Speaker, upon reflection, I will withdraw my Motion."

Speaker Breslin: "The Gentleman has withdrawn his Motion. The next order of business is House Bill 754. Representative Ewing. Representative Ewing. Out of the record. House Bill 758. Excuse me. Representative Ewing is here. House Bill 754. Clerk, read the Bill."

Clerk Leone: "House Bill 754, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "The Gentleman from DuPage, Representative Daniels, for what purpose do you arise?"

Daniels: "Madame Speaker, the real Speaker's standing behind you. Mr. Speaker, I am, frankly, appalled at the action of that Chair. And, Mr. Speaker, I invite you to review the record, to look at the Roll Call vote that came out of the Clerk's Office, and the number of people on that Roll Call vote, which we have at this desk, versus the tape. And, Mr. Speaker, we are here to conduct the business of the people of the State of Illinois, and to this point in time, we have worked with you to accomplish that purpose. Mr. Speaker, I want direct assurance from you that never again, in the time that you conduct this House, will this action happen in the manner in which it's happened right now. And I want that personal assurance from you for every Member of this House, before we get into a situation like this again, because the tape, and the record and the Roll Call vote are clear... are clear, Mr. Speaker, and you for one, because of the manner in which you have desired to run this House,

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and told every Member of this House, and the public at large, how you want to run it, that you should disavow any action like this in the future and assure each one of us."

Speaker Madigan: "Mr. Daniels, how's your blood pressure? I... Mr. Daniels, I was occupied in my office with other business. Quite frankly, I don't know what transpired on the floor except that I was interrupted in my meeting with loud shouting. I am most anxious to review with you and with others what occurred, and I would simply ask that you give me an opportunity to review what occurred, and then I'll respond. And all I need is an opportunity to be told what happened. I would suggest to the Body that we might all be better advised to move into some other business, so that we can consider some Bills, before we get to the deadline for consideration of Bills on Third Reading. And Repres... Mr. Daniels."

Daniels: "Mr. Speaker, I'm glad that you responded in that manner. I would be happy to furnish you with a complete copy of the transcript, which we have received from the Transcription Department, a complete copy of the official Roll Call of the House, and a copy of the tape, so that you have that for your personal review. And I want to suggest very strongly that it's to your interest and to the interest of each and every one of your Members that this never happens again, because this is a critical issue and ties in with the whole issue of official Roll Call votes and the Journal itself and the approval of that."

Speaker Madigan: "Thank you, Mr. Daniels. Representative Breslin in the Chair."

Speaker Breslin: "House Bill 754. Clerk, read the Bill."

Clerk Leone: "House Bill 754, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ewing."

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Ewing: "Yes. This is an excellent time to bring up a piece of legislation which is good for both sides of the aisle, kind of... kind of bring us together. This Bill is a Bill which deals with funding of alternate schools. The Bill allows for a Regional Superintendent of Schools, with the approval of the cooperating school districts, to run an alternate school, and to obtain from the state, the state aid that that school... individual cooperating school would have received had they run an alternate school. Most of you will know that an alternate school is an alternative to high school for students who are having trouble adjusting and accommodating our high schools. It is proved to be a great help to many young people. The Bill has been amended by Representative Cullerton, from Chicago, to allow for the same funding for the alternate schools that operate within the City, and I would ask for your favorable approval."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 754 pass?' All those in favor vote 'aye', all those opposed... excuse me. Repre... the Representative from Macon, Representative Dunn."

Dunn: "Will Sponsor yield for a question?"

Speaker Breslin: "The Sponsor indicates he will yield."

Dunn: "Is it my understanding that students in these alternate schools are people who are not presently counted for state aid purposes any where else."

Ewing: "They would not be p... counted, John, if they're not in school. Now, if, you might have a student, who is enrolled in Decatur High School, who's having serious problems there, and they transfer him over. Then he would have been counted in that school. But many of these students are students that have been out of high school. Not... they haven't graduated. They haven't been actively in school."

Dunn: "Then... then a second question is, 'If... if people, who

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are not currently being counted for state aid purposes become enrolled in an alternate school, which then becomes eligible for state aid, doesn't that mean that state aid for every other school district in the State of Illinois is reduced, even if only a miniscule amount?' Because there's only one pie to slice up for all the districts including alternate schools."

Ewing: "Well, I would say that is correct, except if you follow your reasoning your saying that, because a young person has fallen into hard times with their high school, that we don't want to see them graduate from high school. I think that's the end result of your thinking."

Dunn: "I didn't say that. I just think that a vote and I'm certainly not opposed to this concept as you may... Mr. Speaker... or Madame Speaker... to the Bill. As some Members may or may not know, there is a regional superintendent in my district, who wants to start such an alternate school, and I had legislation myself, worked on a memo with Representative Gene Hoffman a term or two ago. We didn't get all the details worked out, but I just want Members to be aware that at the present time to offer each municipality the opportunity to create an alternative school may back you into a 'yes' vote for state income tax increase, cause there's nowhere else to go to get the money for such a school. And while I support that concept, I think the best thing we have to do here is... is to vote 'present' on this concept and this legislation and leave it on the back burner until we find out whether there will be money. This is a new program, and if there's anyone in this room who doesn't know at the present time, the Governor is telling everyone all around the State of Illinois there's not enough money for the programs we do have. I don't see how we can support a new program."

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Speaker Breslin: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I rise in support of this Bill. Representative Ewing was gracious enough to accept an Amendment, so as to include alternative schools as are currently practicing in the City of Chicago. They're excellent schools that are taking children who have, for one reason or another, have not succeeded in a normal high school and have done a... done an excellent job in getting these people ready for society. Representative Ewing has pointed out in his Bill that, for one reason or another, these alternative school districts are not being picked up in any of these school aid formulas, and this would authorize it. And I think it's an... an excellent idea. It's a fair idea, and I would ask your support."

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

Hoffman: "Thank you, Mr... or Madame Speaker, Ladies and Gentlemen of the House. I think in terms of the basic concept, as it was introduced, the fact of the matter is that it would not have cost any additional money. It would have just moved the money directly to the regional superintendent, rather than through the school districts; however, with the Amendment this is certainly not true. With additional... with the inclusion of alternate schools... with the inclusion of... of alternate schools for distribution on the basis of state aid, that will mean there will be unnecessary redistribution of monies that are available to alternate schools run by individuals outside the public school system for state aid. We have not done this in the past. I'm not sure on the basis of... of an Amendment being placed on this kind of a Bill that we ought to do it. And for that reason, and that reason alone,

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Madame Speaker and Ladies and Gentlemen of the House, and particularly to my friend, the Sponsor of this Bill, I must rise in opposition to this legislation, because of the Amendment that he accepted from the Gentleman from the other side of the aisle."

Speaker Breslin: "There being no further discussion, the Gentleman from Livingston, Representative Ewing to close."

