

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

50th Legislative Day

May 23, 1983

Speaker McPike: "...109 Members answering the Roll Call, a quorum is present. We will stand at ease for a few minutes until we get the recording system corrected. It's not working presently. Excused absences, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Representative Christensen, Flinn and Richmond are excused by reason of a death in the family...the death of Representative Richmond's son and illness or official business with respect to the other two, and the record should so reflect."

Speaker McPike: "The record will so reflect. Representative Vinson, do you have any excused absences?"

Vinson: "Mr. Klemm."

Speaker McPike: "Thank you. Take the record on this Roll Call. We have 110 Members answering 'present'. A quorum is present. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 3, Fangle, a Bill for an Act to create the Kankakee River Commission. First Reading of the Bill. Senate Bill 10, Ewing, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 12, Giglio, a Bill for an Act in relation to State Police. First Reading of the Bill. Senate Bill 20, Braun, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 44, Nash, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 46, Olson, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 54, Cullerton, a Bill for an Act to amend the Uniform Criminal Extradition Act. First Reading of the Bill. Senate Bill 57, Jaffe, a Bill for an Act to amend the Probate Act. First Reading of the Bill. Senate Bill 61, Nash, a Bill for an Act relating to legal relationships of a child born to a wife and husband requesting and

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consenting to artificial insemination. First Reading of the Bill. Senate Bill 66, Ereslin, a Bill for an Act concerning Judges. First Reading of the Bill. Senate Bill 77, Piel, a Bill for an Act to amend the Illinois Savings and Loan Act. First Reading of the Bill. Senate Bill 78, Olson, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 86, Nash, a Bill for an Act to amend the Sanitary District Act. First Reading of the Bill. Senate Bill 92, Matijevich, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 125, Shaw (sic McAuliffe - Wclf), a Bill for an Act to amend the Uniform Code of Corrections and the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 127, Wclf, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 128, Preston, a Bill for an Act to amend the Illinois...amend an Act in relation to the sale of kosher meat and meat preparations. First Reading of the Bill. Senate Bill 134, Pierce, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 137, Klemm, a Bill for an Act to amend the Township Law. First Reading of the Bill. Senate Bill 142, Hastert, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 143, Eannig, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 146...I'm sorry. 146 out of the record. Senate Bill 149, Ronan, a Bill for an Act to amend an Act in relation to taxation of gasoline. First Reading of the Bill. Senate Bill 151, Johnson, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 161, Cullerton, a Bill for an Act in relation to liens for certain delinquent utility charges. First Reading of the Bill. Senate Bill

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162, Terzich, a Bill for an Act to amend an Act in relation to warrantees in the sale of automobiles. First Reading of the Bill. Senate Bill 171, Krska, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 173, Flinn, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 175, McAuliffe, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 176, Hastert, a Bill for an Act in relation to equalization of property tax assessments. First Reading of the Bill. Senate Bill 186, Bowman, a Bill for an Act to amend an Act to provide for casual defects (sic - deficits) or failure in revenue. First Reading of the Bill. Senate Bill 125, the Sponsor should be McAuliffe - Wolf."

Speaker McPike: "On page two of the Calendar, House Bills Second Reading Short Debate appears House Bill 1611, Representative Laurino. Out of the record. House Bill 1939, Representative Olson. Out...out of the record. House Bill 2059, Representative Vinson. Out of the record. House Bill 2178, Representative Younger. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2178, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "The Lady from St. Clair, Representative Younger."

Younger: "Thank you, Mr. Speaker. Amendment #1 would establish a revolving fund out of which to make loans to persons to buy the stock of the Community Development Finance Corporation. I move for the adoption of the Amendment."

Speaker McPike: "The Lady has moved for the adoption of Amendment

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#1. On that, the Gentleman from Cook, Representative Fiel."

Fiel: "Question of the Clerk. Has this Amendment been distributed?"

Speaker McPike: "Yes, it has."

Fiel: "We don't have it over here."

Speaker McPike: "Craig, would you check and see if this is distributed? We'll take this Bill out of the record and come back to it. House Bill 2194, Representative Ewing. Representative Ewing here? Cut of the record. On page three of the Calendar, House Bills Second Reading appears House Bill 3, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3, a Bill for an Act in relation to cancer treatments. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Levin - Earnes."

Speaker McPike: "The Gentleman from Cook, Representative Levin, on Amendment #1."

Levin: "I would withdraw Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2, Levin - Earnes."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is meant to clean up the underlying Bill, which deals with the problem of cancer quackery in response to a investigation about a year and a half ago by Channel 2. It was developed in conjunction with the Illinois State Medical Society and various other groups. And it simply clarifies procedure and gets rid of some of the bureaucracy that existed in the underlying Bill. If there are any questions, I'll be happy to answer them."

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Speaker McPike: "The Gentleman has moved for the adoption of Amendment #2. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, it'd be a real service if we could prohibit mumbling this week and get back to another description on that particular Amendment."

Speaker McPike: "Your point is well taken. The Gentleman from Cook, Representative Birkinbine."

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

Speaker McPike: "He will."

Birkinbine: "I don't have a copy of that Amendment. Can you tell us...I gather this is designed to establish some sort of standards or to say this or that in particular will not be condoned by this cancer board that you're setting up?"

Levin: "Yes. It does basically three things. First of all; it makes it a specific crime to misrepresent something as capable of curing cancer that is not curing or treating. Number two; it limits who can prescribe or treat for cancer. Number three; it establishes a board which would review the medical evidence, particularly the evidence of research by the Federal Government, to make determinations whether or not a particular treatment is not efficacious. The intention is to have as broad latitude as possible. We don't want to cut off anything that may have value. But there are certain types of treatments, which is generally agreed, to have no value at all. Unfortunately, the cancer victim is somebody who is in a very vulnerable position and we not only have the fact that they are being bilked of money, but more importantly than that is the fact that they are, in many cases because of these quacks, losing an opportunity to get good treatment, treatment that will prolong or cure their cancer. And that is the intention of

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the Bill. It was developed with the Medical Society as well as input from various other parties."

Birkinbine: "Can you...excuse me. Can you tell me, does the Director of the Department of Public Health, does he have to be a doctor at this point? I am told, no. What I'm getting at is wondering whether you're going to have a majority of physicians on this board. I see at least four of the nine must be. You tell me on Section C of the Amendment on page one, 'Prohibited cancer treatment means a procedure for treating cancer which has been found by the Cancer Treatment Board', that board of nine, 'to have no clinical or other scientific bases.' I think that word is inaccurate. It is supposed to be 'basis', 'which would support a reasonable belief that said treatment is appropriate for the use or research or by citizens of state'. I don't know whether you happened to see an article that was in the Chicago Sun-Times, I think of Sunday, talking about a doctor in Evanston who has dealt with treating cancer through the use of macrobiotic diets and vitamins. Now, knowing doctors as I do, I have little doubt that such treatment would probably fall into that category of having no clinical or other scientific basis, no matter how many incidents like the one in that article could show. Do you think that's wise?"

Levin: "Well, you know, I read that same article, and I do not, you know, I don't know whether or not, in fact, that would be something which this particular mechanism would find to have no basis. What they would be reviewing, would be the research done primarily by the Federal Government and any other research that existed. And the determination would be whether or not, based on the research and based on statistical evidence and everything else, there was no value at all. The intention here is not to preclude

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anything that would have, you know, any value. But it is intended to protect the cancer victim - and they prefer to be called cancer survivors - from the kinds of situations that were illustrated by the situations of Doctor, I think Manning, on Channel 2 in Chicago where he bilked, you know, hundreds and hundreds of thousands of dollars on treatments that had absolutely no basis, that nobody had any statistics or anything else to demonstrate, could do anything. And the tragedy was that many of the individuals who were being victimized could have had their lives prolonged or could have been cured if they had gotten good treatment. So, as I said, this is something that was developed in conjunction with the Medical Society. They do not intend to preclude any kind of treatment that would have any possible value, but simply to preclude those treatments and prescriptions which have absolutely no value of any kind. So that is the intention, here."

Birkinbine: "So, if I understand your legislative intent, it could be wrapped up on page 40...I'm sorry, line 47 on page two, where you says...where you say, 'when the Board determines that no such basis exists for the utilization of the proposed treatment', you're saying that an example like the one described in the Sun-Times of Sunday where, indeed, someone utilizing a macrobiotic diet or vitamins or what have you, has shown that, indeed, someone can be helped by that or cured, that that would, indeed, qualify for basis, and that the Board would not consider that to be no such basis. That's your intent, right?"

Levin: "Yeah, yeah. There is some evidence...in that particular case, I believe, there was some evidence that it would not fall within the purview, here. But the kinds of things that, let's say, that Channel 2 documented is what we are intending on going after, here."

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Birkinbine: "Thank you."

Speaker McPike: "Representative Birkinbine, does that end your discussion? Thank you."

Birkinbine: "Thank you, Mr. Speaker."

Speaker McPike: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, I certainly wish that we could hear a little bit better what's going on in debate, because the noise on the floor is considerable."

Speaker McPike: "Excuse me, could we have a little bit of attention to this debate, a little bit of quiet, so that we can hear?"

Pullen: "Thank you. I have a question for the Gentleman, please."

Speaker McPike: "He indicates he will yield."

Pullen: "On the Amendment on page five in line one, you have the phrase 'commits any unlawful practice within the meaning of this Act'. Does that mean any, or does...should it be 'an'. I don't think the sentence makes a great deal of sense, the way it's written."

Levin: "I think you're correct. I think it should be 'an', without the 'y'."

Pullen: "Thank you."

Speaker McPike: "Further discussion? No. Being no further discussion, the Gentleman from Cook to close, Representative Levin."

Levin: "On behalf...yeah, on beha...I would yield to close to Representative Barnes."

Speaker McPike: "Representative Barnes."

Barnes: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Amendment. I think it is very necessary. As Representative Levin said, this was a product of a probe that Channel 2 did on cancer quackery. And being a cancer survivor myself, it is very easy, I

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think, for quacks to come along and prey on the pocketbooks of victims and their families. And on Channel 2, they showed many spouses with pictures of their loved ones, and they told how they believed in the treatment that these certain people were providing and how they spent all their life savings just to try to save their loved ones. And that's a very understandable position for a loved one to take, but that's why I feel this Amendment and this legislation is so necessary. I would encourage an 'aye' vote."

Speaker McPike: "The Lady has moved for the adoption of Amendment #2. 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 Amendments."

Speaker McPike: "Third Reading. We will now return to House Bill 2178, which was taken out of the record. Representative Young on Amendment #2. I'm sorry, Amendment #1. The Amendment has been read."

Young: "Right. Thank you, Mr. Speaker. Amendment #1 would establish a revolving fund out of which to purchase the shares of stock for the Community Development Finance Corporation. I move for the adoption of the Amendment."

Speaker McPike: "The Lady moves for the adoption of Amendment #1. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker McPike: "Indicates he will."

Vinson: "Representative, it's your intention to establish, in the state treasury, a revolving fund that this money would go into?"

Young: "The fund would be a part of the assets of the Community

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Development Finance Corporation."

Vinson: "Well, who would establish this fund? Doesn't the Comptroller have to do that? I mean, normally when we establish funds that money's going into, the Comptroller has to establish them, has to maintain them and so forth, and here you've got the Department doing it. That's my concern."

Younge: "Yeah, I appreciate your bringing me...bringing that to my attention. I'll make that change."

Vinson: "I think that would be appropriate in this case."

Younge: "May that stay on Second Reading, and I'll make that change? I think it's a good suggestion."

Speaker McPike: "Yes, the Bill will be taken out of the record. Representative Ewing, you have the next Bill, House Bill 2194. Would you like to have that called? No? Out of the record. House Bills Second Reading page three appears House Bill 16, Representative Topinka. Out of the record. House Bill 207, Representative Currie. Out of the record. House Bill 275, Representative McGann. Out of the record. House Bill 375, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 375, a Bill for an Act in relation to collective bargaining by firefighters. 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, Stuffle."

Speaker McPike: "Representative Stuffle on Amendment #2."

Stuffle: "Yes, I would like to withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Tuerk."

Speaker McPike: "Representative Tuerk on Amendment #3."

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Tuerk: "Mr. Speaker, Members of the House, what this Amendment does is make the Bill apply to the City of Chicago, and I would move for the adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. Is there any discussion? The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House, I found out that an interesting explanation—that it makes the Bill apply to Chicago. I don't think it does. A subsequent Amendment does make it apply to Chicago. And if that's what he wants to do, we ought to do it on that Amendment. Secondly and importantly, as I read this Amendment, it would apply collective bargaining procedures even to volunteer fire departments. For those two reasons, I would rise in opposition to the Amendment."

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

Leverenz: "The Gentleman yield?"

Speaker McPike: "He will."

Leverenz: "If this Amendment, then, would provide that collective bargaining would be there for volunteer fire departments, could the Gentleman explain what they will bargain for?"

Speaker McPike: "Representative Tuerk."

Tuerk: "I'm sorry. I didn't hear the question. Would you repeat it?"

Leverenz: "Certainly. The Amendment, as Representative Stuffle pointed out, would apply, then, to volunteer fire departments. Could you cite a few examples on the things that they would bargain for? Would they bargain over, for example, who will drive the fire trucks or shorter hours?"

Speaker McPike: "Representative Tuerk."

Tuerk: "Well, those two examples might be bargainable. Anything that would apply to the others would apply to them."

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Leverenz: "To the Amendment."

Speaker McPike: "Proceed."

Leverenz: "I would certainly ask everyone to give their attention to the Amendment and defeat it overwhelmingly."

Speaker McPike: "There being no further discussion, Representative Tuerk to close."

Tuerk: "Well, Mr. Speaker, Members of the House, if we're going to adopt a bargaining Bill, a collective bargaining Bill on this particular theme, I think it's just....makes common sense to make it apply to the city, make it apply to volunteer firemen, make it apply to anybody that's around in the public sector. I would move for the adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it. The Amendment's defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Tuerk."

Speaker McPike: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, Amendment #4 makes the State's Mandate Act apply. It was exempted in the Bill. I think it's only fair that if the state mandates, as I pointed out last week on a number of Bills, if the state mandates collective bargaining, I think the state ought to pay its fair share, and that's what this Amendment does. It puts the State's Mandate Act back into the Bill, and I would move for the adoption and ask for a Roll Call on this one."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #4. On that, the Gentleman from Vermilion, Representative Stuffle."

Stuffle: "To save the time of the House, let me simply rise in opposition to the Amendment. We've already provided in the

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other local collective bargaining Bills that the mandate exemption is in place. This would put it in...this Bill in a different posture than all the others. I think we've adequately argued the reasons for defeating this Amendment three times last week, and I would rise in opposition and ask you to defeat this Amendment."

Speaker McPike: "Representative Tuerk to close."

Tuerk: "Well, I believe I closed with the presentation, and that is merely that it makes the state responsible for its actions. It puts the money where the mouth is and that's what this Amendment does. It makes the whole Bill applicable to the State's Mandate Act, and as I say, I would like a Roll Call, and I would move for the adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #4. 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 Amendment, there are 42 'ayes', 64 'nos'. Amendment #4 is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Klemm."

Speaker McPike: "Amendment #5, Representative Klemm. The Gentleman is excused today. Representative Stuffle, it's your Bill."

Stuffle: "Yes, I move to table that Amendment."

Speaker McPike: "The Gentleman moves to table Amendment #5. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Stuffle - Matijevich."

Speaker McPike: "The Gentleman from Vermilion, Representative Stuffle, Amendment #6."

Stuffle: "Yes, Mr. Speaker, Members of the House. Amendment #6 becomes the basis of the Bill - in fact, becomes the Bill along with Amendment #7. Amendment #6 delineates two

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particular portions of the Bill which were not correctly spelled out in detail by the original Bill or the first Amendment, and those are with regard to putting the Bill in place in terms of unfair labor practices and the disposition of...of filings with regard to unfair practices and with regard to notice provisions in the conduct of elections in securing representation through an exclusive bargaining agent with regard to the Bill. It also spells out, as the original Bill did, the limitations, the prohibition against the right to strike, provisions for arbitration, who shall be in the bargaining units and so forth, and I would move adoption of Amendment #6 to the Bill."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #6. On that, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, he presented...the Sponsor presented this Amendment as a clean-up Amendment. It's a little more than that. This Amendment becomes the Bill, of course, and it maintains all the major portions of the Bill as introduced. However, what it does is add a number of things, specific election procedures to be followed, sets out the unfair labor practice. It does exempt the Bill from the State's Mandate Act and adds a grandfather clause for any existing collective bargaining agreements. It still has the binding arbitration in it. It...with the exemption of the State's Mandate Act, it makes local government pay for it. I would hope that the Members of the House would reject the Amendment and kill the Bill. I would so ask the Members to do so."

Speaker McPike: "Representative Stuffle to close."

Stuffle: "Mr. Speaker, Members of the House, if the previous speaker had listened, I very clearly said in plain English, that the Bill added provisions regarding unfair labor

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practices and regarding elections and added that it also added back in and clarified what was already in the Bill, which he suggested wasn't the case. It is the case. For those reasons, I would ask for an affirmative vote on this Amendment, which puts the Bill in the proper form for passage along with the next Amendment. I would ask for an 'aye' vote."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #6. 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 Motion, there are 60 'ayes', 39 'nos', none voting 'present'. Amendment #6 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #7, Madigan - Terzich - et al, amends House Bill 375 as amended."

Speaker McPike: "Mr. Clerk, have you read Amendment #7?"

Clerk Leone: "Amendment #7 has been read into the record."

Speaker McPike: "Representative Cullerton on Amendment #7. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very simple Amendment. In fact, I believe it was mentioned earlier in debate. This simply puts Chicago back into the Bill so that the provisions of the Bill would apply to the City of Chicago."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #7. On that, the Lady from Cook, Representative Braun."

Braun: "Mr. Speaker, as I understand it, this Amendment is...the hyphenated Cosponsors are Representative Madigan and Terzich. Is that correct?"

Speaker McPike: "I think there were about 20 hyphenated Cosponsors of the Amendment."

Braun: "Well, under our rules, we're only allowed five. And as I

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understand it, there are only two hyphenated Cosponsors on this Amendment."

Speaker McPike: "The Lady is correct."