Ewing: "Ladies and Gentlemen of the House, there's been comments that this is a new program, and it's not a new program. We have alternate schools now. It only provides that the superintendent of schools for downstate counties, if they operate such a school, instead of the school district, they can have the school aid. If the school district operates it, they can have the school aide. That's the law right now. This merely allows the money to go to who's operating it. In many rural counties, each school district can not afford to operate an alternate school. The Amendment put on by Representative Cullerton allows for the same payment to those who operate the alternate schools in the City of Chicago. I think it's good. It's certainly good for some troubled youth in our communities and in our state, and I would suggest an 'aye' vote. And thank you."

Speaker Breslin: "The question is, 'Shall House Bill 754 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? The Gentleman from Will, Representative Van Duyn, to explain his vote. He does not seek to explain his vote. The Clerk will take the record. On this Bill, there are 100 voting 'aye', 7 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 758. Representative Terzic... Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 758, a Bill for an Act to amend the

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Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 758 amends the Chicago Firemens' Article of the Pension Code to make the president of a local labor organization, that represents the majority of active members, a board... to a member of the Board of Trustees of the Fund. What it simply does is it adds the president of the collective bargaining unit, which represents the majority of the firefighters, as a member of the Pension Board, and there is no cost involved in the Bill, and I ask your support."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 758. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 758 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 83 voting 'aye', 27 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 761. Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 761, a Bill for an Act to amend an Act relating to certain investments of Public Funds by Public Agencies. Third Reading of the Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 761. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 761 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Bill, there are 105 voting 'aye', 6 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. House Bill 764. Representative Hallock. Clerk, read the Bill."

Clerk Leone: "House Bill 764, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Madame Speaker, Members of the House. This Bill exempts from safety inspections those vehicles being temporarily driven for quality control purposes. The Bill emanates from Chrysler Corporation, up by my district. They have pickup trucks they want to drive around the block for quality control purposes, and that's all the Bill does. I'd appreciate your support. Thank you."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 764. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 764 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Bill, there are 113 voting 'aye', no voting 'no', no voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 768. Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "House Bill 768, a Bill for an Act setting forth certain rights which are guaranteed to law enforcement officers in discipline procedures. Third Reading of the Bill."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies... Madame Speaker and Ladies and Gentlemen of the House, House Bill 716 (sic - 768) is... establishes the Uniform Peace Officers Disciplinary Act, more commonly called the Policemens' Bill of Rights Act. It's similar in philosophy to the Bill we passed yesterday for firemen, establishing rights for firemen."

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It's also similar to a Bill that we passed overwhelmingly in the House last year, I believe, by 153 votes, and it was caught in a little political struggle in the Senate. And I'm assured that that won't happen again this year. What it does is provide for statutory protections for police officers in this disciplinary matters, wherein, there may be a suspension, not for minor infractions, for suspensions in excess of three days, removal of officer discharge of that officer. It provides that all interrogations shall be conducted at a reasonable hour. That the officers shall be informed of the names and ranks of the investigating officer, interrogating officer, and others present. And interrogation sessions shall be reasonable length, with reasonable rest periods, and that no personal or professional abuse may be used against the officer. It provides that he be guaranteed a complete record and transcript of... of the examination, and also the right to counsel... represented by counsel. And that the officers shall be given a reasonable time to obtain counsel. This Bill was the product of all the police of... organizations. The Chicago Police Department has this type of, quote, 'Bill of Rights,' presently, in their agreement. In fact, Joe 'Hoy', who is the administrator for the Superintendent of Chicago Police Department, helped to draft this Bill, and I would urge the Members to support it at this time."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 768, and on that Motion, the Gentleman from Macon, Representative Dunn."

Dunn: "Madame Speaker, I rise briefly on a point of personal privilege. I think if the Minority Leader has agreed to meet with the Speaker and work out the problem that caused all the friction a while ago, I don't think he should be

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standing right down here in front of the chamber flashing a Roll Call in front of representatives of the media and going over it right now. I think that's... I think the Minority Leader ought to go back and meet with the Speaker or say over the microphone that he's not going to meet with the Speaker, and I... I have great respect for the Minority Leader and I'm disappointed in him for the action he taking right before our eyes at the present time."

Speaker Breslin: "Representative Daniels. Representative Daniels. There has been a request by the Membership that you take your conference off the floor. Thank you. On... on the Motion of House Bill 768... Representative... Representative, there has been a request by the Membership for a decorum. Representative Ewing, for what purpose do you rise?"

Ewing: "Well, as a Member of this side of the aisle, I would expect just a little more courtesy of the Minority Leader. In my years down here, I have never seen anybody from that podium direct the Minority Party Leader or the Majority Party Leader to do something like that."

Speaker Breslin: "Representative, it was a request of the Membership."

Ewing: "And Representative Dunn's political remarks from that side of the aisle were not a request of the Minority Leader to leave the floor, and I would think that we should have an apology from your... that Chair."

Speaker Breslin: "Representative. The Representative from DeWitt, Representative Vinson."

Vinson: "Mr. (sic - Mrs.) Speaker, I'm not at all surprised that another Member of the Majority Party, and you again in the Chair, are trying to cut off a public review of what's occurred here this afternoon, but the Rules clearly provide that the press has access to the floor, and that the press

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can talk to Members in that part of the floor. And I resent your suggestion that they don't, or your trying to cut off the press from seeing what goes on here."

Speaker Breslin: "Representative, I believe they were on the floor, and the Rules do forbid that. The Representative from Cook, Representative Greiman."

Greiman: "Well, Mr... I mean the Gentleman from DeWitt always looks at the Rules, and I suspect he would want to look at Rule 63, which indicates quite clearly that the Members of the press can indeed circulate within their area. There's an area designated for them. We all saw Representative Daniels, the Minority Leader, taking his matter to the press, which he certainly has a right to do on the floor of the House, and that's what the objections were directed to. We merely wanted him to move his press conference out of the well area, and indeed, they did that. I think they've done that. It's not a question of the Membership asking. It's a question, frankly, of appropriate decorum. Now we probably would want to have 118 press conferences here on this floor, but it might get a little crowded, because not a lot of reporters want to talk to me. and we can use charts, and we can use a lot of other things. We're trying to keep decorum here. Certainly, we've heard a lot of... of screaming here today. We've heard... we've heard a scurrilous... scurrilous remark used, for which there should be an apology to a young woman, who is serving in a... in a... in a capacity, which makes us proud on this side and should make the whole House proud. And as a matter... I don't mean Ms. Breslin either. I mean the Assistant Parliamentarian, who is on the... on the podium at that time, for which there should be shame... shame, Mr. Vinson. You who rise here and tell me all the time that I should apologize for this and apologize for that. You

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didn't rise up when your Member... when your Bill boy or whatever they call those guys, who play the Bills, Cullerton and Johnson, insulted that young woman. You weren't... you... you... you know, Mr. Vinson, you're generally a collector of injustices. You have one of the highest collections and largest collections of injustices in America, and yet, you didn't rise to that injustice. Apparently, you have a very fickle sense of injustice, Sir. I think that the Speaker is correct in her ruling. We will not have press conferences on the floor of this House. Thank you, Mr. (sic - Mrs.) Speaker."

Speaker Breslin: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Madame Speaker, as all Members of this House, I was requested by the members of the press to answer the question the best I could. If I interrupted your proceedings, then I personally apologize for the interruption. I do want you to know, Madame Speaker, that like I raised to the Speaker and will be meeting with him shortly, this is a matter of concern to each and every Member of this House, not just Republicans, not just Democrats. It involves the official record of this House, and the Members of this House should know that there are votes that have been cast on that particular Bill that could have serious consequences in an election. That that's how important the Bill is. All we are asking, Madame Speaker, and I appreciate your cooperation, is that the record be clear as to exactly what happened. I will now be meeting with the Speaker. Hopefully, we'll have his assurances, as he told us on the stand that this will be corrected and not happen in the future. As to any other comments, Representative Greiman, we're always happy to accommodate you, and I know you're always happy to

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accommodate us. We want to get the business done for the people of Illinois. Let's move on. Let's move ahead, and let's get our business done. Thank you."

Speaker Breslin: "On House Bill 768, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "The Sponsor indicates he will yield."

Cullerton: "The... my... my understanding is that this Bill applies to peace officers, and they would be defined so as to include part-time peace officers, bailiffs, process servers, and auxiliary police officers... and reservists. Is that correct?"

Matijevich: "John, I'm surprised at you. You didn't read the Amendment. That took... took that all out."

Cullerton: "Okay. That's why I'm asking."

Matijevich: "Oh. Okay."

Cullerton: "Which... so who... who now does it apply to?"

Matijevich: "It applies to... the intent of it is, and I'm sure because of that Amendment, and also the exclusions written in even before the Amendment, it applies to full-time police officers. That's what we're after."

Cullerton: "Okay. Now do the interrogations have to take place during the day?"

Matijevich: "What did by... we say a reasonable time of the day. In other words, that... that's a reasonable time within a twenty-four hour period. And the reason we wrote it that way is because what may be reasonable to one police officer, may be unreasonable to another."

Cullerton: "It doesn't mean it has to be... it's any time during a twenty-four hour period, when the police officer's on duty."

Matijevich: "Oh, no. No. No."

Cullerton: "So it does apply. It could be any time within a

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twenty-four hour period."

Matijevich: "That's right, but you... you should take into consideration when the police officer's working."

Cullerton: "Oh, I agree. I agree. That's not my problem. The complete record of the interrogation shall be made in a complete transcript shall be made available to the officer. Now, you say this is going on right now in Chicago? All these rights are..."

Matijevich: "Yes, they have that under their collective bargaining agreement."

Cullerton: "So we're codifying a collective bargaining."

Matijevich: "We are with regards to Chicago."

Cullerton: "All right. And do you have any idea how much these transcripts cost?"

Matijevich: "Well, no. No, I don't. And we put into the Bill that such record may be electronically recorded. In other words, taping of the record would ordinarily be fairly reasonable and not overly expensive for the municipality."

Cullerton: "Okay. Now, one other thing. You're saying that lie detector tests can not be used, unless the police officer agrees to that."

Matijevich: "The reason that we have put that into the language of the Bill is the recent Supreme Court decision, which the police organizations were part of that law suit, is that they can not force police officers to take a lie detector test."

Cullerton: "Well, it's my understanding that that wasn't un... based on constitutional grounds and that we could, by statute, require it if we wish, but I guess what your saying is that... that the... if there's some inquiry about a police officer's activity, noncriminal activity, just his activity as performance on a job, like an internal affairs investigation, that we can not use a lie detector test."

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Matijevich: "Without their consent, yes."

Cullerton: "Okay. I have no further question. Thank you."

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

McAuliffe: "Madame Speaker and Ladies and Gentlemen of the House, I would rise and support Representative Matijevich's Bill. We had a Bill similar to this last year, that we passed out. I think it was 145 to 8. It didn't get called for a vote in the Senate. This merely gives police officers, outside the City of Chicago, because a Chicago police officer covered by their... by their contract, the FOP contract with the city, this give police officers in the rest of state the same rights that Chicago police officers guarante... are guaranteed under their contract. And it makes police officers... takes them out of the class of being second and third class citizens and makes them equal to the people they're arresting. Criminals have much more rights than police officers currently have when they're faced with disciplinary action by their superiors. I'm not saying that all superiors are unethical or all superiors browbeat police officers, but it's been known to happen in Chicago. In the past, they would call a police officer into a room with three, or four, or five other witnesses and browbeat him. This is designed to eliminate that kind of behavior downstate and in the suburban Cook County, because the police officers in Chicago are already protected. But this is to help the fellow police officers downstate, and I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman from Will, Representative Van Duyne. Representative Van Duyne, your light is flashing. The... the Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would like to support this Bill. As the previous Speaker

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said that this provides rights for the policeman, who is out protecting his community and the people that he represents. And they deserve this type of protection just like any other individual. There's many, many times that they get into a position that's very uncompromising, and everything seems to be coming in on them. This simply guarantees the peace officer that he has some rights, that he would also be protected by the laws that he's taken an oath to uphold. And I would certainly appreciate everyone voting for this fine Bill, like it was passed last year overwhelmingly, and it's nothing more than every peace officer in the State of Illinois isn't entitled to."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf. the Gentleman from Madison, Representative Wolf."

Wolf: "Madame Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The question is moved, and the Gentleman from... Representative Matijevich is recognized to close."

Matijevich: "Madame Speaker, I would only say that I would like to see an overwhelming vote in support of this Bill to show police officers, who lay their life on the line to protect us and our property, that we also believing... believe in protecting them in their positions as police officers, and I appreciate that support."

Speaker Breslin: "The question is, 'Shall House Bill 768 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 102 voting 'aye', 15 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House

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Bill 769. Representative Zwick. Clerk, read the Bill."

Clerk O'Brien: "House Bill 769, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Zwick."

Zwick: "Could... could we take this out of the record, please?"