Braun: "In that case, and in light of the fact that neither of the hyphenated Cosponsors are on the floor, I move that this Amendment be tabled, and I object to it being called, because the Sponsors are not on the floor."

Speaker McPike: "If the Sponsors are not on the floor, Representative Stuffle, it's your...it's Representative Stuffle's Bill. And our posture has been that if the Sponsors of the Amendments are not on the floor, then we will refer to the Sponsor of the Bill to see what they want to do. Representative Stuffle."

Braun: "As I..."

Speaker McPike: "Representative Stuffle."

Stuffle: "Take the Bill out of the record, please."

Speaker McPike: "Take the Bill out of the record."

Braun: "Thank you."

Speaker McPike: "House Bill 402, out of the record. House Bill 490, Representative Stuffle. Out of the record. House Bill 572, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 572, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed with respect to Amendments #1 or 2."

Speaker McPike: "Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends House Bill 572 as amended."

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

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Cullerton: "One second, Mr. Speaker. I have to talk to Mr. O'Brien for a second."

Speaker McPike: "Representative O'Brien is going to handle this?"

Cullerton: "No, he asked me to handle it for him, Mr. Speaker."

Speaker McPike: "Proceed."

Cullerton: "Mr. Speaker, I would ask to table Amendment #2. It was technically incorrect. Amendments #3 and 4 correct the problem, so I ask that..."

Speaker McPike: "The Gentleman moves to table Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. In the Bill, House Bill 572, which dealt with the issue of forfeiture of vehicles, and the purpose of the Bill is to add some more offenses for which forfeiture of vehicles and vessels or aircraft apply. We inadvertently had added to the Section 38-1, 'forfeiture of charter and revocation of certificate', and this Amendment strikes that language which reads, 'or to compel individuals to become Members of the corporation', since it really doesn't make any sense, since there is no such thing as a member of a corporation. So I would move for the adoption of Amendment #3."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #3. Is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?'. All those in favor signify by saying 'aye', oppose 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Cullerton, amends House Bill

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572..."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 is also a technical Amendment. It puts in the proper Section, that is Section 12-4(B)1, which refers to committing an armed robbery with a weapon, into the Bill. And the effect then would make the provision of forfeiture of vehicles or vessels available when that particular offense is committed. So I move for the adoption of Amendment #4."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #4. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Friedrich, amends House Bill 572 as amended."

Speaker McPike: "Representative Friedrich on Amendment #5. Is that Representative Frederick or Representative Friedrich? Representative Friedrich on Amendment #5."

Friedrich: "Well, this is an Amendment similar to what I had on a previous Bill, and they said it was not germane. The person who drafted it for me said this is germane. It merely provides that the media cannot withhold information regarding criminal...a defendant in criminal proceedings. This does deal with the Criminal Code, so I am sure this one is germane, Mr. Speaker. So I move its adoption."

Speaker McPike: "Alright, the Gentleman moves for the adoption of Amendment #5. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Well, I don't know whether or not it's germane, and I would like to give the Gentleman a Roll Call on this issue. He's adding a new Bill, in effect, to my Bill, which happens all the time. I don't think, however, if this

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particular Amendment was to get on, it would help my Bill too much. This creates the offense of media interference with criminal justice, and it addresses the issue of the media. It would make it a criminal offense for the media not to disclose their sources to the State's Attorney, when there is a criminal proceeding. It would make it a Class IV Felony. I think that one might argue that this is unconstitutional, because it is violative of the First Amendment. I would say to Representative Friedrich that I certainly do empathize with the situation where criminal proceedings can be thwarted as the result of a newspaper reporter or television reporter trying to protect their source. But I think I am inclined to vote 'present' on this Amendment just so that...I just don't think this is the proper forum to have this particular issue debated. I think it would be better if it was done, you know, with the Bill in Committee. So for these reasons, I would ask...I would indicate my willingness to...to vote 'present'."

Speaker McPike: "Representative Cullerton, did you question the germaneness?"

Cullerton: "No."

Speaker McPike: "Thank you. There being no further discussion, the Gentleman from Marion to close, Representative Friedrich."

Friedrich: "Well, Mr. Speaker, Members of the House. We have a very distinct case in our area where a very vicious criminal escaped prosecution, because the media had the information that...to convict him, and they were not forced to give the information. I don't think it's the purpose of the media to protect criminals, and I don't think they have any special rights. We have attorneys who certainly have a client relationship, but that's not the media's relationship with a criminal. So I think that they

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should...if we're going to have openness, let's have it all the way and at least let these criminals be prosecuted if there's information available to prosecute them."

Speaker McPike: "Representative Currie, did you have a question? The Gentleman has just closed. Did you want to explain your vote?"

Currie: "I had a point of order. I wanted to question the Chair whether this Amendment is, indeed, germane to House Bill 572."

Speaker McPike: "The question...the Amendment is germane."

Currie: "It is germane? You ruled."

Speaker McPike: "Yes. The Gentleman moves for the adoption of Amendment #5. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it. The Amendment is defeated. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Hutchins - Cullerton, amends House Bill 572 as amended."

Speaker McPike: "Amendment #6, Representative Hutchins."

Hutchins: "Mr. Speaker, Members of the House, Amendment 6..."

Speaker McPike: "Excuse me. Excuse me, Representative. Representative Piel, for what reason do you rise?"

Piel: "Has this Amendment been distributed?"

Speaker McPike: "This Amendment has not been distributed. Representative Cullerton."

Cullerton: "...Bill out of the record."

Speaker McPike: "Out of the record. The Governor, through the Governor's staff, has asked that a package of material be passed out on the House floor to all Members, showing the allocation of the proposed new revenues. I would ask leave of the Body to have the Governor's staff pass this material out. Representative Pullen, can we have leave for this? Hear no evil, speak no evil. Leave is granted. If we could have this material passed out, Craig. It's up here."

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House Bill 580, Representative...I'm sorry. Representative Vinson."

Vinson: "Is the Speaker going to provide a similar packet for his recommendations?"

Speaker McPike: "Representative Van Dwyne, do you wish to have your Bill called? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 580, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Van Dwyne, amends House Bill 580..."

Speaker McPike: "Representative Van Dwyne, Amendment #1."

Van Dwyne: "Thank you, Mr. Speaker. Amendment #1 just simply corrects a couple of typographical errors."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Christensen, amends House Bill 580 on page 11 and so forth."

Speaker McPike: "Representative Christensen is excused. Representative Van Dwyne."

Van Dwyne: "Yes, the reason why I am calling the Bill today, Mr. Speaker, is because of the time frame that we're in, being that this is the last week for House Bills. And Representative Christensen is not here because of the sickness of his wife, the illness of his wife, and I would like to get this Bill to Third Reading where I will hold it. So I move to table Amendment #2, but..."

Speaker McPike: "The Gentleman moves..."

Van Dwyne: "...I can tell Representative...I can give you my promise if Representative Christensen wants to pursue this

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and does get back before Friday, I will move it back to Second for...to give him a chance to work for his Amendment. Anyway..."

Speaker McPike: "The Gentleman moves to table Amendment #2. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The Amendment's tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Christensen, amends House Bill 580 on page 11 and so forth."

Speaker McPike: "Representative Van Duyn. Same. The Gentleman moves to table Amendment #3. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. The Amendment's tabled. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 601, Representative Braun. Out of the record. House Bill 671, Representative Greiman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 671, a Bill for an Act to amend the Illinois Abortion Law. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Greiman, amends House Bill 671 on page two..."

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

Greiman: "Thank you, Mr. Speaker. This Bill, House Bill 671, is the Bill that repeals the limited and difficult regulations that we have on in vitro fertilization. The Committee was disposed to pass this out, but did indicate that they wanted to add a...an Amendment to the...that part of the Abortion Act that prohibits experimentation, and I was...I made that representation that I would provide such an Amendment. And Amendment #1 is in response to...to that."

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So that there is a provision that it's...there is no experimentation or things like research or whatnot is conducted except to promote...for therapeutic purposes to the particular ovum or for therapeutic purposes for the process of fertilization itself. It is in response to the...Committee...Member of the Committees...I have shown this to Members of the Committee as well."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #1. On that, the Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Greiman, you'll recall in Committee that I had agreed to support your Bill, assuming that you amended it on the floor as you said you would, to meet the objections of the opponent witnesses with respect to experimentation. I don't know if this Amendment does that. My understanding is that the language of it - and I'm looking now at the language, 'or unless such research,' and so forth, 'further develops and perfects the process', and so forth - is really a circular reasoning. And the bottom line is that the experimentation would still be permitted under certain conditions."

Speaker McPike: "Are you addressing the Bill or asking a question, Sir?"

Johnson: "I'm asking a question right now."

Speaker McPike: "Representative Greiman."

Greiman: "Mr. Johnson, I think it addresses the specific issue. It does not meet...well, I'm not sure whether it totally meets the approval of the opponents to it. I suspect it does not. They did give me other language. That language was not acceptable to me, and I don't know that we have, you know, met each other's objections, but I think that this does, in fact, serve to...to respond to the issue that was raised as to...so that there's no experimentation done

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nilly-willy (sic - willy-nilly). That was the concern, I think, of the Committee, and it was a legitimate concern, and I tried to address it. I believe that the...now there is another...there is other language that was submitted by the opponents at that time, and that language, it seems to me, is too narrow. We could not find a place where we were, you know, where we could accommodate each other. It may not be surprising, but that was...we had one that was just way...much too narrow and literally would have ended in vitro fertilization at all, based on the Amendment that was suggested by the opponents of the Bill. So I think that Amendment #1 addresses, in a reasonable way, the objections that were raised at the time of Committee."

Johnson: "Well, I frankly feel a little bit misled by somebody, because I voted for this Bill in Committee with the understanding that objections raised would be met by the Amendment process. And I don't think this does this. I don't know how I'm going to vote on the Bill now, but he really put me in an untenable position, because you made a commitment to do something that you haven't done."

Greiman: "Well, let me..."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, well maybe I can clear up the...any controversy here. I was in Committee and also questioned the Sponsor of the Bill. The...I think that the issue was that both sides, the pro-choice and pro-life people both, admitted that they wanted to promote in vitro fertilization. Or at least the pro-life people said it was okay with them if that's what it...all it did. And the question was whether or not this...whether or not this process would be abused through the...through experimentation. Now we have an Amendment #1 Representative Greiman has offered, and we have Amendment #2 that Representative McCracken has

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offered. And I think that, Representative Johnson, that you could clearly, if you wish, vote against Representative Greiman's and for McCracken's, and you'd be...you'd have the approval of the pro-life people, and I imagine...the thing that I'm worried about is maybe there won't be...we wouldn't have accomplished what we tried to, and that is to allow for in vitro fertilization. The purpose of the Bill is to allow for in vitro fertilization to occur in this state, and it's not occurring. And so I would say that if you read closely Representative Greiman's Amendment, it seems to promote the development of in vitro fertilization. That's what its purpose is, and it...the pro-life lobbyists are difficult to please in every case. I think this is one where they might be a little off, if they don't approve of this Amendment. I think Amend...although we haven't discussed Amendment #2 yet, it may be so narrow as to not even allow for...make the Bill meaningless. So I think that perhaps all of us should look at this Amendment #1 and support it."

Speaker McPike: "Representative Dunn on the Amendment."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Amendment before us at this time. As a Member of the Judiciary Committee and also one who was questioning the Sponsors and witnesses about this legislation, it would seem to me that the main focus of concern ought to be to encourage live and healthy births. And if there is to be a fertilization process in vitro, then I think somebody has to take the time and do the research, do whatever is necessary to develop that process into one which will promote and encourage live and healthy births. Amendment #1 clarifies, in my judgment, whatever doubt there was about the Bill itself, and there were questions during the Committee hearings by people on both

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sides of this issue which comes before us many, many times in the General Assembly. The concern of the opponents was that...that a fetus might be subjected to scientific research that promoted and encouraged the development of a fetus for that purpose. Amendment #1, I think, clearly says that the process of research shall be used and implemented only for the purpose of refining the process of in vitro fertilization. So that those of us who believe that...that we want to promote life, encourage life and healthy births, really ought to be voting for this Amendment, regardless of what any interest group says one way or another. So I would urge an "aye" vote on Amendment #1."

Speaker McPike: "Representative Karpel on the Amendment."

Karpel: "Well yes, thank you, Mr. Speaker. And to address the Amendment. I sat in on the Judiciary Committee the morning that this Bill was heard, and Representative Greiman did say that he would put on an Amendment to take out the possibility of research being done on a fertilized ovum. I don't think this Amendment does it. And as someone who normally votes for pro-life legislation, I know a lot of other Members who are pro-life who would like to vote for a good in vitro Bill. I had hoped that this Bill would be that so that I could vote for it, and I would still vote for it if this Amendment is not put on it, and Amendment 2 is put on it, which takes away the possibility of any research. I don't see how we can vote for this Bill with the possibility of research being done. And I would urge a 'no' vote on this Amendment."

Speaker McPike: "Representative Greiman to close."

Greiman: "Well, I believe that the Amendment #1 fully responds to the issue and the representations made. I will tell you that I have spoken on several occasions and received

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material from the pro-life groups. It was my intention, if we could, to work out some kind of via media, but the request that they made, in my judgment, would have made the Bill itself meaningless, and as a matter of fact, would have really ended in vitro fertilization process in Illinois. It is...this is not some process that you can just make up and just do. It does require a considerable amount of research. There is no question about that. And if you believe that people who want the right to parent, a very sacred and a very wholesome desire in our society, and you think that they're entitled to parent, although they're having physical problems having natural children, we want to help them, then this is really the way to go. As far as Amendment #2 is concerned, the Sponsor of that Amendment has advised me that he is going to withdraw that Amendment and not go forward with it, so that this is the Amendment that will be before it. I'd like to have the Bill in the shape that...that I'd like it to be in on Third Reading. And I think, as I said, that this does respond to my commitment to the Judiciary Committee. Thank you."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The...yeah, Rcll...we'll have a Roll Call on this. All those in favor of Amendment #1 vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Bowman to explain his vote."

Bowman: "Well thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think for those who are concerned here, we have to recognize that in vitro fertilization is itself in the very early stages of development. Not very many women have given birth through the in vitro process, and so one could properly consider it to be experimental, even though the individual ovum are not the subject of testing or other

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processes that do not result in implantation. So I think we have to proceed carefully. I think Amendment #1 does proceed carefully. It prohibits any kind of experimentation that is not directly related to the in vitro process. And I think that we have to give this kind of latitude, or we might just as well shut down the process all together. And I do hope that people here will have it in their hearts to have mercy on those couples who do want to conceive children, but who cannot do so in the normal way and for whom this is the only recourse. So I would hope that some of the people who are voting red would reconsider their position, because, after all, this Amendment does make it a Class A misdemeanor for violation. And I think that's a...pretty...pretty tough language. But it does leave open the possibility that the in vitro process, which is...it's a form of experimentation itself, can proceed. And I think that is really the issue here, whether in vitro fertilization can proceed or not, and I urge an 'aye' vote."

Speaker McPike: "Have all voted who wish? The Clerk will take the record. On this Amendment, there are 42 'ayes', 55 'nos', 10 voting 'present'. The Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, McCracken, amends House Bill 671 as follows."

Speaker McPike: "Representative McCracken. Representative Johnson, for what reason do you rise?"

Johnson: "Can I have leave to handle this Amendment for Representative McCracken?"

Speaker McPike: "There is an objection."

Johnson: "There's an objection? Who objects?"

Speaker McPike: "Representative Pullen objects."

Johnson: "Representative Pullen objects?"

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Speaker McPike: "Yes, she objects. Be... Representative
McCracken, Amendment #2."

McCracken: "Move to withdraw the Amendment."

Speaker McPike: "The Gentleman withdraws the Amendment. Further
Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 738, Representative
Barnes. Do you wish to have your Bill called? Out of the
record. House Bill 767, Representative Matijevich. Read
the Bill, Mr. Clerk."

Clerk Leone: "House Bill 767, a Bill for an Act to authorize
organizational representation and collective bargaining for
police officers in units of local government. The Bill has
been read a second time previously. Amendment #1 was
adopted in Committee. Amendments #2 and 3 lost. Amendment
#4 was adopted. Amendment #5 lost."

Speaker McPike: "There any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, would you come back to this in a
moment? We're waiting for one Amendment."

Speaker McPike: "We're waiting for an Amendment on this. This
Bill will be taken out of the record. House Bill 770,
Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 770. It's been read a second time
previously. Amendment #1 and 2 were tabled. Amendment #3
was withdrawn. Amendment #4 was adopted."

Speaker McPike: "Adopted in Committee?"

Clerk Leone: "Amendment #4 was adopted on Second Reading."

Speaker McPike: "Further Amendments?"

Clerk Leone: "Floor Amendment #5, Hicks, amends House Bill 770 as
amended."

Speaker McPike: "The Gentleman from Jefferson, Representative

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Hicks."

Hicks: "Yes, Mr. Speaker, we'd like to withdraw Amendment #5 please."

Speaker McPike: "Amendment #5 is withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 774, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 774, a Bill for an Act to amend the Criminal Victims Compensation Act. Second Reading of the Bill. Amendment #1 was withdrawn in Committee. Amendment #2 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 799, Representative Matijevich. Do you wish to have the Bill called? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 799, a Bill for an Act to authorize police officers to organize and bargain collectively with their public employers. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "Motion. 'I move to table Amendment #1 to House Bill 799'. Representative Matijevich."

Speaker McPike: "Representative Matijevich moves to table... Representative Matijevich on the Motion."

Matijevich: "We'll withdraw that. We can live with that."

Speaker McPike: "Alright. The Motion's withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Stuffle - Matijevich, amends House Bill 799 as amended."

Speaker McPike: "Representative Stuffle, Amendment #2."

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Stuffle: "Yes, Mr. Speaker and Members of the House. Amendment #2 becomes the Bill in the case of House Bill 799 and as in the case of the other collective bargaining Bills. The Amendment provides the basic framework for collective bargaining agreements, in this case, with regard to the State Police. It sets out the definitions of employers and employees and so forth. It sets out the method of arbitrating disputes, conducting elections, mediating for...against impasse problems. It sets out unfair labor practice protections and the procedure to resolve those. It sets out who shall be in the bargaining unit. And I will offer the Amendment and ask for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. On that, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker McPike: "Excuse me. I wonder if we could clear the aisle in front of Representative Mays. Thank you. Proceed."