Speaker Breslin: "Yes, out of the record. House Bill 771. Representative Mautino. Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "House Bill 771, a Bill for an Act to amend Sections of an Act in relation to the acquisition of the Illinois and Mississippi Canal. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madame Speaker and Members of the House. The legislation, House Bill 771, was drafted by the Department of Transportation and the Department of Conservation at the request of the City of Rock Falls, for leasing the property at the Rock Falls Dam for the purpose of the hydroelectric power plant that they are in the process of providing, under the bond authorization of 'Chapman and Cutler', I believe. There is an Amendment on the legislation which also has the legislation... puts the... the elements in there that were requested by 'Chapman and Cutler', and all this does is authorize the lease period for up to sixty years for the development of the hydroelectric power plant. That's basically what it does. I know of no opposition to the legislation, and I would be happy to respond to any inquiries."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 771. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 771 pass?' All those in favor vote 'aye', all those opposed vote

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'nay'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Bill, there are 117 voting 'aye', none voting 'no', none voting 'present'. This Bill, having rec... Representative Ewing is recognized to vote 'aye'. The vote is 118 voting 'yes', none voting 'no', none voting 'present'. All those in favor... this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 775. Representative Stuffle. Clerk, read the Bill."

Clerk Leone: "House Bill 775, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Stuffle."

Stuffle: "Members of the House, House Bill 775 is an Amendment to the University Retirement System. It takes care of a loophole existed in that particular statute at this time. The current time, if a person's disabled and under the age of 60 and they recover, they normally go back to work. If they've accrued enough time to otherwise retire under an age disability with their years of service, then they go on to that standard if they've exhausted their disability benefits. This merely provides that those persons, who exceed age 60, who are disabled and then are found to be recovered, that they would be able to utilize the credits that they've earned, no more than that, for purposes of converting to an age annuity. To my understanding this is the only system that has that distinction between the two types of people. The Amendment is very minor. The Amendment is also approved by the Pension Laws Commission, which agrees that this is an equitable basis for change in the statute. For those reasons, I would ask for your affirmative vote on House Bill 775."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 775. Is there any discussion? There being no

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discussion, the question is, 'Shall House Bill 775 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 117 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 784. Representative McAuliffe. Out of the record. House Bill 791. Representative Richmond. Clerk, read the Bill."

Clerk Leone: "House Bill 791, a Bill for an Act relating to soil conservation agreements. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madame Speaker and Ladies and Gentlemen of the House. House Bill 791 amends the Soil and Water Conservation Act to authorize soil and water conservation districts to enter into agreements with land owners, for the purpose of implementing soil and water erosion programs. House Bill 791 also amends the Illinois Income Tax Act to allow a tax credit of not more than 10% of a taxpayers expenditures for permanent erosion and sediment control programs pursuant to such an agreement. This credit may not reduce a taxpayers' income tax liability below zero, may not be carried over into other tax years, but must be available for both individuals and cooperations. This... this Bill is the one that you, perhaps, have been receiving some mail from your soil and water conservations members about, and I know that there's been quite a bit of input from them in support of this Bill. In fact, it is their Bill. It's supported by the Farm Bureau, the Farmers' Union, and the thought behind it is to help preserve our prime farm land, to prevent it from eroding and washing down the river or blowing away, as we

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saw it happen here recently. The... I think we need to be concerned about this, because it... it has a very drastic effect on... on the... on the leading industry of this state, which of course is agriculture. It has vast impact on... on the future of this... of this state and in...in that area and on our... on future generations. I would ask that you give me support on this Bill."

Speaker Breslin: "The Gentleman moves for passage of House Bill 791, and on that Motion the Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield... for a question?"

Speaker Breslin: "He indicates he will."

Hastert: "Representative Richmond, what... what is the cost of the use of the tax credit... is that correct, a tax credit to farmers?"

Richmond: "Yes, it's a tax credit of up to 10% of the amount of money that they spend on... on an approved project that is determined that it is an approved project by the Department of Agriculture."

Hastert: "Well, what's an approved project? Is that plowing your field a certain way?"

Richmond: "No, not... this is not necessarily for no tillage farming. It has to do with terracing, putting land into pastures. It's various... there's a long list of the things that could be approved. It depends on the individual farm and its terrane, and whether or not the Department of Agriculture views this as being necessary for the program."

Hastert: "Is that land... you're saying that's putting land into pasture. Is that also land that's covered under what we understand is the PIK Programs and the federal subsidies of the farmers at this time."

Richmond: "That has developed since this... this analysis was

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made, Representative, but I would assume that those... those considerations would be determined by our Department of Agriculture."

Hastert: "Our... what is... did you say that there was a specific cost to the state with this tax credit?"

Richmond: "I have in my hand the Illinois Economic and Fiscal Commission's report or analysis of the Bill. And they say the fiscal impact of House Bill 791 on state revenues can not be determined, and that is because it's unknown just what participation there would be in the... in the program."

Hastert: "And this Bill would provide a tax credit, is that not correct?"

Richmond: "That's correct."

Hastert: "... that... that right now we have a relatively clean income tax, and that tax credit would actually put a credit on that tax which we have not, up to this point? Is that correct?"

Richmond: "It would put a tax credit on the state income tax, yes."

Hastert: "How about other programs? Don't farmers already receive monies from the United States Department of Agriculture and the Illinois Farm Development Authority, and the Illinois... to do these very same things? Aren't they already being provided reimbursement up to 30 to 90% for these very same programs?"

Richmond: "There are some programs where they can be reimbursed up to... within those figures that you mentioned, yes, but it is... it is felt that this... this program, which incidentally this Bill was before this House in the last Session, but got caught in the crunch, but it's felt that this is needed to further the efforts and also to give more incentive to... to see that we do protect our prime

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farm land."

Hastert: "Madame Speaker, to the Bill. Ladies and Gentlemen of the House, I come from partly a farm area, and I support farm type of legislation, but I think we're taking a step and taking it just a little bit too far. What we're asking to do is to put a tax credit on the Illinois Income Tax for farmers for working in rather undefined conservation areas, and for projects that are already being subsidized by the United States Department of Agriculture and the Illinois Farm Development Authority. Also, for putting lands into pastures that are part of PIK Programs and other farm subsidy programs, and I just don't think this is a very good prece... precedent for this House, to be putting tax credits, first of all on our income taxes, but to subsidize in tax credit areas that we're already subsidizing programs from other sectors of the government. I think its... its repetitive, and I just think it's a bad step, and I ask for your negative response to this Bill."

Speaker Breslin: "The Gentleman from... excuse me. The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. I'm glad to see this piece of legislation, because recently the Illinois Water Resources Commission and the Water Task Force has been conducting hearings throughout the State of Illinois on a state water plan. And one thing we have found on a constant, and every place that we've been, has been erosion and sedimentation has been one of the number one priorities that should be considered in the state water plan. And as I look at this legislation, here today, and with a tremendous amount of soil erosion and sedimentation that we have in the State of Illinois, this is something that certainly needs to be given attention, and I think that we have not done a good job of providing

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information, education and providing incentives, and this will help in that effort. So I would certainly encourage an 'aye' vote."

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

Winchester: "Thank you, Madame Speaker. Every year in Illinois, we're losing millions of tons of... of prime top soil. It's being washed away and being washed into the Mississippi and the Ohio, down to the Gulf of Mexico. Soil erosion control is considered one of the highest priorities for preserving the long term productiv... productivity of the fertile farm lands in Illinois. I think corn... we are the number one exporter in the world of corn. We are in the top three for other types of grains. We need to be very careful and very cautious in protecting our valuable top soil in this state, in order to protect that reputation of being a number one exporter of corn. I think what we are doing here, while it is going to have some fiscal impact, as Representative Hastert has said, in the long run, it will be of great benefit to all of us in the rural area, as well as the urban area, by being able to hopefully create jobs, continue our export markets, by preserving the very bottom line of the whole project and that is our top soil. This will enable farmers, it will give farmers an additional incentive to take care of their own property. Right now they're not doing that, because of the financial conditions of the state and of the country. They're not selling their products as well as they have been in the past. This will give them that additional incentive to protect that valuable top soil and... and to help protect our... our important markets in selling the corn and other types of grains that we have. And I would hope that just this one time we would over... overlook that small amount

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of revenue loss, and give us that provision that would allow for a 10% incentive to help protect the most important commodity, the most important item that we have in this great state, and that is our wonderful top soil, that good rich black dirt that we have from throughout the State of Illinois. And I would ask for a favorable vote."

Speaker McPike: "Representative McPike in the Chair. The Gentleman has moved for the passage of... The Gentleman from Cook, Representative Greiman."

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

Speaker McPike: "He will."

Greiman: "Thank you. Representative Richmond, when farmers spend money on conservation control, do they get an income tax deduction for that?"

Richmond: "They have, it isn't a deduction. Yes, this is a tax deduction. Yes."

Greiman: "It is a deduction. So that they get a deduction now from their adjusted gross income on their federal income tax returns."

Richmond: "Yes, that's my understanding. That's correct."

Greiman: "Okay. And so that when we come to complete... to conclude the amount that they would be liable under Illinois Income Tax, the deduction that they have received for their soil and water conservation expenditures has already been reflected in the Federal Income Tax, in the bottom line, as it were."

Richmond: "Yes. That's true."

Greiman: "Okay. All right. So, then on the Bill, what we are doing here, if I may, Mr. Speaker, what we are doing here is to give them a double deed shot, a double deduction. We have provided farmers, we and the Federal Government as well, have provided farmers with a deduction for this, a

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deduction for monies that they spend in providing soil and water conservation. What we do with this one is to give them a second deduction for the same money spent. Now, I would like to be able to use dollars that I have, or that I earn, or that I spend, twice. Unfortunately, I only get to use them once. Once coming in, and once going out. Now, I understand the farmers want to be encouraged, as we should hope they'd be encouraged, to have good conservation. Isn't their profit margin... isn't that enough encouragement? Isn't the fact that they want to keep the farm going and viable, isn't that enough encouragement? What we're saying... we're not talking about marginal farmers. We're not talking about Ma and Pa that we always cry over... Ma and Pa's a special kind of thing. We're talking about businesses, farm businesses that are asking for an extra income tax break. I don't know why we would give it to them. Now, I know why some of my downstate brethren here may vote for it, because they count heads in their district, and they say, 'There's lots of farmers.' But in my district, we have few farmers, but we have lots of taxpayers, and we feel that no group should be singled out to have that kind of tax break. And for that reason, at this time, I certainly would not want to be in favor of such a tax break."

Speaker McPike: "The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I move the previous question on this Farmer Welfare Bill."

Speaker McPike: "The Gentleman has moved the previous question. All those in favor of the Motion signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The previous question is put. Representative Richmond to close."

Richmond: "Thank you, Mr. Speaker. I had in mind closing very

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briefly and just asking for your approval of this good Bill, but I feel compelled to respond to some of the remarks made by the previous speaker, when he said, 'We're giving the farmers a double deduction.' And he was opposed to that. We certainly do the same for him, with his wife and his kids. He gets to deduct for them on Federal Income Tax and certainly, he gets credit for having them, when he figures his State Income Tax. So this is not a novel idea at all. I think it's time we quit exporting our top soil at the same rate that we're exporting our farm products, and I... this is not just for the farm community, it's for the entire state and for future generations. I ask for your serious consideration and 'aye' vote."

Speaker McPike: "The Gentleman has p... moved for the passage of House Bill 791. The question is, 'Shall House Bill 791 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. The Gentleman from McLean, Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. Just to correct a couple of things that have happened. Actually most of these programs are not being subsidized by the Federal Government at the current time, because they are reducing their funds, and so these are not being taken care of. These programs are programs that deal with grass waterways, contour farming, and other such farm practices, which normally do not return a lot of re... income. The... on the other hand, the thing that is to be considered is whether or not this ought to be given a State Income Tax credit. This would be somewhat of a new precedence, and it is in my opinion, that even though farmers need some kind of assistance in encouraging development of soil and water conservation, it would be better to do it other ways than this. And that's why I'm going to vote 'no'."

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Speaker McPike: "The Gentleman from Cook to explain his vote, Representative Keane."

Keane: "Thank you, Mr. Speaker. Unfortunately, I was unable to ask the question of the Sponsor during the debate, as to what this Bill was going to cost the State of Illinois. One of the previous... one of those who did speak in debate pointed out that because of the fact that the deduction is allowed in the federal deduction and is carried over, we don't add it back on our income tax in Illinois, that we've already given them a deduction. It's a Bill that continues the welfare for farmers in Illinois. It's done in the great style of our last Farm Land Assessment Bill. I think that the farmers in the State of Illinois, in the last few years, have done very, very well. This Bill would just put a few more cushions in their mattress, and I would... I would ask that you vote 'no' on this. I think that other people in the state need equivalent tax breaks, but are not receiving them. For that reason, I would urge your 'no' vote."

Speaker McPike: "The Gentleman from Cook, Representative Shaw to explain his vote."

Shaw: "They talk about welfare in this Body, and if this is not another form of welfare, I've never seen a form of welfare, and ever time you look up, the farmer's coming in here and they want some additional money, and... but when they go to talking about funding of CTA, or the RTA, no one... or Chicago Schools, no one want to deal with that, but yet the farmers coming in here and they want hundreds of millions of dollars, and I'm going to ask the people to vote 'no' on this Bill."

Speaker McPike: "The Gentleman from Vermilion, Representative Stuffle to explain his vote."

Stuffle: "Yes, Mr. Speaker and Members of the House. Briefly,

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this Bill is not a give away. You've got to put your money out there before you can get the tax credit with regard to the program in place. It's a Bill that I think we should have heard last term when Representative McClain of the Democratic Leadership and I and others put this Bill in. I think that his foresight in putting it in then, we ought to already have this on the books, and I think that we on the Democratic side ought to put a vote on this Bill for Representative McClain, who worked so hard to pass this particular program."