Mays: "Larry, where does this Bill, or where does this Amendment differ from the Bill that passed out of Committee with the Amendment #1 on it?"

Stuffle: "Representative, I didn't handle Amendment #1 in the Committee. This Amendment is designed to clean up all the provisions in the Bill that are substantive. Amendment #1, as I indicated, was put on in Committee, and I did not serve on that particular Committee that day. My understanding of Amendment #1 was the definition provision with regard to what an employee organization was."

Mays: "Is there anywhere in here that we have a right to strike or any provisions at all for that?"

Stuffle: "Prohibition against a right to strike."

Mays: "You do have binding arbitration in here?"

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Stuffle: "It's patterned...yes, it's patterned after the down...I'm sorry, after the other Bill that we already amended with regard to the...to the community police and their representational provisions."

Mays: "Can I...what happens under this Bill if an arbitrator renders a decision that is counter to what the Governor and the Department of Law Enforcement had offered, indeed, it costs more dollars to state taxpayers to implement? Are we forced to go along with the arbitrator's decision in that case?"

Stuffle: "Frankly, the Bill provides that the Legislature would look at and approve the contract, but you and I know that the Legislature would be in a position to appropriate or not appropriate money. It is possible, obviously, in any state employment situation, that agreement could be reached and the adequate amount of money to pay for the all the provisions might not be there, because we don't chose to appropriate it. And that's been the case before."

Mays: "Thank you very much. To the Bill, or to the Amendment, Mr. Speaker."

Speaker McPike: "Proceed."

Mays: "I think we've come up with a new way to get dollars for every department that we have vested interests in. We ought to just allow every department some binding arbitration. We ought to give them all arbitrators and a whole board to do their lobbying for them and then bind the Legislature's hands. This is a ridiculous Bill, a ridiculous Amendment, and I urge its defeat."

Speaker McPike: "Representative Stuffle to close."

Stuffle: "I think I've addressed the issues in the Bill. I would, of course, disagree with that last statement. I think that we're attempting this year to provide a systematic means of collective bargaining for all of our

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peace officers, firemen and public employees, and to prevent strikes, as this particular Amendment and Bill does with Amendment 2 in place. And I would offer and ask for the adoption of Amendment #2."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. All those in favor say 'aye', opposed 'no'. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Tuerk to explain his vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 64 'ayes', 41 'nos' and 1 voting 'present'. The Amendment's adopted. Representative Tuerk, for what reason do you rise?"

Tuerk: "Point of order."

Speaker McPike: "State your point."

Tuerk: "I...with the adoption of that Amendment, it changes the title by deleting everything after the enacting clause, and it also changes the title from the original Bill and the Amendment, Amendment #1. So I would make the point that it should be...remain on Second Reading First Legislative Day."

Speaker McPike: "On that point, Representative Stuffle."

Stuffle: "Well, I'm not sure he stated that correctly at this point, but I would speak to that, and defer to Representative Matijevich on that point and speak to that after he speaks to it."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, I believe that the constitutional provision is a safeguard so that a Bill doesn't sneak through in less than the five days, and I believe that we meet the constitutional provision. I don't think that the Gentleman has stated the Motion properly, and I would rule his Motion out of order. I don't think he stated it properly."

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Speaker McPike: "Representative Piel."

Piel: "Thank you, Mr. Speaker. According to Ecuse rule 36(D), if an Amendment does change the title, it should be returned to Second Reading First Legislative Day, and this Amendment has changed the title of the Bill."

Speaker McPike: "Representative Tuerk, your point is well taken. Representative Matijeovich. And the Chair would so rule, Representative Tuerk. Representative Matijeovich."

Matijeovich: "Well, as long as we're holding it for a fiscal note, we're going to just take it out of the record for this moment. It has been read, though, right?"

Speaker McPike: "No, his point was that the Bill should be returned to Second Reading First Legislative Day."

Matijeovich: "Well then, I'm going to move..."

Speaker McPike: "And I said that his point was well taken."

Matijeovich: "Alright, then I'm going to move to suspend the provisions of Rule 36(D), Mr. Speaker."

Speaker McPike: "The Gentleman has moved to suspend the rules of 36(D). On that question, is there any discussion? There being none, the Gentleman has moved to suspend the provisions of 36(D). All those in favor signify by voting 'aye', opposed vote 'no'. Representative Stuffle on the Motion."

Stuffle: "Yes, I'll address the question to the Chair. It's my understanding that this Motion takes 60 votes. Is that correct?"

Speaker McPike: "Correct. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 62 'ayes', 43 'nocs', 1 'present', and the Motion carries. Now, Representative Matijeovich, the Bill is on Second Reading. Do you wish to take it out of the record? Representative Matijeovich."

Matijeovich: "We've got to hold it for a fiscal note. Let's keep

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going with the Amendments, but it's got to be held anyway."

Speaker McPike: "Fine. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "No further Amendments. A fiscal note has been requested. It is not filed. The Bill will remain on Second Reading. House Bill 843, Representative Stuffle. Out of the record. House Bill 927, Representative Jaffe. Read the Bill, Mr. Clerk. Representative Jaffe, did you want to call the Bill? Representative Jaffe."

Jaffe: "I just wanted to know if Amendment #3 had been distributed."

Speaker McPike: "Mr. Clerk. No, it has not."

Jaffe: "Alright, could we come back to this at a later time?"

Speaker McPike: "Yes, we can return to this Bill. House Bill 929, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 929. It's been read a second time previously. Amendment #1, which was adopted in Committee, was tabled. Amendment #2 was withdrawn. Floor Amendment #3 was adopted."

Speaker McPike: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 942, Representative Ronan. Out of the record. House Bill 961, Representative Cullerton. Out of the record. House Bill 1007, Representative Younge. A fiscal note...out of the record. House Bill 1048, Representative Matijevich. John, do you wish to have this Bill called? 1048. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1048. It's been read a second time previously. Amendment #1 was adopted."

Speaker McPike: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1081, Representative

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O'Connell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1081, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton - O'Connell, amends House Bill 1081..."

Speaker McPike: "Representative Cullerton, Amendment #1."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 was agreed to by the Sponsor of the Bill. It adds 'or public defender' to the provisions of the Bill. I move for the adoption of Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1108, Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1108, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed pursuant to Amendment #1."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1119, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1119, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

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Bill..."

Speaker McPike: "Representative Cullerton, Amendment #1."

Cullerton: "I would ask to withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1139, Representative Cowlshaw. Cut of the record. House Bill 1257, Representative Breslin. Out of the record. House Bill 1260, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1260, a Bill for an Act to create the Illinois Export Development Authority and to provide for its finances. It's been read a second time previously. Amendment #1 and 2...Amendment #1 was adopted in Committee. Amendment #2 was adopted on the floor."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I have just been notified that another Amendment that I have drafted is not present...ready to be presented. Would you please take this out of the record at this time, and we'll come back to it."

Speaker McPike: "Yes, thank you. We'll take this out of the record for this...for the time being. House Bill 1282, Representative McGann. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1282, a Bill for an Act relating to the availability of compressed air. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, McGann, amends House Bill 1282..."

Speaker McPike: "The Gentleman from Cook, Representative McGann,

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Amendment #2."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I would ask to table number...I would ask that we could table Amendment #2 to House Bill..."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, McGann, amends House Bill 1282..."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Amendment #3 to House Bill 1282 is actually the Bill. And it requires that every person, partnership or corporation which operates a motor vehicle diagnostic center shall make available for public use compressed air. It also cites the violation for...the penalty for violation of this Act, and I would move for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. On that question, the Gentleman from Vermilion, Representative Woodyard. You have your light on. Do you wish to speak? The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative McGann, how does this Amendment differ from the Bill as originally drafted?"

McGann: "The...Representative Johnson, the original Bill actually misstated in its context. It was referring to gasoline fuel stations. Most of the gasoline stations throughout the state do provide this service. And the intent of the Bill was to provide that diagnostic centers serve this purpose. So we had to amend it when we received the Bill in its improper form."

Johnson: "What is a diagnostic center?"

Speaker McPike: "These are like tune-up stations. They are found pretty much throughout Cook County, and they...you bring

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your car in there; they'll tell you exactly what your problems are and so forth and so on. Well, they are distributed around the area, and when people have a flat tire, they can't get any air for their tire when they pull into such a center, but yet they could in a gas station. So we want to have them provide this service to the people of the State of Illinois."

Speaker McPike: "Further discussion? Representative Harris."

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

Speaker McPike: "Yes, he will."

Harris: "Representative McGann, a quick question. Does this air have to be provided free of charge?"

McGann: "Not necessarily so. I believe we state there that it's available for public use. They can charge. There's no opposition to any individual owner or operator of this diagnostic center that states that they..."

Harris: "Thank you. Thank you much."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Leverenz, amends House Bill 1282 on page one line one."

Speaker McPike: "Representative Leverenz, Amendment #4."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 would provide the Motor Fuel Standards Act. It would set forth the standards that fuel must meet. It also allows that the Department, based on a complaint from a distributor or a retailer, would have a test of the fuel made. And I would move for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of

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Amendment #4. On that, Representative Johnson."

Johnson: "I would make two inquiries of the Chair. First, is the question of germaneness of the Amendment, and secondly, to question whether the single subject rules contained in the Illinois Constitution are violated by this Amendment, in combination with previous Amendments that's been adopted."

Speaker McPike: "Representative Johnson, you are correct on both points. The Amendment is nongermane, and it violates the single subject rule. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1314, Representative Piel. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1314. It's been read a second time previously. Amendment #1 was adopted at that time. A state mandates fiscal note has been filed."

Speaker McPike: "Any further Amendments?"

Clerk Leone: "No further Amendments. Pardon me. Floor Amendment #2, Cullerton, amends House Bill..."

Speaker McPike: "Representative Cullerton, Amendment #2."

Cullerton: "Mr. Speaker, I don't have a copy of the Amendment."

Speaker McPike: "You don't have...it's your Amendment?"

Cullerton: "Right."

Speaker McPike: "Is the Amendment distributed? The Amendment's not distributed. Representative Piel, take this out of the record and get back to it? Representative Piel."

Piel: "Mr. Speaker, obviously, Mr. Cullerton's wanting to play games with the Bill. He, you know, has not filed the Amendment but probably about five minutes ago, more than likely, and it's been on Order of Second Reading for approximately two weeks, and I would move to table Amendment #2."

Speaker McPike: "The Gentleman moves to table Amendment #2. On that, Representative Cullerton."

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Cullerton: "Yes, I would object to his Motion to table. It is a very simple Amendment. It should be ready and distributed in a matter of a few minutes. I have other Bills myself on Second Reading that I'm waiting for Amendments. And I certainly want to get back to this Order of Business. I want the Amendment to be adopted, and so I would object to his Motion to table."

Speaker McPike: "Representative Piel, the Chair will get back to this Bill, as we have, trying to accommodate all Members. Do you persist in your Motion?"

Piel: "As long as I have the assurance of the Chair that we will come back to this Bill today as soon as we get this Amendment."

Speaker McPike: "Fine. We will."

Piel: "Thank you."

Speaker McPike: "House Bill 1414, Representative McAuliffe. Out of the record. House Bill 1442, Representative Capparelli. Representative Capparelli. Out of the record. House Bill 1455, Representative Nash. Out of the record. House Bill 1560, Representative Younge. Out of the record. House Bill 1585, Representative Ronan. Out of the record. House Bill 1624, Representative Friedrich. Do you wish to have your Bill called, Sir? Representative Friedrich, House Bill 1624. Out of the record. House Bill 1661, Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1661, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. I'm sorry. Wait a minute."

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There is a fiscal note requested. Has that been filed?"

Clerk Leone: "The fiscal note has been filed to 1661 as amended."

Speaker McPike: "Thank you. Third Reading. House Bill 1676, Representative Giglio. Out of the record. House Bill 1859, Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1859, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker McPike: "Third Reading. House Bill 1862, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1862, a Bill for an Act to amend an Act to provide for uniform regulations of condominiums. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker McPike: "Third Reading. House Bill 1983 through House Bill 1998 will be taken out of the record at the request of Representative Daniels. House Bill 2010, Representative Younge. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2010, a Bill for an Act to provide for the Metropolitan Exposition and Auditorium Authority. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Younge on Amendment #1."

Younge: "I'd like to withdraw Amendment #1."

Speaker McPike: "The Amendment...the Sponsor withdraws Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Younge, amends House Bill 2010."

Younge: "Thank you, Mr. Speaker. Amendment #2 becomes..."

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Speaker McPike: "Representative Younger."

Younger: "Thank you. Amendment #2 becomes the Bill. The difference is the name of the Exposition Authority will be the Katherine Dunham Metropolitan Exposition Authority. The Amendment takes out any reference to general obligation bonding. And I move for the adoption of the Amendment."

Speaker McPike: "The Lady move for the adoption of Amendment #2. On that, the Gentleman from Champaign, Representative Johnson."

Johnson: "Is that all the Amendment does, Representative Younger? That's not what our analysis indicates."

Younger: "The Amendment takes away any reference to taxation or bonding. And it changes the name of the authority."

Johnson: "I'm asking you, is that all the Amendment does?"

Younger: "That is all the Amendment does."

Speaker McPike: "Further discussion. Representative Van Dwyne."

Van Dwyne: "Yes. The Lady referred to the elimination of any type of taxation. Now, I'm wondering if that takes away any obligation of the area that she's talking about, in terms of matching any funds that they may apply for, under the Act as provided."

Younger: "As you know, Representative Van Dwyne, the resource that the state makes available is a 75% resource, and the local responsibility is 25%. As the original Bill was written, there was written in that the authority would have the power to float general obligation bonds. I have taken all of that kind of taxing capacity out of the Bill with the thought in mind that the municipality will raise the local share by some other means. We are a home rule unit, so we have other ways of doing that. And so, I've taken out any reference to any local taxation, because we have other ways of coming up with the local share."

Van Dwyne: "Okay. But that is your legislative intent that

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you're not... it is not desired that they be... that that responsibility be taken from them. They still have to match the 25%."

Younge: "That is correct."

Van Duyn: "Thank you."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. We will now return to page 5, and proceed with Representative Daniels' Election Code Bills. House Bill 1983. Read the Bill, Mr. Clerk. Representative Greiman in the Chair."

Clerk Leone: "House Bill 1983. Been read a second time previously. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. Yes, Mr. Davis. The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In behalf of the Speaker, I'm going to handle this package."

Speaker Greiman: "Yes, I understood that you're the hyphenated Cosponsor, and I understood that. You want this Bill proceed to Third Reading, is that right? Alright, then Third Reading. And on the Order of House Bills Second Reading appears House Bill 1984. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1984, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

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Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments."

Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1984."

Speaker Greiman: "Mr. Olson."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1984 provides for the amendment of the Election Code. Provides that any judge of election who fails to perform any duty imposed upon him by the Election Code shall forfeit half of the compensation provided in the Code. And the Amendment makes nonsubstantive changes by inserting at the appropriate place the words that, 'all elections provided by Section 2(a) - 11 of this Code'. I move for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1984. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay', and the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1985. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1985, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1985 as amended."

Speaker Greiman: "Mr. Olson."

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Olson: "Mr. Speaker, House Bill 1980 provide... amends the Election Code, and it provides that a election judges shall receive no compensation for their services as election judges, if any ballot boxes from the precinct to which he had been assigned are unaccounted for. Amendment #2 rewrites the Bill and becomes the Bill . It provides that election judges are guilty of a Class IV Felony if they 'knowingly', knowingly fail to return the election ballots and materials to the election authority after the close of the polls. I respectfully move for the adoption of this Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1985. Is there any discussion? On that, Mr. Yourell, the Gentleman from Cook."

Yourell: "Yes. Thank you. This an Agreed Amendment, Mr. Speaker."

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

Cullerton: "Yes, then perhaps for the purposes of legislative intent, this becomes the Bill. Correct, Representative Olson?"

Olson: "This becomes the Bill, Mr. Cullerton."

Cullerton: "Could you tell me what... The language that you use says, 'any election materials which are required to be returned'. Is there another Section in the statute that spells out what election materials are required to be returned?"

Olson: "I'm not familiar with that, specifically. I believe, from my experience with elections as an observer, that it deals with any and all materials that should be returned to the election authority."

Cullerton: "Okay, now, you say any judge who knowingly fails to do this. Now, is there usually or is there somewhere clearly spelled out in the statute, which judge is

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responsible to bring back the material, or are all four or five judges responsible?"

Olson: "No. Again, with my experience at a Circuit Court level as an observer, usually an election of the judge from a specific precinct is designated to return the materials."

Cullerton: "Okay, now, you say an... there is an election among the judges to pick someone?"

Olson: "No. An election judge of a group of five is designated to return materials."

Cullerton: "How are they designated?"

Olson: "They are designated by the authority in that precinct."

Cullerton: "By the authority in that precinct?"

Olson: "That's right."

Cullerton: "The authority in that..."

Olson: "Of the five election judges, they would say 'John Jones, you will return these materials'."

Cullerton: "And if you're the guy that fails to bring back the material, by the way, you're guilty of a Class IV felony."

Olson: "If you knowingly neglect to return the..., that's one of your favorite words."

Cullerton: "Well, that's true. But I... I think maybe we'd better get some more pay for the guy who's subject to the Class IV felony. And..."

Olson: "Let's address that at a subsequent time."

Cullerton: "Well, it's... it's a great concept. Thank you."

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

Olson: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, as Representative Yourell has indicated, this is an Agreed Amendment. It protects someone who wittingly fails to perform his duty in the precinct, and I would move for the adoption of this Amendment."

Speaker Greiman: "The question is, 'Shall Amendment #2 be

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

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1986. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1986, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Amendments? Floor Amendments."

Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1986."

Speaker Greiman: "Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another Chapter 46 Bill and Amendment. The original Bill provides that, with certain exceptions, election judges who inquire of a voter's intention commit a Class III felony and are disqualified to serve as election judges for five years. Amendment #2 provides that election judges who knowingly violate the provisions of the Election Code are guilty of a Class IV felony. I move adoption of this Amendment. I believe it is an Agreed Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1986. Is there any discussion? The Gentleman from Cook, Mr. Cullerton. No. Is there any discussion? There being none... no discussion. The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 1987. Mr. Clerk, read
the Bill."