Speaker McPike: "The Gentleman from Henderson to explain his vote, Representative Neff."

Neff: "Thank you, Mr. Speaker. This is legislation that's been needed a long time. We talk about a welfare program, but what we're doing here is looking after the future generation. Sure the soil right now is producing enough to feed this country and many others, but there will be a day coming and right here in this.. in the United States, we might have trouble raising food if we let this ground keep awashing away. And we talk... it isn't a welfare program, but it's something that's going to help the future of this generation, not today but the future. When you see the top soil that's washed away, and to see our rivers and creeks carrying this down to the rivers, it's a must that we do something, and I... I would hope that it would get enough votes there to pass it, because it's a type of legislation that's going to help the future of this country for many years."

Speaker McPike: "The Gentleman from Cook, Representative Bowman to explain his vote."

Bowman: "No, no, Mr. Speaker, only to say that if this does get the 60 votes, I will request a verification. Thank you."

Speaker McPike: "Have all voted who wish? Have all voted who

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wish? The Clerk will take the record. On this question, there are 58 'ayes', 43 'nos', 15 voting 'present'. And on that the Chair recognizes the Gentleman from Jackson, Representative Richmond."

Richmond: "Can I have a poll of the absentees, please?"

Speaker McPike: "The Gentleman asks for a poll of the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the absentees. Leverenz and Yourell. No further."

Speaker McPike: "Representative Cullerton."

Cullerton: "I'd like to change my vote to 'no' please."

Speaker McPike: "Cullerton from 'ays' to 'no'. The Gentleman from Cook, Representative Leverenz."

Leverenz: "Record me 'aye'."

Speaker McPike: "Representative Leverenz, 'aye'. The Gentleman from Macon, Representative Dunn."

Dunn: "Change me to 'aye'."

Speaker McPike: "Representative Dunn from 'present' to 'aye'. The Gentlemen from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. If this gets the requisite number of votes, I would like to verify the Roll Call."

Speaker McPike: "Would you state that again? Did you ask for a verification? Representative Bowman has already made that request."

Hoffman: "Sorry. Thank you, Sir."

Speaker McPike: "Is... Are there any further changes? What's the count, Mr. Clerk? On this Bill, there are 59 'ayes',... who is seeking recognition? Representative Berrios."

Berrios: "Change my vote to 'aye'."

Speaker McPike: "Representative Berrios from 'present' to 'aye'. Representative Turner."

Turner: "Change my vote to 'aye' Mr. Speaker."

Speaker McPike: "Representative Turner from 'present' to 'aye'."

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Representative Hutchins."

Hutchins: "'Aye'."

Speaker McPike: "Representative Hutchins from 'no' to 'aye'. Are there further requests? What's the count, Mr. Clerk? On this Bill, there are 62 'ayes', 43 'nos', 12 voting 'present', and the Gentleman from Cook, Representative Bowman has requested a verification. Representative Bowman on that point."

Bowman: "Yes, two things Mr. Speaker. First, I'll withdraw my Motion for a verification, and a numbers of my friends who came to me, who helped me with a Bill that was very important to me ask me for my vote, and I'm happy to give them my vote. I'll... I'll vote 'aye' on this Bill."

Speaker McPike: "Representative Bowman from 'no' to 'aye'. Representative Hoffman requests a verification. On this... the present count is 63 'ayes', 42 'nos', 12 voting 'present', and Representative Hoffman has requested a verification. Representative Ebbesen, for what reason do you rise?"

Ebbesen: "To change... change my vote to 'aye'."

Speaker McPike: "Representative Ebbesen from 'no' to 'aye'. Representative Richmond."

Richmond: "Could you start with a poll of the absentees, please?"

Speaker McPike: "Yes, just a mi... we will as soon as we finish these. Representative McAuliffe."

McAuliffe: "Change me from 'no' to 'aye'."

Speaker McPike: "Representative McAuliffe from 'no' to 'aye'. Representative Pierce. Representative Pierce from 'present' to 'aye'. Representative Capparelli."

Capparelli: "From 'present' to 'aye'."

Speaker McPike: "From 'present' to 'aye'. Representative Younger from 'present' to 'aye'. Representative Rhem from 'present' to 'aye'. Representative Vitek from 'present' to

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'aye'. Representative Johnson, for what reason are you seeking recognition?"

Johnson: "Just to be recognized when they're done. I just have a quick point of personal privilege."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I withdraw my Motion."

Speaker McPike: "Mr. Clerk, what is the count? Representative Levin."

Levin: "How am I recorded?"

Speaker McPike: "You're recorded as voting 'no'."

Levin: "Change it. 'Aye'."

Speaker McPike: "Right on time, Representative Levin, from 'no' to 'aye'. Representative Rice."

Rice: "Change my 'present' to 'aye'."

Speaker McPike: "Representative Rice from 'present' to 'aye'. What's the count, Mr. Clerk? Representative White from 'present' to 'aye'. Representative Cullerton. Representative Giorgi."

Giorgi: "Mr. Speaker, I'm voting 'aye', but I want to put in the record that under the PIK Program, the farmer's going to make ten billion dollars."

Speaker McPike: "On this Bill, there are 73 'ayes', 39 'nos', 5 voting 'present'. House Bill 791, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Johnson on a point of personal privilege."

Johnson: "Thank you, Mr. Speaker and Members of the House. Representative Greiman, I don't know if he's still here, was absolutely right. Often times in the heat of debate, too often times, I guess in my case and many others, we say things that we don't mean, and we make... cast dispersions that were really never intended on other people. My comment with respect to the Assistant Parliamentarian, Ms.

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Jacobs, was absolutely improper, and I apologize to her in as full of terms as I can, and I... I would hope that the other Members of the House would realize that the comment was made in... in heat of debate, and that I was absolutely wrong in making that comment."

Speaker McPike: "The Press Core has asked the Chair to make an announcement. They want to remind the Members of the House of the 12th Annual Grid Iron Dinner is one week from tonight. Tickets are available but they're moving fast. Now, as the chair always extends courtesies to all Members, we will return to Representative McAuliffe's Bill. It was taken out of the record. House Bill 784. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 784, a Bill for an Act to repeal Sections of an Act in relation to certain Commissions and Agencies of the state. Third Reading of the Bill."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 784 repeals the October 1983 date on the Gang Crimes and Suburban Task Force Commission."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 784. Is there any discussion? There being no discussion, the question is, 'Sha... wil.. shall House Bill 784 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 71 'ayes', 45 'nos', none voting 'present'. House Bill 784, having received a Constitutional Majority, is hereby declared passed. Representative Oblinger has asked the Chair to remind the Members that the Governor's Prayer Breakfast is tomorrow morning at 7:45 a.m. at the Holiday Inn East. Representative Leverenz, for what reason do you rise?"

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Leverenz: "An announcement."

Speaker McPike: "Proceed."