Clerk Leone: "House Bill 1987, a Bill for an Act to amend the
Election Code. Second Reading of the Bill. No Committee
Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Olson - Davis, amends House
Bill 1987 on page one and so forth."

Speaker Greiman: "Mr. Olson, the Gentleman from Lee."

Olson: "Thank you again, Mr. Speaker, Ladies and Gentlemen of the
House. Amendment #2 becomes the Bill. In essence, the
original Bill said that it provides that the Attorney
General has power to prosecute election law violations.
Such prosecution shall be commenced by information. The
venue shall be in Sangamon County. The Amendment rewrites
the Bill, becomes the Bill, provides that in election fraud
proceedings, cases will be conducted before a Judge from
the county other than the one where the alleged violations
occur. I will move for adoption of this Amendment."

Speaker Greiman: "The Gentleman moves for the adoption of
Amendment #1 to House Bill 1987. And on that, is there any
discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, again, Representative Olson, for the purposes of
clarification. It's my understanding that a Judge from a
county other than the county where the violation is alleged
to have occurred shall conduct the trial. But, the trial
itself will still be... and take place in the county in
which the alleged defense is said to have occurred,
correct? Could you put his mic on so that he can answer
that question?"

Speaker Greiman: "Yes. Mr. Olson."

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Olson: "Yes, that is correct, Representative."

Cullerton: "Okay, now, you also say that the Supreme Court shall provide by rule for a method of selecting or designating a Judge to preside over such proceedings. Do you still contemplate allowing the defendant in these cases, the right to one substitution of Judge as they now have in the statute?"

Olson: "Yes. I believe that would be desirable and it is the intent."

Cullerton: "Thank you."

Speaker Greiman: "Is there any further discussion? There being none, the question is, 'Shall Amendment #1 to House Bill 1987 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1988. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1988, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1989. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1989, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1989."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you again, Mr. Speaker. This, again, amends the Election Code and provides that the application for a ballot by a physically incapacitated elector and the supporting physicians are Christian Science practitioner's, certificate, must specify the nature of the incapacity. This is basically a technical nonsubstantive change as embodied in Amendment 2 of 1989. And I move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1989. Is there any discussion? On that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes. Will the Sponsor yield?"

Speaker Greiman: "He indicates that he will. Mr. Olson?"

Olson: "Yes."

Cullerton: "Representative Olson, you keep Amendment #1 in the Bill then, is that correct?"

Olson: "That states it."

Cullerton: "So, you... With Amendment #1, you still would require an absentee ballot applicant to indicate the purpose for which their requiring the ballot."

Olson: "That is correct, Representative."

Cullerton: "What is the purpose of that?"

Olson: "It is designed to indicate that there is indeed a valid application, as opposed to that which might circumvent the law, which provides for people, who may go to the polls and vote don't go there, such as happens to some other jurisdictions."

Cullerton: "Well, what if someone is going to be present in the town where the election is held on the date of the election, but they still just want to vote absentee? Let's

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say that they're an election judge in a different precinct other than the one that they live in, and they don't want to leave. It would still be okay for them to make that application?"

Olson: "I don't believe so. I believe if you intend to be in town on the day of the election, then you should not apply for an absentee ballot."

Cullerton: "So that the... By requiring that you put in, through Amendment #1, you have to put down what location you expect to be at, and the purpose that you're requesting the absentee ballot."

Olson: "Yes."

Cullerton: "And if you fail to do that, or if you don't... What if you change your mind from the time that you've filed for the absentee ballot, and you find out that you don't have to go away, what if you.... do you have an obligation to try to void the absentee ballot, or...?"

Olson: "You may go to the polling place and indicate what has transpired with your election judge, be permitted to vote there."

Cullerton: "Thank you."

Speaker Greiman: "Is there further discussion? There being none, the question is, 'Shall Amendment #2 to House Bill 1989 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1990. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1990, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1990."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you again, Mr. Speaker. The Bill provides that a judge who fails to initial a ballot delivered by him to a voter shall forfeit half his compensation. Amendment #2 removes the election judge pay forfeiture provision. And it requires election authorities to post notice in voting booths urging voters to check their ballots to make sure they are initialed by the election judge. In effect, we've taken out the forfeiture provisions. I move for the adoption of Amendment #2 to House Bill 1990."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1990. Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1991. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1991, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading."

Clerk Leone: "Floor Amendment #1..."

Speaker Greiman: "Oh, wait. Sir, you say there were Amendments?"

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Clerk Leone: "No. Floor... Yes. There is Floor Amendment #1, Olson - Davis, amends House Bill 1991 on page 2 and so forth."

Speaker Greiman: "Mr. Olson."

Olson: "Thank you, Mr. Speaker. Amendment #1 rewrites the Bill for clarity relative to the matter of getting judges' signatures on the ballot. The..."

Speaker Greiman: "Give the Gentleman... Excuse me, Mr. Olson. Please give the Gentleman some order, please. Mr. Olson."

Olson: "The original Bill provides that if perforations in the ballot are along the line or within a quarter inch of the line provided for the judge to endorse his initials, the judge shall endorse his initials both above and below. And what we have said in Amendment #1 makes it easier to understand and permit us to vote for this Amendment to House Bill 1991."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1991. Is there any discussion? On that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this fine Amendment. This is clearly the most significant Bill in the package of Representative Daniels. And I think that this Bill, when passed, will go a long way towards cleaning up the vote fraud out in...that we found in the last election out in DuPage County."

Speaker Greiman: "Is there further discussion? The Gentleman from Lee, Mr. Olson, to close."

Olson: "Thank you very much, Mr. Speaker. It's warm and heart rending to receive the support of the eminent Representative Cullerton on this most significant measure, and we will seek to address some of the other election issues in subsequent Bills."

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Speaker Greiman: "The question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no', and the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1992. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1992, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "Floor Amendment #2, Olson - Davis, amends House Bill 1992."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker. The original Bill amends the Election Code relative to sealing ballot packages, containers and boxes with filament tape. Amendment #2 becomes the Bill, requires election judges and election authorities to seal all ballot containers with filament tape. Eliminates pay forfeiture provisions for election judges. I move for the adoption of Amendment #2 to 1992."

Speaker Greiman: "The Gentleman from Lee has moved for the adoption of Amendment #2 to House Bill 1992. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1993. Mr. Clerk, read

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the Bill."

Clerk Leone: "House Bill 1993, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Yes, Mr. Olson."

Olson: "May we have leave to place House Bill 1993 on Interim Study? Interim Study, please, on 1993."

Speaker Greiman: "The Gentleman asks leave to place House Bill 1993 in Interim Study Calendar of the Committee of Elections. Does he have leave? He has leave, and leave is hereby granted. On the Order of House Bills Second Reading appears House Bill 1994. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1994, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1995. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1995, a Bill for an Act in relationship to disqualification of public officials and public employment. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1996. Read that Bill, Mr. Clerk."

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Clerk Leone: "House Bill 1996, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1997. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1997, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. Now, on the Order of House Bills Second Reading appears House Bill 1998. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1998, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. Yes, the Gentleman from Lee. Before it moves to Third Reading, the Gentleman from Lee, Mr. Olson."

Olson: "May we have leave to place this on Interim Study?"

Speaker Greiman: "Yes. The Gentleman asks leave to place House Bill 1998 on the Interim Study Calendar of the Election Committee. Does he have leave? Leave is hereby granted. Now, on the Order of House Bills Second Reading, we're on

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page six of the Calendar appears House Bill 2012. Mr. Preston, are you going to handle that? Fine. Mr. Clerk, read the Bill. House Bill 2012."

Clerk Leone: "House Bill 2012, a Bill for an Act to amend an Act relating to public financing. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Madigan - Yourell, amends House Bill 2012."

Speaker Greiman: "Mr. Yourell. Mr. Yourell, we're on Amendment 2 to 2012."

Yourell: "Thank you, Mr. Speaker. I move to withdraw Amendment #2 to House Bill 2012."

Speaker Greiman: "The Gentleman withdraws Amendment #2 to House Bill 2012. Further Amendments."

Clerk Leone: "Floor Amendment #3, Madigan - Preston, amends House Bill 2012 as amended."

Speaker Greiman: "Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Amendment #3 to House Bill 2012 deletes everything after the enacting clause, and makes a number of changes in the Bill. The Amendment places the overall spending limit on gubernatorial elections from a million and a half dollars for those who choose to receive matching funds, a million and a half dollars in the primary election and puts a limit of two million dollars on the general election. It also raises the threshold for... at which a candidate is eligible to receive matching funds from the present Bill which is \$50,000, and raises that to a \$100,000, so that in order for candidates for Governor and Lieutenant Governor

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to receive and be eligible for matching funds from the state, they must first, as amended now, raise a \$100,000 in campaign contributions. It also raises the limit on qualifying contributions from the present state of \$150 which is presently in the Bill to as amended to \$500. It also provides for transfers of funds from primary accounts, meaning accounts that a candidate had in the primary election to that same candidate's general election account and permits up to \$25,000 for each pair of candidates, meaning Governor and Lieutenant Governor. It also raises the \$25,000 limit upon individual self contributions and broadens the definition of 'family members' to provide that they may now contribute 35... up to \$35,000 to the campaign. It raises the corporate union and political committee limits which were established in the Bill before the Amendment of \$2,500 and raises that limit to \$5,000. This is the Bill as had been put together, and we took in consideration a lot of the suggestions and recommendations that were brought out with the Senate Sponsors, and that we discussed in the House. And I'd ask for the adoption of Amendment #3 to House Bill 2012. I'd be glad to answer any questions."

Speaker Greiman: "Yes. Representative Vinson, for what purpose do you arise, Sir?"

Vinson: "Mr. Speaker, I would request that the Gentleman take this Bill out of the record at this time until the Minority Leader can be on the floor in conjunction with us."

Preston: "I have no objection to that, Mr. Speaker."

Speaker Greiman: "The Gentleman from Cook, Mr. Preston, requests that it be taken out of... Bill be taken out of the record. Okay. On the Order of House Bills Second Reading appears House Bill 2025. Mr. Stuffle. Mr. Stuffle with us? He's just stepped off the floor. Let's take that out

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of the record. On the Order of House Bills Second Reading appears House Bill 2033. Mr. Doyle. Mayor Doyle. Out of the record. On the Order of House Bills Second Reading appears House Bill 2040. Yes, Mr. Leverenz."

Leverenz: "...2033."

Speaker Greiman: "Mr. Leverenz, you are going to take 2033?"

Leverenz: "Yes."

Speaker Greiman: "Alright, fine..."

Leverenz: "I was here. I... I never left the room, Speaker."

Speaker Greiman: "Yes. Well, Mr. Doyle was the first person on the Bill, and I didn't see you seek recognition. We'll proceed, then. Fine, Mr. Leverenz. On the Order of House Bills Second Reading appears House Bill 2033. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2033, a Bill for an Act to create the state corporation for innovation development. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Cullerton, amends House Bill 2033."

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

Cullerton: "This Amendment, Mr. Speaker and Members of the House, has to do with the appointments to this corporation. This is a corporation having to do with small business. This changes the appointment process, so that the Speaker and the President of the Senate would make the appointments. Some appointments."

Speaker Greiman: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2033. On that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "I think it's an outstanding Amendment. And I want this Amendment on this Bill."

Speaker Greiman: "The Lady from Cook, Mrs. Pullen."

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Pullen: "I'd like to ask him a question or two, please."

Speaker Greiman: "The Gentleman indicates that he will yield for question."

Pullen: "You say that it changes the appointment in the Bill to the Speaker and the President of the Senate. What's the appointment in the original Bill?"

Cullerton: "Five appointed by the Governor."

Pullen: "Well, that's nice. It's maybe a small improvement, but I don't think it's a big enough improvement, because it doesn't add for an awful lot of fairness. And I don't remember us doing this to you."

Cullerton: "Well, wait a minute, Representative, the Bill... the Bill is sponsored by Democrats. And it's a... I think it's very fair. I think it's more than fair."

Speaker Greiman: "Mr. Cullerton, I think that... Mr. Cullerton, that was not a question. After all, who says life is fair? Is there any further discussion? There being none, Mr. Cullerton to close. No I... There being no further discussion. The question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, we will have a Roll Call. All those in favor signify by voting 'aye', those opposed vote 'no'. Mr. Clerk, take the record. On this Amendment, there are 63 voting 'aye', 42 voting 'no', 2 voting 'present', and this Amendment is adopted. Further Amendments."

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

Speaker Greiman: "Mr. Ewing, the Gentleman from Livingston."

Ewing: "Mr. Speaker, Amendment #2 deletes a part of the Bill, which I think is probably unworkable, unwise and unneeded. And that is that you get a tax credit for an investment in this corporation. Of course, the problem is, no one would know when the five million dollars of tax credits are all

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used up. And you might invest thinking you getting it and end up with no tax credit. I think... probably shouldn't put this Amendment on, because it will make the Bill too good, and we'll have to vote for it. But, if you want to improve the Bill. put on Amendment #2."

Speaker Greiman: "The Gentleman from Livingston moves for the adoption of Amendment #2 to House Bill 2033, and on that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "I was trying to signal you there. Yes, this is a wonderful Amendment, but could the Parliamentarian tell us if it's technically correct since we amended the Bill?"

Speaker Greiman: "Bear with us for a moment. Mr. Leverenz, the Amendment's in order. Did you wish to address the Amendments?"

Leverenz: "Well, yes, I would. Since we couldn't do away with it that way, we'll just have to say that this would really do great harm to the Bill. And we will have to give this Amendment a timely death by a rousing 'no' vote. Let's go."

Speaker Greiman: "Is there further discussion? Mr. Preston. Is there further discussion? Mr. Ewing to close."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I'm sorry that the Sponsor doesn't accept this Amendment. It is honestly and truly a good Amendment. We do not change the public ability for this corporation to be public finance. But, understand that the Bill now provides for a five million dollar tax credit. And yet, it would be unadministrable, unworkable and certainly, some people would knowingly think they were getting a tax credit would end up without any. I think we should clean this up, and now's the time to do it. Please vote 'yes'."

Speaker Greiman: "The question is, 'Shall Amendment 2 be

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adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'nays' have it. The Amendment fails. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, Ewing - Woodyard, amends House Bill 2033."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Ladies and Gentlemen of the House, Mr. Speaker. This Amendment provides for the appointing power, and it changes the power of appointment made by Amendment 1. And the following appointment power of this Board would be as follows: one by the Governor, one by the Speaker, one by the House Minority Leader, one by the Senate President, and one by the Senate Minority Leader. Now that is a change from the current appointment powers put in by Amendment 1, which was three by the Senate President and two by the Speaker of the House. I wouldn't think anybody in this House would want to give the Senate President more appointment power than the Speaker of the House. I think this is a good Amendment. It spreads it around and makes it bipartisan. And if you really want this to work, you want it to be bipartisan. The way it is now, it would be a very partisan thing. And I'm certain it would be doomed to failure."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment 3 to House Bill 2033. Is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Greiman: "He indicates that he will."

Leverenz: "What do you mean 'spread it around?'"

Ewing: "Would... I'll have to defer to Representative Tate to answer that."

Leverenz: "He doesn't know too much about that, but you... you do raise a couple of excellent points, but I can't understand

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the way with your Amendment 2 and now Amendment 3. It appears that you're not wanting to help small business. I can't understand that. I will have to defer to another Leader on my side."

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

Cullerton: "Will the Sponsor yield?"

Speaker Greiman: "He indicates that he will."

Cullerton: "Representative Ewing, now you are aware of the fact we just adopted Amendment 1, that set this appointment up with the Speaker of the House and the President of the Senate. And you're also aware of the fact that even though they're now in Democratic... even now they're Democrats, that probably won't stay that way for no more than another twenty years. But I'll... I'll... Mr. Speaker..."

Ewing: "Well, may I answer the question?"

Cullerton: "Yeah."

Ewing: "Well that twenty years will cover my career down here. And I think we ought to bring some bipartisan fairness into it. That's what this Amendment does. The first Amendment was adopted halfheartedly by you people. This is a good Amendment."

Cullerton: "Well, Mr. Speaker, Representative Pullen raised a good point, I think. She said Amendment #1 was not fair, and I've been thinking about that. And I hope that the Sponsor of the Bill would perhaps reconsider, and perhaps he could accept this Amendment #3 so we could spread it around, in the terms of the Sponsor of the Amendment, make it fair. And I'm sure as a result of the adoption of Amendment #3, we could pick up a lot of Republican support for this fine Bill. So I would certainly rise in support of this Bill to make things fair."

Speaker Greiman: "Mr. Leverenz having deferred, and we're now redeferring back to you for a moment. The Gentleman from

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Cook, Mr. Leverenz."

Leverenz: "Well, if Representative Ewing would give us his word, and we will take it on faith, that if we take his Amendment, he will deliver his side of the aisle for the Bill, I will accept the Amendment."

Speaker Greiman: "Is there any further discussion? There being none. The Gentleman from Livingston, Mr. Ewing, to close."

Ewing: "Well, I appreciate Representative Cullerton's support. I think he's hit it right on the head. He said, 'Let's spread it around'. We all want to spread it around. Let's vote for this Amendment."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay', and the 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2130. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2130, a Bill for an Act to amend the Animal Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "The Lady from DuPage, Mrs. Cowlshaw, out of the record? Out of the record, I'm sorry. On the Order of House Bills Second Reading appears House Bill 2171. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Homer, amends House Bill

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Speaker Greiman: "Mr. Homer, the Gentleman from Fulton."

Homer: "Mr. Speaker, Ladies and Gentlemen, Amendment #2 simply restores the language of the existing statute with regard to the authority conferred upon the Attorney General in the prosecution of hazardous waste violations. There was some concern, under the drafting of the Bill, that the Attorney General would be given indirect authority to convene a statewide grand jury. That was, in fact, never the intent of the Bill, and we have agreed on this Bill to an Amendment that would specifically state or have the effect of specifically prohibiting the Attorney General from convening a statewide grand jury. And that's the effect of Amendment #2, and I would move its adoption."

Speaker Greiman: "The Gentleman from Fulton moves for the adoption of House Amendment #2 to House Bill 2171. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends House Bill 2171..."

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a technical Amendment. It deletes some numbers that were added that weren't supposed to be in the Bill. It provides that there should be a liberal construction, but this shall not apply to the criminal provisions and eliminates a Latin phrase making it clear. So, I would ask for the adoption of Amendment #3."

Speaker Greiman: "Were you through speaking, Mr. Cullerton?"

Cullerton: "Yes, I would move for the adoption of Amendment #3."

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Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to House Bill 2171. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "Floor Amendment #4, Cullerton, amends House Bill 2171 as amended."

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

Cullerton: "Yes, this removes a Section which makes a violation of an agency regulation a criminal offense, even though there's no mental state necessary. I would ask for the adoption of Amendment #4."

Speaker Greiman: "Gentleman moves for the adoption of House Amendment #4 to House Bill 2171. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All in favor signify by saying 'aye'... Oh, I'm sorry. The Gentleman from Fulton, Mr. Homer. I'm sorry."

Homer: "I have a ... Would the Sponsor yield?"

Speaker Greiman: "He indicates that he will. He'll yield for a question."

Homer: "It was my understanding, Representative Cullerton, although not directly from speaking with you, that you were going to withdraw Amendment #4 and offer Amendment #5. Have you changed your position..."

Cullerton: "No, that's correct. You're right, Representative Homer. I would ask to withdraw #4 and adopt #5."

Speaker Greiman: "Gentleman from Cook withdraws Amendment #4 to House Bill 2171. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Cullerton, amends House Bill 2171..."

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

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Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment provides that a person who negligently violates the Act shall be subject to some fines. And this is necessary in the Bill, I am told, for the purpose of receiving some federal funding. So I would ask for the adoption of Amendment #5."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2171. Can that, is there any discussion? The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I would oppose the adoption of Amendment #5. Generally, I have agreed with Mr. Cullerton, who has...who obviously has a great deal of ability and knowledge in the area of mens rea, and mental states and criminal offenses, and I sincerely have agreed with him in his comments and offerings of Amendments to some Bills which would include a mental state. However, in this particular case, I think that would be a mistake. And what...what we have in the Criminal Code, in fact, under Chapter 38 Section 4-9 is the expressed authority conferred upon the Legislature to impose absolute liability if, and I quote, 'the statute defining the offense clearly indicates a legislative purpose to impose absolute liability for the conduct described', end quote. And that is very definitely what we have in this particular Bill. We clearly do that, since the only difference between this provision in the Bill and the previous Section in the Bill is that the previous Section, in order to be guilty of such an offense, it must be done knowingly. Under this Section that Representative Cullerton seeks to amend, the word 'knowingly' is omitted, thereby making it an absolute liability offense. His Amendment would require the state to prove that it was done negligently. We have many offenses in the State of

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Illinois where they are absolute liability offenses. For example, a very common one is speeding. It doesn't require the...that there be a showing that someone intended to speed or that they had the knowledge that they were speeding. The rationale is for absolute liability offenses are that; first of all, the class of people about...who may be subject to the violation, owe a duty to the public. And certainly, I think we can argue that those who would handle and dispose of hazardous wastes in the state owe a duty to the public to handle that...those matters with great care. Secondly, we look at whether the conse...what would be the consequences of not handling it a prop...in a proper manner? And I think it clear that...that the consequences could be very dire in a case where somebody handling hazardous waste did so in an improper manner. In addition, we sometimes impose absolute liability where there would be great difficulty in proving a particular mental state in a given offense. And again, I think that if you look at the handling that those who produce hazardous waste and those who transport it, that it is very difficult, as a practical matter, to prove what the mental state of the person was who disposed of this hazardous material in an incorrect manner. We must hold those who would handle hazardous waste and those who transport hazardous waste to a very high standard. And I do not think we should impose additional unnecessary mental state requirements on the prosecution in the prosecution of violators of hazardous waste. Aside from that, very briefly, there is another very good reason to oppose this Amendment. It may mean, and I do not know, but it may mean that the State EFA could lose its control over the permit process of hazardous waste in this state and that that control would revert to the Federal Government. Under the Federal Water Pollution

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Control Act Amendments of 1972, states were given certain permit authority where they had a statute that maintained certain minimal requirements. And those minimal requirements required minimal penalties. Here, this statute, this Bill, was drafted very carefully by attorneys in the Attorney General's Office who are delegated the responsibility of prosecuting hazardous waste violations. If we are to adopt Amendments to this Bill, which would jeopardize the compliance under the requirements of the Federal Water Pollution Control Act Amendments of 1972, we also jeopardize and risk losing local control over a very serious local problem. For all of these reasons, I would urge very respectfully that this Body oppose this Amendment."

Speaker Greiman: "Further discussion? There being none, Mr. Cullerton to close. I'm sorry. Mr. Vinson, further discussion?"

Vinson: "Your Honor, I wonder if the...Speaker, I wonder if the Sponsor would yield for a question."

Speaker Greiman: "He indicates that he will, Counselor."

Vinson: "This is, in fact, Amendment #5 which we're on, Representative. Now, as I read Amendment #5, it would create..."

Speaker Greiman: "Turn on Mr. Cullerton."

Vinson: "It would create liability for someone who negligently violates a particular set of Sections. Is that correct?"

Cullerton: "That's correct. Let me..."

Vinson: "And I thought, as I understood your explanation, that you were talking about the need to create a mens rea other than higher than negligence, if you will. Would you explain that again?"

Cullerton: "Yes. The original Bill, which we are striking with this Amendment, had a strict liability provision. That is,

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if you failed to be in compliance with any regulation adopted by the Pollution Control Board, if you failed to properly file certain documents, and you just made...had a typographical error, negligently, inadvertently did that, you would be found guilty of a Class A misdemeanor and eligible for a year in jail. That's slightly a little more Draconian than...and a little different than a traffic ticket and a speeding ticket. So I...it was my intention - if you'd knowingly violate that, by the way, Representative Vinson, it's a Class IV felony. So it was my intention to eliminate that Section altogether. So I had discussed this with the Attorney General's Office, and they told me, 'Well, there's this problem of local control and federal funds'. And I said, well what are the federal requirements? And they said, 'Well, if you negligently violate the Act, there has to be some fines'. So what I've done with Amendment #5 is, I've said, 'A person who negligently violates the following Act,' - and that could be just inadvertently, negligently filling out the forms incorrectly - you can be subject to a \$10,000 fine for each day of the violation. And even that isn't Draconian enough for the Attorney General's Office."

Vinson: "So your proposal, as I understand it, if the Amendment were adopted, someone who knowingly violated provisions of the statute, would be subject to a Class IV felony and the penalties ascribed to that."

Cullerton: "My Amendment doesn't affect that. That's in the Bill right now."

Vinson: "And what are the penalties for a Class IV felony?"

Cullerton: "One to three years in jail."

Vinson: "Plus a fine."

Cullerton: "That's right, if they have a felony conviction."

Vinson: "Now, someone who negligently violates the statute would

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just be subject to a fine."

Cullerton: "Under my Amendment. If my Amendment doesn't go on, they go to jail for a year."

Vinson: "Now, am I correct in recalling that they do not have to do that, that the Judge has sentencing discretion as to whether to just apply a fine or to just apply the incarceration provision?"

Cullerton: "Well..."

Vinson: "Or to do both?"

Cullerton: "They'd be eligible for a Class A misdemeanor. A Judge can give any sentence that he wants, but the point is that you'd be eligible for a negligent act, for an inadvertent act. Without an intentional act, you'd be eligible for a year in jail. The analogy that Representative Homer made was, 'Well, you know when you speed, if you inadvertently speed, you're eligible to be found guilty of speeding'. Well, this is a little different. This is going to jail for a year, potentially. And I just think that it's really....it's a classic case of what I've been talking about all Session, about making strict liability in criminal cases. What I'm...what I've offered to do with Amendment #5 was to say, fine, so we don't lose any federal funds or whatever, local control, whatever your argument is. At their request, I put in 'if you negligently fail to conform with these regulations, then you can be fined \$10,000 a day'. And they say that that's not enough. They still want to have this strict liability of criminal law, so that they can also be thrown in jail."

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

Speaker Greiman: "On the Bill? To the Bill? Proceed, Sir."

Vinson: "I would rise in support of Representative Cullerton's Amendment in this case. I think it is clear that in the

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situation he is describing, where someone has simply, perhaps because of weather, a report comes in late, for something other than a knowing violation of the law, they are still subject to a penalty and a substantial penalty. I don't think that it's appropriate in the case where we're talking with simple negligence and nothing more than that, to incarcerate people for violations of this Act. Now if you have a pattern, if you have continued repetition of this sort of thing, then prosecutor can clearly begin to demonstrate knowing intent and that level of mens rea. And at that point, incarceration becomes a very reasonable penalty. But in the case that Mr. Cullerton has described, where you clearly have nothing more than negligence and probably very frequently one-time negligence, I think the substantial fine penalty that the Gentleman has proposed is appropriate. So I would urge an 'aye' vote for Amendment #5."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. To Amendment #5. I find it very interesting that the two attorneys are in agreement on this Amendment, because in my estimation, being a nonattorney, to prove negligence is like trying to prove conspiracy. What this Amendment does is water down the existing provisions that have been built into that legislation. Anyone who votes for this legislation votes to water down the situ...the situation as it pertains to hazardous waste and those who knowingly and, really knowingly, make those provisions. It's very simple. It looks to me like an agreement has been accommodated by Members of both sides of the aisle. In essence, this waters down the Bill, and basically, makes it almost impossible to prove negligence. I recommend a 'no' vote on this very, very bad Amendment."

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

Mulcahey: "Move the previous question, Mr. Speaker."

Speaker Greiman: "Mr...Mr. Van Dwyne, the only one seeking recognition. Mr. Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. I won't beleaguer the Bill. I agree with Representative Mul...Mautino and Representative Homer, and I would ask for a Roll Call vote on this."

Speaker Greiman: "The Gentleman has requested a Roll Call vote. There being no further discussion, Representative Cullerton to close."

Cullerton: "Yes, thank you, Mr. Speaker. Once again, if I could just sum up what the position this Bill is in right now without this Amendment. What it says is...is that a person who violates any of the enumerated Sections is guilty of a Class A misdemeanor. That's what it says. And Representative Van Dwyne has pointed out that they are convicted of it, and he's right, because if you fail to file a report properly, or if you fail to comply with the procedures of all of the rules and regulations adopted by the Pollution Control Board, you are convicted. They don't have to prove that you intended to commit the act...the violation. You're convicted. They filed the complaint, and the ball game is over. You're convicted. And it's not just for a traffic offense where you can be fined. You can be thrown in jail for up to a year. If you knowingly do that now in the Bill, it's a Class IV felony. So what I propose with this Amendment is to say that if you do the same thing that you do now, instead of having it be a Class A misdemeanor, that you can be subject to a fine of \$10,000 per day, which, by the way, is an increase in the fine over what they have it in the current law, \$10,000 a day for each violation if you negligently violate the Act. It's

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very clear and simple. I would think that it's reasonable, and I would ask for the adoption of the Amendment."

Speaker Greiman: "The question is, 'Shall this adopt...shall this Amendment be adopted?'. All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 64 voting 'aye', 39 voting 'aye' (sic - 'nay'), 1 voting 'present', and this Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Homer."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Floor Amendment #6 offers to redefine the definition of hazardous wastes to meet various objections that were raised after the Bill came out of Committee. It's the result of a compromise between negotiations in the Attorney General's Office and interested parties representing the Illinois Manufacturers' Association, the Metropolitan Sanitary District of Chicago and the State Chamber of Commerce. And I would ask that this Body adopt Amendment #6."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #6 to House Bill 2171. On that, is there any discussion? There being none, the question is, 'Shall Amendment #6 be adopted?'. All those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have, and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. And on the Order of House Bills Second Reading appears House Bill 2172. Mr. Giorgi, 2172? Alright. Mr. Clerk, the Bill has been read previously, I believe. Read the Bill."

Clerk O'Brien: "House Bill 2172. This Bill has been read a second time previously. Amendments #3, 4 and 8..."

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Amendments 3, 4 and 8 were adopted previously."

Speaker Greiman: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Fiscal note has now been filed, is that correct?"

Clerk O'Brien: "Fiscal note is filed."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2217. Mr. Preston, on 2217. Mr. Clerk, read the Bill. No, out of the record. On the Order of House Bills Second Reading appears House Bill 2228. Mr. Olson, are you ready? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2228, a Bill for an Act to amend Sections of the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Olson - Davis."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the final in the package of the Election Code. The original Bill provides for the election authority to remain open at least twelve hours after the polls close, or until all the ballots from the precincts are returned in proper condition to the authority or central county station. And provided for a forfeiture of an election judge's pay, if he was to return ballots which can not be found and he had no receipt. What we do with Amendment #1 is to eliminate the pay forfeiture provision for election judges, and we move its adoption."

Speaker Greiman: "The Gentleman from Lee has moved for the adoption of Amendment #1 to House Bill 2228. And on that,

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is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Olson: "Yes."

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

Cullerton: "Representative Olson, after you have removed that Section on forfeiture, what is left of the Bill, and how is it different than current law?"

Olson: "It is necessary to give a receipt to the judges after the materials are delivered."

Cullerton: "It would... It would require that the judges, after they deliver material, will get a receipt? That's... that's all the Bill does now?"

Olson: "After the materials are dropped off at the central authority."

Cullerton: "And failure to have a receipt, would that be the evident of the Class IV felony for failure to deliver the materials?"

Olson: "Well, if they failed to deliver them, it's not exactly the same as failing to get a receipt."

Cullerton: "I see. Okay, thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #1 be adopted?'. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2234. Mrs. Currie. Out of the record. On the Order of House Bills Second Reading appears House Bill 2235. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2235, a Bill for an Act to amend Sections of the Liquor Control Act. Second Reading of the

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Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Stuffle - Tate - Doyle."

Speaker Greiman: "Mr. Stuffle, you going to take...? Mr.
Stuffle, the Gentleman from Vermilion."

Stuffle: "Yes, would you withdraw Amendment #1, please?"

Speaker Greiman: "The Gentleman withdraws Amendment #1 to House
Bill 2235. Further Amendments."

Clerk O'Brien: "Amendment #2, Johnson."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House.
Amendment #2 is really in concert with the discussion we
had last week on another Bill and repeals the Dram Shop
Act. It does preserve the ability of an injured person to
proceed against the dram shop or anyone else if that
person's negligent, but it eliminates the liability of dram
shops on the absolute liability that currently is
applicable to them. For years people have gone around the
state and met their constituents who happened to be in the
dram shop business, and they've all said, 'Let's get rid of
the Act', and so that's what this does."

Speaker Greiman: "The Gentleman moves for the adoption of
Amendment #2 to House Bill 2235. Is there any discussion?
The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. I stand in
opposition to Amendment #2 to House Bill 2235 for a couple
of very important reasons. By eliminating the dram shop
statute within the State of Illinois, you'd be effectively
doing a couple of things. You would... probably curtail
and eliminate the rule and regulation provisions under the
Illinois Liquor Control Commission which operates and
issues the licenses for all establishments in the State of
Illinois. You would open up, in my estimation, total

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liability to any individual who had a liquor license or who owned a building, so that they could probably be sued under the statute for a purpose of liability."

Speaker Greiman: "Excuse me, Mr. Mautino, why does the Gentleman from Champaign arise?"

Johnson: "Just so we don't have a lengthy discussion on something that isn't the Bill. If I misspoke myself, this Bill repeals the provision. Obviously, the Dram Shop Act is a huge Act. This repeals the one Section of the Dram Shop Act that imposes absolute liability. It doesn't have anything to do with those other ... you're concerned about."

Speaker Greiman: "Alright, thank you. That's... Alright, thank you. That's a little out of order, alright? Mr. Mautino, I'm sorry, proceed."

Mautino: "I would certainly like the opportunity to examine in a little more detail the Gentleman's provisions. First and foremost, I would think that those establishments who are licensed in the State of Illinois should have input into the proposal to eliminate the liability. I think they are rather satisfied with the current posture, and I would hope that this Amendment does not get adopted until the opportunity to contact those individuals comes forth."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Amendment to this Bill by repealing the absolute liability Section of the Dram Shop Act. That's really going along with many of the people who were opposing increasing the limits on liability. With this repeal, a dram shop, if they were not negligent, there could be no recovery whatsoever against that dram shop just because that dram shop sold liquor to someone who is involved in an accident. So, I think... I

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think we have to protect the small businesses and protect... which local bars are. Those are small businesses in a dwindling business environment in this country and in this state. I think by taking away unneeded and unnecessary regulation and liability off the backs of these small businesses is the direction we ought to go. And I think this Amendment attacks and accomplishes that end and I support the Amendment. It goes along with many of the arguments, including Mr. Mautino's, that we heard previously on the floor of this House. And I would encourage your 'aye' vote."

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

Panayotovich: "Thank you, Mr. Speaker. I stand in opposition to this Amendment. Being a small business as the last Speaker... Being a small businessman as the last speaker spoke, I have to, because of the Civil Rights Acts, serve any person that does come into my business. And I'm looking at a third party action that could cost me my whole business. And I do not mind paying my dram shop insurance. And I stand definitely in opposition to this Bill. Thank you."

Speaker Greiman: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, Members of the House. I find myself in an unusual situation, here. I have a concern about the issue as Representative Johnson does, but I'm concerned too, about the language of his Amendment with regard, first of all, to lines 22 and 23 that seek to provide that such actions are not limited to those against commercial establishments or employees. It would seem to me that we're opening this up to people who may provide you with a beer at a picnic or a beer in the back yard or so forth, I think that's the case. Number two, I'm concerned that this

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Amendment, may indeed, fly in the face of the intent of the Sponsor's Bill. Representative Doyle's worked very hard to put the Bill together, and given that, the fact that his next Amendment which he and I are joined on, becomes the Bill and attempts to satisfy the purposes for which the Bill was put in to start with. I find some problems with the Bill for that... the Amendment for that reason because I'm concerned, that I don't think it fits with the subsequent Amendment. And I think we'll probably do harm to that Amendment in the purposes of the Bill. And for those reasons, particularly the language at lines 22 and 23 that opens this whole thing up to actions without limitation beyond those against commercial establishments that now have dram shop insurance. I have some real concerns about the intent which goes well beyond, obviously, the repeal of the Dram Shop Act which many people do support. And for those reasons, I have true concerns about the language of the Amendment the way it affects the Bill, and the way it affects people not now covered by dram shop."