Leverenz: "Appropriations I tomorrow morning will meet at 8:15 instead of 8:00, and our prayer breakfast for the Democratic Members is at 7:45 in L-1."

Speaker McPike: "The Chair is not ready to adjourn. Representative Matijevich."

Matijevich: "I had an announcement. Later."

Speaker McPike: "Continuing on Third Reading. House Bill 796. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 796, a Bill for an Act to amend Sections of the Transportation Bond Act. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 796 authorizes an additional \$75,000,000.00 for Transportation Series A Bonds to provide the state's matching share for federal priority... primary funds from the Federal Highway Trust Fund. The Federal Government, under the new Gas Tax Bill, allowed money to be spent on PAF 412, the Peoria Bypass, and some other sections of the highway, and this money is earmarked for those parts of the national program, and this Bill provides the federal... provides the state matching grants from the Transportation Bond Issue, so that we can continue receiving the federal funds; otherwise, the federal funds will be dried up, and we won't get our share. I move for... the urge the adoption."

Speaker McPike: "The Gentleman moves for the passage of House Bill 796. Is there any discussion? The Gentleman from Cook, Representative Bullock."

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

Speaker McPike: "He will."

Bullock: "Representative Giorgi, I note that the Bill has been

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amended once. Could you explain Amendment #1."

Giorgi: "Amendment #1 is the... the new authorizations for Bond Issues. It's a Series of the total Bond Issues."

Bullock: "Is that just for FY '83, '84, '85..."

Giorgi: "No, Sir. No, this is the Transportation Bond Issue itself. The original Issue and the addendums over the years."

Bullock: "And for what period of time will the money be used?"

Giorgi: "Oh. This Bond Issue, this \$75,000,000.00 is to match Federal Funds specially earmarked for FAP 412 and the Peoria Bypass, and there's another section that I'm not familiar with. This money can only be... the federal money can only be spent on the items I've innumarated, and this money is to match that money or we don't get the federal funds."

Bullock: "I understand that Representative. Thank you."

Speaker McPike: "The Gentleman from Will, Representative Davis, on the Bill."

Davis: "Well, thank you, Mr. Speaker and Members of the House. I reluctantly rise to oppose the Bill, and congratulate the Sponsor, Representative Giorgi and Representative Hallock, and all the Members from Rockford over the years, who have so diligently pursued FAP 412 or 51 revisited. I think it's about time it happened, and I'm glad that Senator Percy provided the wherewithall in the Federal Government to earmark monies for this project; however, if you talk... if you anticipate that the temporary speaker's Bill on the gasoline tax increase in Illinois to match the federal funds is going to be successful, and I think that most of us make that assumption, the need for Series A Transportation Bonds that have to be repaid at \$1.70 to \$1.00 over the years, is not necessary. The Department of Transportation, itself, will tell you that there will be

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plenty of money funded, earmarked match for that Senator Percy money that was brought back to Illinois. So I don't think there's any need for floating \$75,000,000.00 in Series A Transportation Bonds at this time. There's plenty of time left in the Session, if that's absolutely necessary, and I simply would say to you that bonding at... always is questionable, and at this point in time, I think not at all warranted. So, I would urge a 'no' vote from our side of the aisle and from the other."

Speaker McPike: "Is there further discussion? Being no further discussion, Representative Giorgi to close."

Giorgi: "Mr. Speaker, I reiterate. The Federal Government, under the gas tax program that was passed by the President just recently, earmarks \$25,000,000.00 a year for the next four years for FAP 412, but they demand that we match it with money. I'm giving you the money in the Transportation Bond Issue. I've supported the Governor's program. I'm going to support the Governor's program, but we've been promised this road since 1969. I supported Representative Neff, when he carried the Bill for Rep... for Governor Ogilvie. And we were promised fourteen years ago that we'd get this highway. And the Rockford section isn't the only section. We're already beyond Rochelle. This is to bring us to Bloomington, and it's to take care of the Peoria Bypass, and to take care of the area down in Decatur. This is not a Rockford Bill, but this does give the Governor \$75,000,000.00 to match federal funds, and there won't be any excuse for getting this road done. And I'm going to support the Governor's program."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 796. The question is, 'Shall House Bill 796 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish?"

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The Clerk will take the record. On this Bill, there are 79 'ayes', 34 'nos', 3 voting 'present'. House Bill 796, having received a three-fifths Constitutional Majority, is hereby declared passed. On the Order of Third Reading Appropriations Bills. With the permission of the Minority Leader, we would like to call, on page thirty-eight of the Calendar, House Bill 531. Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 531, a Bill for an Act making appropriation for the ordinary and contingent expense of the Attorney General for the Environmental Protection Trust Fund Commission. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 531 makes certain transfers between line items for FY '83 this current year in the general office. The other different divisions of the Attorney General's Office, there is no net transfer, as the Bill was introduced. There is Amendment #1, which did transfer another \$177,000.00 leaving no new money increase, and also Amendment #2 would appropriate the \$100,000.00 for the Legislative Redistricting Commission, so that it can carry out the duties pursuant to a ruling, January 20th, 1983, a dictate from the Federal District Court, and I would move and ask for your affirmative vote on House Bill 531."

Speaker McPike: "The Gentleman moves for passage of House Bill 531. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 531 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 101 'ayes', 15 'nos', 2 voting 'present'. House Bill 531, having received a Constitutional Majority, is hereby declared passed.

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Turning to the Order of Third Reading. House Bill 798.
Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 798, a Bill for an Act to amend
Sections of an Act in relation to the State Police. Third
Reading of the Bill."

Speaker McPike: "The Gentleman from Lake, Representative
Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen, the Bill... the
State Police Troopers Lodge of the Fraternal Order of
Police gave me some Bills that they felt important to State
Police, and House Bill 798 is one of them. The Bill
codifies the terms of an agreement reached last year, by
the Department of Law Enforcement and the Fraternal Order
of Police. Presently, under State Police Law, a State
Policeman may be suspended for a period of thirty days or
less, by order of the Director or Deputy Director of the
Department of Law Enforcement, or by order of a Division
Supervisor, and a hearing is not necessary; however, the
suspended police officer may petition the Merit Board for
a hearing. What House Bill 798 does, is it mandates that
that petition shall not be dismissed unless there be a
unanimous vote of the five...five member Board. It
guarantees that where a police officer feels that there
ought to be a hearing, after all, you are talking about
that person's livelihood, and any suspension if it were a
minor thing, that would be one thing, but something up to
30 days can be a blot on that person's record, and they
feel that their agreement ought to be codified and I would
ask for your support."

Speaker McPike: "The Gentleman has moved for the passage of House
Bill 798. Is there any discussion? On that question the
Gentleman from Cook, Representative Doyle."

Doyle: "John, is this the same State Police that patrol I-55?"