Speaker Greiman: "The Gentleman from Will, Mr. Van Dwyne."

Van Dwyne: "Yes. Would the Gentleman yield for a question?"

Speaker Greiman: "Indicates that he will."

Van Dwyne: "Representative Johnson, does this Amendment specifically allow for personal liability now? If this is passed, would be... will we be held accountable personally, personally?"

Johnson: "Anybody can be held liable the way it is right now if you're negligent."

Van Dwyne: "So we have no protection under the Dram Shop Law if this is repealed."

Johnson: "You wouldn't have any protection now because the Dram Shop Act doesn't even touch on that subject."

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Van Dyne: "Yes, but there is a limit now, and if you repeal this..."

Johnson: "Oh, you mean as a dram shop owner. Let me just... So everybody understand... and this... You know, you kid around last time about this issue, but let me just... so everybody understands what we're talking about. Right now, and this is the big objection of tavern owners. If somebody comes into their establishment, and a jury determines that they caused the intoxication of a patron even though that individual... even though that tavern owner wasn't negligent, they're liable. They're liable on an absolute liability theory, regardless of due care, regardless of approximate cause, regardless of anything else, they're absolutely liable. This Bill repeals that. It doesn't make them absolutely liable. The only condition you could hold a dram shop liable under, is if they were negligent. They served thirty-five drinks to a patron. They served a minor who came in and wasn't able to drive, liquor, and allowed them to be in an accident - only if negligence - and Representative Mautino on a Bill about two minutes ago, indicated... I think Representative Homer... the Amendment on Representative Homer's Bill said, and I wish I had the transcript. Well you know 'negligent' is just about as hard to prove as anything in the world, or something to that effect. His point of that debate was, negligence is an extremely hard thing to show. He said that in regard to Representative Cullerton's Amendment, and he's absolutely right. There's probably only one case out of two hundred, where somebody would be negligent under these conditions. But I don't think there's anybody in this chamber who thinks that a dram owner who serves somebody a thirty-sixth drink or serves an incapacitated minor a drink, ought not to be liable on negligence theories. So

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this eliminates about 99 and a half percent of the cases that kept caused... their rates supposedly to go up after the last few years. So the answer, the long answer, to your short question is that there would no longer be absolute liability. You'd have to show negligence, and you'd be able to insure against whatever the liability imposed under this Act would be. I'm simply trying to address myself to the concerns of people who objected last week."

Speaker Greiman: "Mr. Van Duyne."

Van Duyne: "Yes, well, as I understand it, maybe I'm being misinformed here, but as I understand it, running a tavern and having draw shop, you are... the limit they could sue for is \$15,000. If... And I'm asking you quite simply, if you remove that, or if we adopt your Amendment, is that removed and would the personal liability be anything that they wanted to sue you for?"

Johnson: "If there was negligence, there would not be the \$15,000 cap. The reason we have a \$15,000 cap is because the absolute liability standards contained in the Draw Shop Act."

Van Duyne: "Well, okay, then to the Amendment, Mr. Speaker. Mr. Johnson seems to like to quote the English language and not give me a straightforward answer. Negligence or conspiracy, as Mr. Mautino used, I don't know. It is pretty hard to prove, but nevertheless, I really don't... I have a kind of a queasy feeling as to his explanation. And it doesn't really lend much credence to the Amendment, and I'm going to vote 'no'."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Champaign, Mr. Johnson to close."

Johnson: "Thank you, Mr. Speaker. May I appreciate the questions? I also appreciate the courtesy of the House in

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listening to this issue, because I realize at some extent, you think we're getting in a lawyer dialogue here. Right now, if you run... if you're driving your automobile on the street, and you run a red light and you hit somebody and you paralyze them, or you cause them severe injuries or lesser injuries, there is no limit on your liability. If you manufacture a product, and you manufacture a product, that I suppose, that's not a good example, but in a negligent way, there's no limit on your liability. If you're engaged in any occupation or any business and you're negligent. And that's a high standard to be, if you're negligent. There's no limit, in terms of the liability that can be imposed on you. As a practical matter there is, because there is limits in terms of what you insure against. But somebody who has the ability in those rare cases to have deviated from standards of ordinary care to served a thirty-sixth drink to somebody who's already drunk, ought to be liable the same as anybody else. Why should we have some rule for everybody else in society? When you run a red light, when you're drunk and you run through a stop sign, that's okay, you can impose limitations... no limitations on the driver. They can be liable without limit. But if you're a dram shop owner and you're negligent, somehow there ought to be a \$15,000 limit. I guess what Representative Mautino and Mr. Van Dyne are saying is that they want to be able to, as a dram shop owner, to be able to be as negligent as hell, but still have a \$15,000 limit when you've got people out there who are paralyzed and scarred, and families who are left without a means of support, or if you got \$250,000 in medical bills and a \$15,000 cap to pay them. That just doesn't make sense. You know, I know we always try to make these things out to be trial lawyer issues, but let's look

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at the individuals who get injured by this. Well, I can give you five or six examples just in central Illinois, where somebody went to a bar, the tavern owner served drinks way beyond any sort of reasonable limit to minors who couldn't drive, who went out and got in an accident, and where the injured party then was left without support for a lifetime or was a quadriplegic for a lifetime or incurred medical bills of a quarter of a million dollars and yet, the cap on that is \$15,000. The other side of the coin is, we're not going to penalize unfairly, the dram shop owner, the tavern owner who simply serves the drink or who simply quote 'causes intoxication or plays a role on a causation'. That's what they've been crying for for twenty years, to remove the limitation or to remove the absolute liability. All we are saying here is, let's do away with it. We'll make them happy. Representative Taylor has joined me in this Amendment for exactly that reason. And for those one case out of two hundred where somebody's negligent, and somebody else has been paralyzed or suffered a debilitating injury for a lifetime, that somebody can easily insure against, it would seem to me to meet the objective of both side, providing protection and incentive to be safe in the dispersement of alcohol. And yet, not implying or imposing these unrealistic limits on dram owners. It does both things. It's a fair Amendment. It addresses itself to the concern of the opponent of this. I talked to twenty-five of the individuals who wrote me on the other Bill, Representative Preston's Bill, in the last three days since I introduced this Amendment, and everyone of them said it's a good Bill. I support it. And for those reasons and for the reasons that I think have been pretty well explained, I would urge a 'yes' vote on this Amendment."

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Speaker Greiman: "What purpose does the Gentleman from Bureau, Mr. Mautino arise?"

Mautino: "Point of personal privilege, Mr. Speaker."

Speaker Greiman: "Well, proceed with the point, Sir."

Mautino: "The Gentleman's statement and his remarks used my name.

I would for the record like to point out, Representative Mautino is not a dram shop holder, he is not a retail liquor license holder. And I do not come under any provision of this statute. Please, clarify the record, Mr. Johnson."

Speaker Greiman: "Mr. Johnson."

Johnson: "It was not intended to imply that it was applicable to you, Representative Mautino, or Representative Van Dyne or anybody else. My point was the people who opposed the Bill. I certainly didn't indicate that there was any interest in any way. If there was any implication from my statements, I don't think anybody else understood it that way, but that certainly was not my intention."

Speaker Greiman: "Alright, thank you. The question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'nays' have it, and the Amendment fails. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, Stuffle - Tate."

Speaker Greiman: "Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker, Members of the House, Amendment #3 puts the Bill in the shape that was agreed to in Committee by the Sponsors, and the other interested parties - those being; the Municipal League, the State Liquor Control Commission and the retailers. It provides for one remedy with regard to fine...the same situation we have now with allowing the owner to stay open on appeal, and if the appeal goes to the State Liquor Control Commission where a fine's put in place locally. Provides for downstate cities

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the same...similar, I might add, similar fining authority that I've already found in Chicago. And the Amendment further deletes those Sections that do not any longer belong in the Bill, because we've changed back to the original method of appeal. And I would offer this Amendment to correct the problems raised in Committee."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to House Bill 2235. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2251. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2251, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill. Amendment #3 was adopted previously."

Speaker Greiman: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any further Amendments?"

Clerk O'Brien: "Amendment #4 was withdrawn. Floor Amendment #5, Pierce."

Speaker Greiman: "Mr. Pierce."

Pierce: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #5 is proposals to simplify the state income tax proposed by the Bar Association and CFA Associations, who met with taxpayers' groups and the Department of Revenue, and an ad hoc Committee of tax practitioners drafted it. Director Johnson has reviewed it. I wouldn't say that he's come out in support of these Amendments, and I don't think he's come out in opposition to them. They're legislative

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proposals, four different ones contained this Amendment, to simplify and make more logical the Illinois State Income Tax. As the Department of Revenue Practitioners Liason Committee, which met with the Bar Association, CPA Associations, Tax Executive Groups and Taxpayers Association to work on these problems. And I'll outline the four things that we attempt to do by this Amendment. And I believe the Gentleman on the other side of the aisle, the Minority Spokesman on Revenue, Mr. Hastert, has reviewed them. One eliminates the double taxation of income from qualified public utilities stock dividends. In Illinois, we tax both the dividends once, and then its capital gains a second time, due to it the way we're tied in to the Federal Income Tax. This Amendment 5 would eliminate that double taxation, two; we extend from twenty to ninety days the period with whom... within which the taxpayer may notify the Department of federal changes that would affect their computation of the Illinois Income Tax. Twenty days is too short, no state is that short. Ninety days is a more reasonable period to allow you to notify the state income tax authorities of changes in your Federal Income Tax. Number three; would forbid taxpayers subject to combined reporting to avoid unfair estimated tax penalties, by permitting such taxpayers to offset overpayments made by one member of the group against underpayments of tax made by other members of the same unitary business group. Doesn't change the taxes. It just allows you to allocate the gains and losses among the members of the group. And the fourth item would allow the... authorize the Department to prescribe time limits for the filing of Illinois refund claims, based on that operating loss and capital loss carry backs, and would make it sure that the time limits prescribed are fair to the

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taxpayers. It's my belief that none of these would result in substantial changes in Illinois Income Tax receipts in revenues, but are changes in procedure that I think almost everyone could agree upon. They're fairly complicated, except the practitioners. And with that, I would offer Amendment #5 for adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2251. Is there any discussion? The Gentleman from Kendall, Mr. Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Greiman: "He indicates he'll yield for questions."

Hastert: "Mr... Representative Pierce, would you explain what the offset... One of the second provision of this provides for an offset. What does that do? I'm just asking for informational purposes, here."

Pierce: "That's number... that's number three on the combined report."

Hastert: "I'm... Go ahead. Whatever the provision for the offset... That's a little unclear."

Pierce: "That was on combined reporting. Where an entire group, as a unitary group, files, they may have some of their subsidiaries that owe taxes, and some that don't owe taxes, some that have overpaid. And this would allow them to take the overpayments and apply it against the underpayments within the group on the written consent of all the subsidiaries involved."

Hastert: "A second question. Will this cost the state any more out of the unitary file, do you know?"

Pierce: "I don't believe it would, it would reduce overestimates. So there might be some loss of money that was overpaid because of the estimates that were paid too high, because the ones with the losses weren't deducted against the gains. But overall, what the state has coming in income

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tax, I don't believe it would affect it one bit. If it would, there would be a lot of people really enthusiastic about this Amendment."

Hastert: "Alright, and then also you provide in that section also, that parent companies can...can make an election to pay a tax due or it means that they can refuse or they can accept?"

Pierce: "Yeah, they would...they would have to elect to do the...do the setoff here, otherwise, we'd be...the offset, otherwise, we'd be...continue on with our present system."

Hastert: "Thank you. To the Bill, to the Amendment."

Pierce: "You mean you've got more yet?"

Hastert: "I appreciate...is it okay? I appreciate Representative Pierce's answers to these. It's a rather technical piece of legislation. As you know, we have dealt with the unitary issue over and over again in the last year or two, and our analysis of this, it doesn't really affect the income and the state's level of income and I would accept this Amendment."

Speaker Greiman: "Further discussion? Gentleman from Lake to close."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I have told you about everything I know or can understand about this Amendment. It is...It is complex. It's not aimed at reducing anyone's state income tax. It is aimed at simplifying and making more fair some of the provisions here and avoiding double taxation of domestic public utility stock dividends, and I would urge adoption of Amendment 5. I understand the Gentleman from Kendall does have a request, which maybe he'll withdraw, but probably he won't, for a fiscal note. That might enlighten him further on this. Maybe it will, but at any rate, I urge the adoption of Amendment #5. Probably a voice vote would do

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it."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?'. All those in favor, signify by saying 'aye'. Those opposed, 'nay'. The 'ayes have it. The Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There is no further Amendments, however, a fiscal note has been requested. No fiscal note has been...yes, Mr. Hastert."

Hastert: "I believe the fiscal note was on Amendment #4. I'll withdraw...withdraw that for 5."

Speaker Greiman: "Gentleman...Mr. Pierce."

Pierce: "Mr. Speaker, I believe that by error...error while you were watching Mr. Cullerton's seat, somehow a fiscal note from Mr. Cullerton floated up on this, too, which he told me the other day he didn't really care about. It was what you would call a clerical error, a scrivener's error by a scrivener."

Speaker Greiman: "Mr. Cullerton. Would you like to withdraw your request for a fiscal note?"

Cullerton: "Yes, I understand that I really never filed one, that maybe you filed one and put my name down."

Speaker Greiman: "I see. Then the fiscal note from Mr. Cullerton is withdrawn. The fiscal note from Mr. Hastert is withdrawn. There are no longer any pending fiscal note requests. Is that correct, Mr. Clerk?"

Clerk O'Brien: "That's correct."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2290. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2290. This Bill has been read a second time previously. Amendment #..."

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

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

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment eliminates the borrowing of \$40,000,000 from the State Employees' Pension Fund. Funding of the newest...new Authority provided for in this Bill by bonding authority is still intact. I think that this Amendment greatly improves this Bill. There is over a billion dollars worth of bonding authority in this new agency, which is the result of a combination of two agencies. There is an additional \$225,000,000 in bonding authority. We don't need to dip into the pension funds for another \$40,000,000. Only one group appeared in opposition to this Bill in Committee. That group represented state employees, those people whose money we are taking to use for this particular industrial development. I think that they have a right to express themselves. I think that we have become very free with the use of our pension funds for other...for other goals and other objectives. They were not put in for that use."

Speaker Greiman: "Excuse me, excuse me, Mr. Ewing. For what purpose does the Gentleman from Vermilion rise?"

Stuffle: "Mr. Speaker, this...this Bill is sponsored by the Speaker and myself, Representative Madigan and Mautino. Representative McPike and Mautino, I understand that there are subsequent Amendments, technical Amendments, and for that reason, at the request of the Speaker, I would ask you to take it out of the record at this time."

Speaker Greiman: "The Bill is out of the record, and we're going to move on the Calendar to page 7, Third Reading Short

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Debate Calendar. This is final action, Third Reading Short Debate. On the Order of House Bills Third Reading Short Debate appears House Bill 73. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Mr. Johnson, for what purpose do you rise, sir? Excuse me, Mr. Preston."

Johnson: "Just an inquiry. Last week, every time we went to Third Reading Short Debate or Third Reading, we started under the designation Next Bill. Now today, on Second Reading and Third Reading Short Debate, we're starting at the start of the Calendar. I'm not objecting, I just want to know what the procedure is and how we are supposed to know when to expect what."

Speaker Greiman: "Gentleman from Madison, the Majority Leader, Mr. McPike."

McPike: "Well, thank you, Mr. Speaker, and the answer to Representative Johnson's question, we did start it Next Bill, except the day when he asked us if we would start at the beginning so we could pick up his Bill."

Speaker Greiman: "Well, Mr. Johnson, whatever the reasons are, it is the Chair's decision to make. We can go to either one. We'll pick up those. There's a number of them. I'm told that we'll be at the point of Next Bill rather quickly, so why don't we just proceed, Mr. Johnson, unless it's really critical, Sir. The Gentleman from Champaign, Mr. Johnson, on a critical matter."

Johnson: "I appreciate your kindness. Just to correct Mr. McPike. That is not the case. We didn't start on...there on the Calendar. We did it as a courtesy, and I appreciate that and...in the course of going from one order of business to the other."

Speaker Greiman: "Fine, thank you, thank you. We'll now proceed, Mr. Johnson. House Bills Third Reading Short Debate

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Calendar, page 7, House Bill 73. Mr. Clerk, read the Bill."

Clerk O'Erien: "House Bill 73, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Mr. Preston, the Gentleman from Cook."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 73 does is, it allows the downstate police pension boards to hold their pension board meetings on any day of the month in the four required months. Right now, the present law says that these board meetings have to be held on the second Tuesday of, I believe, it's January, April, October and whenever, whatever the other month is. This Bill says instead of having it on the second Tuesday, by doing that that would require someone who wants to attend various police pension board meetings, would make it un...would make them unable to attend more than one, since they are all on the same evening, or...or on the same day. What this Bill does is, it allows the police pension boards to hold their meetings on any day of those months, four times a year just as it is now, but they, the board itself, can set the day or the evening at which the meeting is to be held, and that is what the...the Bill essentially does and I would ask for your 'aye' vote. Oh, if I might just add, there...the people who are in favor of this Bill was the compound (sic - combined) Counties Patrolmen's Association, the State Troopers' Lodge of the Police Association, a number of other associations, and I...I would ask for your 'aye' vote."

Speaker Greiman: "Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this

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Bill, there are...yes? Vote Ms. Nelson 'aye'. On this Bill, there are 105 voting 'aye', 4 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 115. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 115, a Bill for an Act in relation to revising obsolete statutory references. Third Reading of the Bill."

Speaker Greiman: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker. I have approximately 25 Bills on Second Reading which all deal with the Law Revision Commission. They have all gone through the Judiciary Committee, the staff and everyone else and they are nonsubstantive changes. Is it possible for a Motion to have all of these Bills heard on one Roll Call?"

Speaker Greiman: "Yeah, that Motion would be in order."

Terzich: "Alright then, I would like to make a Motion that on one Roll Call, House Bill 115, 116, 123, 128, 129, 130, 132, 133, 134, 135, 137, 142, 144, 147, 148, 149, 150, 151, 153, 154, 155, 156, 157 and 165 be heard on one...on one Roll Call."

Speaker Greiman: "Gentleman moves that the Bills shown on...from beginning 115 on page 7, through...165 on page 8 of the Calendar be heard together as a single Roll, and then Mr. Vinson, Gentleman from DeWitt. Mr. Johnson, Gentleman from Champaign."

Johnson: "We've...and our staff, have looked at each Bill and the Amendments and I think this is a proper procedure, and I would urge the support."

Speaker Greiman: "Does the Gentleman then have leave to hear these Bills together? There being no objection, we'll use the attendance Roll Call to hear these Bills on a single

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Roll Call. Mr. Clerk, read the Bills."

Clerk O'Brien: "House Bill 116, a Bill for an Act to amend various Acts for revised terminology. Third Reading of the Bill. House Bill 123, a Bill for an Act to amend an Act to revise the law relating to attorneys and counselors. Third Reading of the Bill. House Bill 128, a Bill for an Act to amend various Acts to coordinate terminology. Third Reading of the Bill. House Bill 129, a Bill for an Act to amend various Acts to coordinate the Illinois Supreme Court Rule 272. Third Reading of the Bill. House Bill 130, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 132, a Bill for an Act to amend various Acts to replace obsolete terminology. Third Reading of the Bill. House Bill 133, a Bill for an Act to amend various Acts to replace obsolete terminology. Third Reading of the Bill. House Bill 134, a Bill for an Act to amend various Acts to replace obsolete terminology. Third Reading of the Bill. House Bill 135, a Bill for an Act to amend various Acts to revise terminology. Third Reading of the Bill. House Bill 137, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 142, a Bill for an Act to amend various Acts to remove references to fee offices. Third Reading of the Bill. House Bill 144, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 147, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 148, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 149, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 150, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 151, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of

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the Bill. House Bill 153, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 154, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 155, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 156, a Bill for an Act to amend various Acts to revise references to recorder of deeds. Third Reading of the Bill. House Bill 157, a Bill for an Act to amend various Acts to coordinate terminology with the Probate Act. Third Reading of the Bill. House Bill 165, a Bill for an Act to amend an Act concerning jurors. Third Reading of the Bill."

Speaker Greiman: "Okay, on those Bills, the Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker. All of these Bills are law revision Bills. They are...there are no substantive changes in the Bills. They were introduced and put into the Judiciary Committee, which completely reviewed all of these Bills. The staff has gone over all of these and they are to modernize and to make various corrections of terminologies and words, and I would move for its adoption."

Speaker Greiman: "Gentleman moves for passage of these Bills. On that, is there any discussion? The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was trying to get the attention of the Speaker before, when we were going through the Motion to have all these Bills heard on one Roll Call. I object to having all these Bills heard on one Roll Call, and I would just like that included in the record, for this reason. We have some fifteen Bills here that are amending the Civil Practice Act and various other Acts, and the simple statement that these Bills are nonsubstantive, a simple change of a word, when

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you are talking about civil procedure, can change the way our court system functions, and I...I have looked at most of these Bills previously, and I agree with Representative Terzich. For most of them, there may not be any problem, but then again, there may be that the Members of the Body might point out, and I think it's exceptionally bad procedure to not even know what a Bill is about when we vote for fifteen Bills that go sailing out of here, where you don't even know what the title of the Bill is, without any opportunity to ask...to have a one sentence statement about what a Bill does. So for those reasons, I'm going to vote 'no' on all these Bills, and I...think it's a very bad procedure to follow today and in the future."

Speaker Greiman: "Gentleman from Cook, Mr. Vitek."

Vitek: "Thank you, Mr. Speaker. When the Chairman of the Judiciary gets up and says that the staff has studied it, they don't have no objections, no objections from the other House, this will speed up the Calendar for us, and I'm sorry that Lee has had that problem with Terzich and I hope Terzich will cooperate with him next time. Thank you."

Speaker Greiman: "Any further discussion? There being none, the question is, 'Shall these Bills pass?'. All those in favor, signify by voting 'aye'. Those opposed, vote 'nay'. Voting is now open. Mr. Johnson to explain his vote."

Johnson: "Just so everybody will know, I think it's...Representative Terzich, correct me if I'm wrong, it's House Bill 147 that has the 75% legislative pay increase? Thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On these Bills, there is...there are 94 voting 'aye', 6 voting 'no', 6 voting 'present', and this Bill, having received...these Bills, having received Constitutional Majorities, are hereby...Mr.

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Doyle 'aye'...declared passed. Gentleman from Cook, Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I was going to ask leave of the House to be recorded 'aye' on those Roll Calls. Evidently, something is wrong with my voting switch here, and it was pushed twice and never went off."

Speaker Greiman: "Well, if your switch is broken, we'll have the engineer look at your switch and add him to the Roll Call with leave. On the Order of House Bills Third Reading Short Debate appears House Bill 278, Mr. Levin. Out of the record. On the Order of House Bills Second Reading Short Debate appears House Bill 279, Mr. Levin. Out of the record. On the Order of House Bills Third Reading appears House Bill 281. Out of the record. On the Order of House Bill Third Reading Short Debate appears House Bill 481, Mr. Stuffle. Read the Bill."

Clerk O'Brien "House Bill 481, a Bill for an Act to amend Sections of the Liquor Control Act. Third Reading of the Bill."

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

Stuffle: "Yes, Mr. Speaker and Members of the House. House Bill 481 as amended is what we commonly refer to as the 'brown bag' Bill, with regard to alcoholic liquor consumption. As amended by the Committee on Registration and Regulation to meet some of the objections of private clubs in particular, and some of the objections of the Liquor Control Commission, the Bill would now provide for a prohibition against the owner of businesses as defined in two Sections of the Liquor Control Act from selling intoxicating liquor at retail or providing it to employees to consume on the premises of those particular establishments in the absence of a liquor license. Obviously, the reason for the Bill is to protect those people who are legitimate bar owners who

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pay directly on their taxes, their sales taxes over their retail sales who hold legitimate liquor licenses at the tune of several hundred or a thousand dollars in the case of some of the municipalities in the state. As I said, the Bill was amended to meet objections of private clubs and to meet objections of the Liquor Control Commission, and was thereafter passed out of the Committee on Registration and Regulation, I believe, without a dissenting vote, and I would ask for your affirmative Roll Call on House Bill 481 as amended."

Speaker Greiman: "Gentleman moves for the passage of House Bill 481, and on that, is there any discussion? The Lady from Marshall, Ms. Koehler."

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

Speaker Greiman: "Indicates that he will."

Koehler: "Thank you. Representative Stuffle, can you tell me how this would affect those areas that...in the summertime have what they call 'brown bagging' lunch hour entertainment areas?"

Stuffle: "The intention of the Bill is to prevent the sale of alcoholic liquor in terms of a restaurant, as you are talking about, that does not have a license to sell liquor. That is clearly the case of the Bill, or to prohibit, as the Bill says, prohibit employees of an owner from consuming liquor in the establishment. If your question is about bringing liquor into the establishment, our effort, as you read the provisions of the Bill, as amended, says it's unlawful for the owner of any business establishment defined in the two Sections, and those particularly would be; restaurants to sell intoxicating liquors at retail and for all employees of that owner to permit any person to consume alcoholic beverages on the premises, so I assume it

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would be a prohibition against what you are talking about because those people are not licensed to sell alcoholic beverages, do not pay for a liquor license and, in fact, the problem that occurs is simply what we have been talking about here on the dramshop issue. People go in there..."

Speaker Greiman: "Mr. Stuffle, I think you have gone a little beyond the question, the scope of the question."

Stuffle: "Okay, let me answer her question. It applies..."

Speaker Greiman: "Yes, yes, that would be nice."

Stuffle: "I'm attempting to, by the provisions of the Bill. It attempts to cover that situation, yes, and it attempts to cover them because they are not licensed to sell or distribute alcoholic beverages."

Koehler: "Therefore, the person who is not licensed to sell alcoholic beverages would be prohibited from selling it in a sidewalk situation, but it does not affect those that are licensed to sell?"

Stuffle: "That...that's what I was getting to when I was stopped. It is designed to protect the retail licensee who has a license to sell and prohibits sale by those who do not have a license to sell."

Koehler: "Okay, thank you very much."

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

Cullerton: "Yes, I just wondered if the Spncscr would yield for a quick question."

Speaker Greiman: "Indicates that he will."

Cullerton: "Is this designed, Representative Stuffle, to get at the situation in Ravinia? Are you...I don't know if you are familiar with Ravinia. It's an outdoor park where they have concerts and such things where people bring in alcoholic beverages. Would this be...would this make that illegal for people to bring in beverages to Ravinia Park?"

Stuffle: "It's not designed to do that. If you look at the two

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Sections of the law that it relates to, it refers to persons defined or entities defined in those two Sections which may not sell intoxicating liquors at retail and may not permit persons to consume, and those two definitions - I think, if you look at them - refer to retail restaurant establishments."

Cullerton: "So this is aimed strictly and only at retail restaurant establishments?"

Stuffle: "That's the way I read those two Sections of the current law. If you go back and look at the two Sections in question, I think you will find out they refer to consumption in bowling alleys and restaurants."

Cullerton: "Okay, well, just to the Bill very briefly, Mr. Speaker. I think that it is well intentioned, and I think that Representative Stuffle makes some good points when he says that the cost of a liquor license is very high and restaurants that have liquor licenses have to pay that cost. However, I would have to, in my own particular situation, have to vote against the Bill. I have numerous restaurants in my district in the City of Chicago whose ability to operate is in their attraction to keep the cost of their...their...the total bill down by allowing people to bring in their own wine, or allowing them to bring in their own beer, and I think that what is going to happen with this Bill passing is that those restaurants are the restaurants that are going to end up closing down, that the city will not gain any revenue from them applying for a liquor license, and quite the contrary, the city will lose revenue because there won't be any revenue from the sales tax. People, middle class people who can only afford to go out every once in a while to a restaurant because they can bring their own liquor are not going to be able to go out any more, and it really can be properly defined as a

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special interest legislation for tavern owners, not that they don't have the right to come down and lobby for such Bills, but as long as everyone knows what it does. I think that you might find out next year, some constituents will be kind of mad that they can't go to a restaurant and bring their own liquor anymore when they find out that we passed this Bill. So for my part, I'm going to oppose it, but I certainly understand the intent of the Sponsor, and it's a good one, but I think this is really the wrong way to do it."

Speaker Greiman: "Lady from Kane, Ms. Zwick. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "He indicates he'll yield for questions."

Friedrich: "Is this not something that could be handled by the local municipality?"

Stuffle: "No, it can't be and that is one of the reasons the Bill is in. If you want me to elaborate, I will."

Friedrich: "No, I'll take your word for it."

Speaker Greiman: "Is there further discussion? There being none, the Gentleman from Vermilion...I'm sorry. Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I stand in support of this legislation Representative that Stuffle has. Being in a business and spending close to 7, \$8,000 for the various licenses and insurance, why should I let another business across the street have the same rights I do for no reason other than the fact that somebody wants to brown bag it or the owner doesn't want to buy the license. I hope everybody votes 'yes'."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Vermilion, Mr. Stuffle, to close."

Stuffle: "Yes, Mr. Speaker and Members, I think Representative

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Panayotovich, who is a holder of a license, has given you the best reason to vote for the Bill. The other reason, particularly, to vote for the Bill is what has been raised by both sides on the dramshop issue. What happens now is that you go out and buy liquor from a person who pays for his license. That person that bought the liquor carries it into a place that is unlicensed, becomes intoxicated, sues under dramshop against the legitimate businessman, such as Representative Panayotovich. There is no liability to that person who allowed you to consume liquor on their premises who has no license, pays for no license, has no dramshop, and, in fact, you are also lowering without this Bill, the amount of sales tax revenue that would be available to the city, because the situation is such that if you are buying across the bar at retail, you are paying on that retail price, not on the wholesale price or a package price, and for those reasons and for those cited by Representative Panayotovich, I'd ask for an 'aye' vote on House Bill 481 as amended."

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? Clerk, take the record. On this Bill, there are 62 voting...62 voting 'aye', 46 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 556. Mr. Clerk, call the Bill...read the Bill."

Clerk O'Brien: "House Bill...House Bill 556, a Bill for an Act to amend Sections of an Act in relation to state finance. Third Reading of the Bill."

Speaker Greiman: "Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen

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of the House, House Bill 556 comes as a result of the audit done by the Attorney General of the School Problems Commission, in which he pointed out that the Comptroller had ruled that public members of a commission's travel expenses had to be paid out of contractual service line item, and that the travel of legislative Members and staff could be paid from the travel line item. What this Bill does is to put back into practice in the statute so it's clear to the Comptroller, that travel expense means travel expense for all members of the Commission, regardless of whether they are legislative Members or public members. That was the initial Bill and then by Amendment on Second Reading, an Amendment was proposed by Representative Reilly which provided for line item of legal expenses in the appropriations and provided that legal services would be line itemed in the appropriation Bills, and then it defined legal services to mean and include expenses for any contracted services requiring the professional ability of an individual licensed to practice law, and I would solicit your 'aye' vote on House Bill 556."

Speaker Greiman: "Gentleman moves for passage of House Bill 556. We are in Short Debate. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Voting is now open. Steczo, 'aye', when you get it, Mr. Clerk. His switch is broken, apparently. Gentleman from Kankakee, Mr. Fangle. Alright. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mr. Steczo, Gentleman from Cook, 'aye'. On this Bill, there are 113 'aye', none voting 0, none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 635.

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Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 635, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from DuPage, Ms. Cowlishaw."

Cowlishaw: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 635 was suggested by the State Board of Education. It provides, very simply, for the repeal of Section 1 (A) - 5 of the School Code, which presently calls for the State Board of Education to insure...to provide liability insurance for the Board and its members and the State Superintendent. That provision is no longer necessary because the State of Illinois furnishes indemnification for its employees, boards and officials. There is no opposition to this Bill. I move for its adoption."

Speaker Greiman: "The Lady moves for passage of House Bill 635. On that, is there any discussion? Does anyone stand in opposition? There being no one, 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 109...Mr. Steczo, 'aye', 111, Mr. Leverenz, 'aye', 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 805, Mr. Giorgi. On House Bill 805, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 805, a Bill for an Act concerning the regulation of Orthotic and Prosthetic practice. Third Reading of the Bill."

Speaker Greiman: "Representative Giorgi."

Giorgi: "I'd like leave of the Assembly to bring this Bill back to Second Reading for the purpose of an Amendment."

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Speaker Greiman: "Gentleman asks leave to bring House Bill 805 back to the Order of Second Reading for the purpose of Amendment. Does the Gentleman have leave? Leave is hereby granted and the House Bill...and the Bill is on Second Reading. Mr. Clerk, Amendment?"

Clerk O'Brien: "Amendment #5, Tate-Giorgi."

Speaker Greiman: "Mr. Tate, Gentleman from Macon."

Tate: "Well, yes, Mr. Speaker, Ladies and Gentlemen of the House, I'll yield...this Amendment should read Giorgi-Tate, and I'll yield to Representative Giorgi to explain the Amendment."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, all this Amendment does was take the other four previous Amendments that were 1, 2, 3 and 4 and embody them in one Amendment so that the Bill would be in better shape to go to the Senate. No substantive changes other than what we have done previously, and I urge the adoption of the Amendment."

Speaker Greiman: "Gentleman moves for the adoption of Amendment #5 to House Bill 805. Is there any discussion? Gentleman from Macon, Mr. Tate."

Tate: "Yes, just a very brief explanation. This is an agreed upon Amendment, and it just is a technical correction of Amendments 1 and 4. It combines all the Amendments in the Bill. It is the Bill now and I also move for adoption."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?'. All those in favor, signify by saying 'aye'. Those opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading...the Gentleman from Winnebago, for what purpose do you rise, Sir? Gentleman from Winnebago, your light is on."

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Giorgi: "Okay, I'm on. Mr. Speaker, I'd like leave of the House to put this back on the Order of Third to pass it today, if it's possible."

Speaker Greiman: "Gentleman asks leave to waive the appropriate rule so that House Bill 805 may be heard immediately. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 805, a Bill for an Act concerning the regulation of Orthotic and Prosthetic practice. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, this Bill has been around the Assembly for the last three or four years. In the past, during the last Session of the General Assembly, with not a dissenting vote, and it was vetoed by the Governor because he wanted the language cleared up to the satisfaction of the Department of Registration and Education. We think we've got the language as he wants it. This Bill licenses orthotists and prosthetists by the Department of Registration and Education, and everyone is in the Bill that wants to be in the Bill, so there isn't much else to tell you except it's been debated three or four times and I urge the Membership to support me on this Bill."

Speaker Greiman: "Gentleman moves for the passage of House Bill 805. 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'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mr. Steczo, your switch is now working, is that right? Alright, you're with us. On this Bill, there are 95 voting 'aye', 17 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared

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passed. On the Order of House Bills Third Reading Short Debate appears House Bill 886. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 886, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Greiman: "I have a note here indicating that Representative Hoffman will handle the Bill in the absence of Representative Klemm. Representative Hoffman, the Gentleman from DuPage."

Hoffman: "Mr. Speaker, Mr. Speaker, inquiry of the...of the Clerk. I filed Amendments to this Bill. Have they been distributed?"

Speaker Greiman: "Are you requesting leave to take the Bill back to the Order of Second Reading?"

Hoffman: "I'm requesting leave to take the Bill back to Second Reading for the purpose of an Amendment, and that..."

Speaker Greiman: "Gentleman asks leave to take the Bill to the Order of Second Reading for the purpose of an Amendment. Does Gentleman have leave? Leave is hereby granted and the Bill is on Second Reading. Mr. Clerk, are there any Amendment...further Amendments?"

Clerk O'Brien: "Amendment #2, Klemm."

Speaker Greiman: "Mr. Hoffman."

Hoffman: "Thank you. I would like to withdraw Amendment #2."

Speaker Greiman: "Gentleman withdraws Amendment #2 to House Bill 886. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Hoffman."

Hoffman: "Now, the question, Mr. Speaker..."

Speaker Greiman: "Yes, Mr. Hoffman."

Hoffman: "The question is, 'Has Amendment #3 through 7 been distributed?'"

Speaker Greiman: "They have not, so out of the record."

Hoffman: "Out of the record and we can come back to it. Thank you."