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Matijevich: "Yeah, you better put your 'aye' vote in the glove compartment on this one."

Doyle: "Alright, thank you."

Speaker McPike: "Is there any discussion on the Bill? There being no discussion, the question is, 'shall House Bill 798 pass?' All those in favor, indicate by voting 'aye'. Opposed, vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill there are 106 'ayes', 8 'nos' and 1 voting 'present'. House Bill 798, having received a Constitutional Majority, is hereby declared passed. House Bill 806, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 806, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from Vermilion, Representative Stuffle, on the Bill."

Stuffle: "Yes, Mr. Speaker and Members of the House. This is an Amendment to the University Retirement System that covers those persons who terminated their employment in that system before August the 15th of '69, with the 3% annual adjustment that is now in place for all the other retirees of this particular system. This particular Bill covers about three hundred people in a closed group that is frankly dying off. The average age of these people is somewhere in the vicinity of 80 years of age, as you might well find easy to believe, since they retired 14 years ago in each case, or earlier. The extension of this 3% benefit is consistent with the policy of the Pension Laws Commission, since it covers all the other employees of this system already and all other employees similarly situated in the University State Teachers' System, State Employees System, regardless of the time at which they retired. The

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Pension Laws Commission supports the Bill, as well, and I would ask for an affirmative Roll Call."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 806. On that question is there any discussion? There being no discussion, the question is, 'Shall House Bill 806 pass?' All those in favor, indicate by voting 'aye'. Opposed, vote 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Livingston, Representative Ewing, to explain his vote."

Ewing: "Mr. Speaker, Ladies and Gentlemen, they...everybody should understand that this is an increase in the actuarial liability by 1,400,000, and they should all know that when they voting green up there."

Speaker McPike: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 86 'ayes', 32 'nos', none voting 'present'. House Bill 806, having received a Constitutional Majority, is hereby declared passed. House Bill 812, Representative Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 812, a Bill for an Act to amend Sections of the Liquor Control Act. Third Reading of the Bill."

Speaker McPike: "Gentleman from Will, Representative Davis."

Davis: "Well, thank you Mr...Mr. Sponsor...thank you, Mr. Speaker, Madam Speakress. Thank you, Mr. Speaker. House Bill 812 simply amends the Liquor Control Act to permit the sale of liquor in a small park within the Village of Milan, Illinois. Representative Brunsvold asked Representative Giorgi and I to handle it for him in his absence. He had to return home suddenly this afternoon, and it's a...it's a local Bill. It has no opposition. The controls for the Municipal League Amendments are in there. Everybody is kind of for it, and I simply ask for your 'aye' vote."

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Speaker McPike: "Gentleman has moved for the passage of House Bill 812. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 812 pass?' All those in favor, vote 'aye'. Opposed, vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill there are 110 'ayes', 1 'no', 3 voting 'present'. House Bill 812, having received a Constitutional Majority, is hereby declared passed. House Bill 813, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 813, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker McPike: "Representative Peterson on the Bill."

Peterson: "Thank you, Mr. Speaker and Members of the House. House Bill 813 would exempt the Township General Assistance Tax from reduction by referendum. As you know, many townships, because of the high demand for assistance, are now or at near their maximum rate. If a reduction were enacted, it would critically limit assistance to the needy. It would also jeopardize a receiving township for qualifying for state aid. It should further be noted that the law would require those townships who did not have a sufficient rate to sell tax anticipation warrants, at a considerable cost to the taxpayers, if additional funds were needed. I urge your support of this Bill."

Speaker McPike: "The Gentleman moves for the passage of House Bill 813. Is there any discussion? There being no discussion, the question is, 'Shall House Bill 813 pass?' All those in favor, indicate by voting 'aye'. Opposed, vote 'no'. Representative Cullerton, vote me 'aye'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 76 'ayes', 33 'nos', 4 voting 'present'. House Bill 813, having received

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a Constitutional Majority, is hereby declared passed. Chair is ready to adjourn for this evening. Are there any announcements? Representative Giorgi."

Giorgi: "Mr. Speaker, just if we get a call from the Illinois State Bar Association and their Bratwurst Sandwich Party across the street at the Illinois Bar Center at 6th Street and Jackson."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, there will be an organizational meeting of the special Committee that we set up on the matter of consolidation of services for... alcoholism and substance abuse. That will be at 9:30 a.m. in Room 122A, 9:30 a...a.m."

Speaker McPike: "Representative Brummer, an announcement."

Brummer: "Yes, on a point of personal privilege. I object to Representative Giorgi giving any announcements regarding the Bar Association."

Speaker McPike: "Representative Wolf on an announcement."

Wolf: "Thank you, Mr. Speaker. There will be a meeting of the Steel Caucus in Room D1 tomorrow morning at 10:30."

Speaker McPike: "Representative Leverenz on an announcement."

Leverenz: "The Appropriations Subcommittee on Commissions, you have Bill up. Be there. If you missed a prior meeting, last chance, 6:00 tonight, 114. Thank you."

Speaker McPike: "Any further announcements? Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 40, DiPrima-et al; House Resolutions 246, Tate; 248, Brummer; 250, Hoffman and Daniels; 251, Winchester; 253, Ralph Dunn and 254, Giglio."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker. House Joint Resolution 40, DiPrima, congratulates seven recipients of the Veterans' Assistance Commission Citation of Merit. House Resolution 246, Tate, congratulates Bonnie Wolf. House Resolution

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248, Brummer, congratulates William Tennison. House Resolution 50, Hoffman-Daniels, congratulates Dr. Merle E. Baker. House Resolution 251, Winchester, congratulates Mary Lois Beinem. House Resolution 253, Ralph Dunn, congratulates William Langraff. House Resolution 254, Giglio, congratulates Milan Herzog. I move the adoption of the Agreed Resolutions."

Speaker McPike: "Gentleman moves for the adoption of the Agreed Resolutions. All those in favor, signify by saying 'aye'. Opposed, 'no'. The 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 249, by Representative Brummer, with respect to the memory of Randy Tennison."

Speaker McPike: "Representative Matijevich, on the Death Resolution."

Matijevich: "Move the adoption."

Speaker McPike: "Gentleman moves the adoption of the Death Resolution. All those in favor, signify by saying 'aye'. Opposed, 'no'. The 'ayes' have it. The Resolution is adopted. General Resolutions."

Clerk O'Brien: "House Resolution 244, by Huff; and 247, by Taylor."

Speaker McPike: "Committee on Assignment. Representative Greiman on the adjournment."

Greiman: "Thank you, Mr. Speaker. I move that the House stand adjourned until the hour of 12 o'clock tomorrow."

Speaker McPike: "The Gentleman has moved the House stands adjourned until tomorrow at the hour of 12 p.m. All those in favor, signify by saying 'aye'. Opposed, 'no'. The 'ayes' have it and we stand adjourned."

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