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Speaker Greiman: "Okay. The Bill remains on Second Reading, Mr. Hoffman. Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, I wonder if...don't want to tell the Spncsor how to handle legislation, but you may want to move it to Third and move it back later on. It is on a special order of business, I think."

Speaker Greiman: "Alright, then Third Reading Short Debate...leave for the Bill to remain on Short Debate. House Bill 886 remains on Short...on Short Dekate. Third Reading. Order of House Bills Third Reading Short Debate appears House Bill 985. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 985, a Bill for an Act to amend Sections of an Act concerning public utilities. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Pecria, Mr. Saltsman. Alright, out of the record."

Clerk O'Brien: "Out of the record."

Speaker Greiman: "On the Order of House Bills Third Reading Short Debate appears House Bill 1264. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1264, a Bill for an Act to amend the Psychologist Registration Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Morgan, Mr. Reilly."

Reilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill offered to me by the psychologists, excuse me, in the first place, basically strengthens the registration Act. There are some grammatical problems with it, which I have discussed with the Democrat staff. We...we have an agreement to take care of those at a later point in the operation. I don't believe, as far as I know, there is no particular opposition to the Bill. I'd be glad to answer questions. Otherwise, I'd ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for passage of House Bill 1264."

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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'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1283. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1283, a Bill for an Act to amend Sections of the Mobile Home Local Service Tax Act. Third Reading of the Bill."

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

Hannig: "Thank you, Mr. Speaker, Members of the House. In the last General Assembly, we raised the interest rate on unpaid property taxes that could be assessed effectively from 12% to 16%. What this Bill would do would simply allow that same interest rate to be charged on the Mobile Home Local Service Tax, which in effect, is the tax which is similar to the property tax. Property taxes are not exactly assessed on these mobile homes, and in effect, this tax isn't assessed and it's just a parallel situation, and it came out of Committee unanimously, and I'd ask for your 'yes' vote."

Speaker Greiman: "Gentleman moves for the passage of House Bill 1283. Does anyone stand in opposition? Anyone stand in opposition? There being no one, 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 106 voting 'aye', 5 voting 'no', none voting 'present'. This Bill,

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having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1287. Read the Bill."

Clerk O'Brien: "House Bill 1287, a Bill for an Act to amend the Uniform Anatomical Gift Act. Third Reading of the Bill."

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

Matijevich: "Speaker, Ladies and Gentlemen of the House, House Bill 1287 amends the Uniform Anatomical Gift Act. Provides for adequate notice provisions unless the terms of the gift otherwise provide to survivors that the donee has completed use of the body and that such person can have the custody of the body. This was prompted when a constituent whose wife's body was given to science came to my office grief stricken because his children later blamed him because they had nowhere on the anniversary of the death of their mother to pray over the body. He said that he was unaware, because of the lack of notification, that he could have retained custody of his wife's body. I researched through the legislative counsel and found that there are states that provide such notice provisions, and I think this, therefore, balances the concerns with providing a body, rightfully so, to science, but balancing the concerns of the survivors, and I know of no opposition and appreciate your support."

Speaker Greiman: "Gentleman moves for the passage of House Bill 1287. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 111 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed, and on

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the Order of House Bills Third Reading Short Debate appears
House Bill 1293. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1293, a Bill for an Act to amend
Sections of the Illinois Vehicle Code. Third Reading of
the Bill."

Speaker Greiman: "Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. By Amendment #3, we amend the appropriate Section
in the Vehicle Code to provide that any vehicle removed
from public property by a commercial vehicle relocater or
any other towing service shall be subject to a possession
lien, and this includes those vehicles which are abandoned
unclaimed and are towed pursuant to a police order. By
Amendment #4, Representative Topinka amended into the
statute the requirement that there...if a vehicle is towed,
the tower must have a number at the police department in
each municipality, and that in their advertisement in the
phone book, it must indicate that number, and that there is
an employee available during towing hours and there is a
waiver of the fee if there is no response to the telephone
contact, and I would move for the passage of House Bill
1293, as amended."

Speaker Greiman: "Gentleman moves for the passage of House Bill
1293. Does anyone stand in opposition? Gentleman from
Cook, Mr. O'Connell."

O'Connell: "Would the speaker yield for a question...Sponsor?"

Speaker Greiman: "He indicates that he will."

O'Connell: "Representative Hoffman, when you say that the tower
has to have a number and be listed with the local police
department, is this number issued by the Illinois Commerce
Commission, or is this a number issued by the
municipality?"

Hoffman: "It's the...it's their telephone number. It's their

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telephone number so the person who's towed can contact them."

O'Connell: "Oh, I see. Alright."

Hoffman: "It's in response to a problem that the Representative had here in Springfield."

O'Connell: "Alright, so this Bill in no way addresses the jurisdiction of the Illinois Commerce Commission over towers?"

Hoffman: "No."

O'Connell: "Thank you."

Speaker Greiman: "Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, would...would the Gentleman yield?"

Speaker Greiman: "He indicates he'll yield for question."

Jaffe: "Okay, now...now what type of towers are we talking about? Are we talking about the guys in the City of Chicago when you park your car, you know, who have been subject to all sorts...people have been subject to all sorts of abuses by the private towers. Are these the people we are talking about?"

Hoffman: "These are the ones we're talking about. We are also talking about the commercial vehicle relocaters. Now, this is in..."

Jaffe: "Well, the thing that I am interested in, are we talking about, you know, the towers who are on the Near North Side of the City of Chicago who tow away your car almost indiscriminately? Are these the people that you are talking about? Are they included in this Bill?"

Hoffman: "Run that last question by us again."

Jaffe: "Okay, you have these private towing operations, for instance, on the North Side of the City of Chicago, and these guys just patrol the streets and really tow away your car almost indiscriminately, although they now are governed by the Illinois Commerce Commission, but they are not much

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letter any more. But, are we talking about those individuals?"

Hoffman: "If they are regulated by the Illinois Commerce Commission, we are."

Jaffe: "And what you are doing, is you are now giving them a lien, is that what you are giving them? I can't believe it."

Hoffman: "They...they already...they already have the lien. The purpose of this is to clarify this, and this is, of course, is an issue that addressed to a much greater extent to what we might call the big commercial operations."

Jaffe: "No, I understand. All I have...I don't have the Bill. I just have the Digest. It says, 'Amends the Illinois Commercial Relocation to provide that vehicles removed from public property by a commercial vehicle relocater or any other towing services shall be subject to a possessory lien', so you are giving them a lien."

Hoffman: "Alright, we're...they already have that authority in Section..."

Jaffe: "I know they have the authority, but they don't have the lien."

Hoffman: "They have the lien right now in Section 18(A) and we are going in, by Amendment #3 to Chapter 4."

Jaffe: "Well, what does the Bill do? I mean, the Digest indicates that you are giving them a lien. You're saying that you are not giving them a lien, so the Digest is wrong, so what are you giving them?"

Hoffman: "It clarifies the laws and puts it in the same condition as Section 18(A). That's all."

Jaffe: "Well, what is 18(A)? I don't understand it...All I have here is the Digest, and the Digest says you are giving them a lien. You say that you are not giving them a lien and it's in conformance with 18(A). Well, what does 18(A)

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say?"

Hoffman: "Alright. It clarifies the language as it now exists and puts it also in Chapter 4 that they already have the right for liens against relocated vehicles taken off of private property. This also clarifies it so that they also have liens on property that is...vehicles that are abandoned or unclaimed or towed pursuant to police order. They do not have that now. That is where you get the commercial towers, as opposed to Lincoln and those kinds of folks involved."

Jaffe: "So what you are doing is you're extending the lien that they have, is that correct?"

Hoffman: "Extending it to a wider class of vehicles so that they have some way of recovering for the cost of vehicles that have been towed pursuant to police order."

Jaffe: "Yeah, I understand. I...Well, I'm against them having a lien to begin with, but I don't think that your Amendment is that bad."

Hoffman: "You're a kind and generous..."

Speaker Greiman: "Does anyone...does anyone stand in opposition? Mr...the Gentleman from DuPage, Mr. Hoffman, to close."

Hoffman: "I think I...alright."

Speaker Greiman: "The question is, 'Shall this Bill pass?'. All those in favor, signify by voting 'aye'. Those opposed, vote 'no'. Miss Currie, Miss Currie, 'present'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 90 voting 'aye', 6 voting 'no', 11 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1311. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1311, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the

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Bill."

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

Steczko: "Thank you, Mr. Speaker and Members of the House. House Bill 1311 makes two changes in the Juvenile Court Act with regard to reimbursements by the Department of Children and Family Services. Number one; the Bill indicates that the Department of Children and Family Services, in addition to paying the foster care rate to these residential agencies, would also pay the cost of residential placement. Additionally, there is a current provision in the statutes that indicates that the amounts that can go for this type of reimbursement program cannot exceed one percent of the total budget of the Department of Children and Family Services. We are increasing that percentage to three percent. What we have here is a case of kids over the age of 18 who we probably would consider minors in need of supervision that are referred directly to...to these residential placement areas through the Court system, and I have a letter from Maryville City on Youth, for instance, which indicates that these are kids that not are...that are not appropriate for placement in the Department of Mental Health, in the Department of Corrections, in the Department of Children and Family Services, et cetera, and what these private agencies, such as Catholic Charities, are seeking to do is to at least recover the cost of residential placement versus the cost of foster care, which is far less. Let me indicate to you too, that by increasing the percentage from one percent to three percent does not necessarily mean that it will be costing the state any money. Let me indicate to the Members of the House that although that one percent at the present time would suggest an appropriation of approximately 1.6 million dollars, or an authorization of that amount of money, the present line

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item for the budget in the last...in last year's budget or this present Fiscal Year's budget is only \$700,000, so we in the General Assembly or the Bureau of the Budget or the Department of Children and Family Services will have direct control over how much money is expended. That three percent is a maximum, and the provisions of the statute do say up to or not exceeding three percent, so this is an equity Bill, and one that I think we need to assist these kids that otherwise would fall through the cracks, and if we don't do it, then either the state, by way of the Department of Children and Family Services, the Department of Corrections or the Department of Mental Health is going to have to foot the bill anyway, and this is probably more cost efficient, and I would urge the approval of the House on House Bill 1311."

Speaker Greiman: "Gentleman from Cook moves for the passage of House Bill 1311. Does anyone stand in opposition? Gentleman from Cook, Mr. Piel."

Piel: "Yes, the...would the Gentleman give leave for a brief question, please?"

Speaker Greiman: "The Gentleman will yield for a question. Proceed."

Piel: "Terry, you mentioned that last year it was seven hundred some thousand, is that correct?"

Steczo: "Yes."

Piel: "Okay, what is the line item for it this year?"

Steczo: "Zero."

Piel: "Okay, so you don't have any money appropriated, but if this Bill should pass, obviously, you'll have to appropriate money. What would the...what would the maximum cost of this Bill be at that time?"

Steczo: "The...the absolute maximum would probably be...in the neighborhood of approximately four million dollars, but

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again, the provisions of the law says that that amount may not exceed three percent. For instance, we've got a one percent provision in the present law, yet that has only been funded at half of what we have authorized. So, what it does, it allows too, for the Department of Children and Family Services or whoever makes that determination to say, to look at the various facts and to say whether or not an increased amount of money might be available or if it is appropriate."

Piel: "Thank you. Speaking against the Bill, Mr. Speaker."

Speaker Greiman: "Yes, Mr. Piel in opposition. Proceed, Sir."

Piel: "I think...I don't see anything major wrong with the Bill, but the problem is first of all, we have not appropriated any funds for this Bill, and if the substantive legislation is passed, we are going to have to appropriate funds and, you know, the Gentleman mentioned that it was a cost, a potential cost to the State of Illinois. Well, the fiscal note was turned in, and it's 4.9 billion. Well, I think, you know, it's a situation where what we have to do, we are going to have to start pulling our belt in. We are sitting in a bad financial crisis right now. That is not included in the present budget, and I would ask the people to take a long hard look at this spending of five million dollars before we go on, and I would ask for a 'no' vote. Thank you."

Speaker Greiman: "Gentleman from Cook to...Mr. Steczo to close."

Steczko: "Thank you, Mr. Speaker. I looked at the fiscal note that was filed by the Department of Children and Family Services and when I first saw that amount, I said, gee, what's...you know, what's happening here, and then realized that what they are presuming is that we fund this program at the entire three percent, and, of course, Director Koehler should know what the...what the past history has

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been. He should know that even with the one percent we have only funded that program at half of that amount. So, as I mentioned before, out of a 1.2 million dollar possible appropriation, we have funded it at \$700,000, and that is control that we, in the General Assembly, have because the present statutes currently provide that this amount may not exceed a certain amount, so it's a cap and that's...that's the extent of it, but what it does allow is in the future, if the Department of Children and Family Services or the State of Illinois or the Bureau of the Budget or whomever decides that this is as cost effective or more cost effective and would prefer placement in these areas, that they would be allowed to do it, and then we would make that...that determination by allowing this program to be better funded. What I did mention is that it's a...it is a cost effective program. We are assisting children who, right now, do fall between the cracks and I would appreciate the support of the House on House Bill 1311."

Speaker Greiman: "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 92 voting 'aye', 17 voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1323. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1323, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

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

Churchill: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Bill 1323 changes the determination of whether

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or not a minor should be made a ward of the court from an adjudicatory hearing to a separate dispositional hearing, and it provides for certain investigatory and record evidence to be admissible. The purpose of the Bill is to segregate the questions of criminal guilt in the proper disposition of a minor. Presently, both questions are considered at the same time. I believe it is fair, more fair to the minor that determination of whether he should be a ward of the court be made at a separate dispositional hearing. I know of no opposition to the Bill, and I would ask for an affirmative vote."

Speaker Greiman: "Gentleman moves for passage of House Bill 1323. Does anyone stand in opposition? Does anyone stand in opposition? 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. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', 6 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 Short Debate appears House Bill 1329. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1329, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Bond, Mr. Slape. House Bill 1328...1329, out of the record. On the Order of House Bills Third Reading Short Debate appears House Bill 1333. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1333, a Bill for an Act to amend Sections of the Court of Claims Act. Third Reading of the Bill."

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

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

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This Bill amends an Act relating to state finances and it provides that the Comptroller may pay certain outstanding liabilities after the three month lapse period and authorizes the Comptroller to adopt rules to implement the procedure. What it will do is simply expedite the payment for opening up unreported bills that after the three month period and it was given to me by the Comptroller's Office. I know of no opposition, and I'd be more than happy to answer any questions."

Speaker Greiman: "Gentleman moves for passage of House Bill 1333. Does anyone stand in opposition? The Gentleman from Cook, Mr. Bowman."

Bowman: "One question. Did the Gentleman say the Comptroller asked for this Bill?"

Speaker Greiman: "Gentleman has asked for question. Mr. Terzich. Turn Mr. Terzich on, would you?"

Terzich: "Yes, the Comptroller's Office."

Bowman: "Would you take this Bill out of the record? I think there is a little disagreement on the floor, here."

Terzich: "Well, that's what I've got in my message here."

Bowman: "Well, we have a representative of the Comptroller's Office here that seems to indicate otherwise."

Terzich: "Well, what it does is the Bill says we have the right to payment of small claims."

Bowman: "There is a representative of the Comptroller's Office on the floor that seems to indicate otherwise, and I think it might be a good idea to take the Bill out of the record."

Speaker Greiman: "Well, Mr. Terzich, what is your pleasure, Sir?"

Terzich: "No, I'll go with the Bill. I mean it's...well, what I...it's what it says and let it go up or let it go down."

Speaker Greiman: "Gentleman from Cook, Mr. Bowman, were you going to speak in opposition to the Bill?"

Bowman: "Well, Mr. Speaker, I would ask if there are others here

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who would like to see this Bill taken off Short Debate."

Speaker Greiman: "The Bill has been taken...Mr. Terzich, yes."

Terzich: "I'm sorry that I...it was brought to my attention it was the Attorney General's Office, and what it does, rather than having the Attorney General go and participate on the claims, what it will do is that they will present it to the Comptroller's Office. If the Comptroller doesn't pay it then it goes to the Court of Claims, and if the Court of Claims sees fit that the claim is eligible, they'll make payment. If they do not, then the Attorney General's Office would enter into the negotiaticn. They only pay claims on the basis that the goods and services were provided, the obligation was properly authorized, sufficient funds lapsed to pay the obligation, and the sole reason that the obligation was not paid by the agency was that the funds were lapsed. That's all the Bill does."

Speaker Greiman: "Now, there has been a request for the Bill to be removed from the Order of Short Debate. Do the Gentlemen requesting that still join in that request? There are sufficient number and the Bill will be taken off of the Order of Short Debate and we were on the Gentleman from Cook, Mr. Bowman."

Bowman: "Okay, well, thank you. Would the Gentleman respond to just one or two more questions?"

Terzich: "Sure."

Speaker Greiman: "Indicates that he will."

Bowman: "Okay, thank you. Representative Terzich, I...you indicate there is an Amendment on the...the Bill, and..."

Terzich: "Right."

Bowman: "All I have is the Bill in its original form. Would you...I'm sorry if you said this earlier, but would you please describe the Amendment?"

Terzich: "The Amendment adds a paragraph to the Court of Claims,

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authorize the Court of Claims to pay outstanding liabilities of state agencies which are not paid during the three month lapse period following the close of the fiscal year. In order for the court to authorize such payments, the obligating agency must, for each claim, certify to the court that the goods and services were provided, the obligation was properly authorized, sufficient funds lapsed to pay the obligation and the sole reason that the obligation was not paid by the agency was that the funds were lapsed. If deemed necessary, the court may set aside a hearing to determine the validity of the claim. In this instance, the Attorney General is to conduct an investigation and represent the state. In the event that the agency refuses to certify the obligation, the claimant may file a claim directly with the court."

Bowman: "Okay, now, Representative, have you had a chance to look at the Democratic staff analysis on the Eill?"

Terzich: "I just read it."

Bowman: "Well, but...no, no, no, the Democratic staff analysis under 'comments' where it says, 'Enactment of an indefinite lapse period expenditure authority may tend to negatively impact the legislative budget process now utilized by the General Assembly to review executive agency budget requests'. Did you read that part?"

Terzich: "Well, also the Amendment deletes the title and everything after the enacting clause."

Speaker Greiman: "Mr. Bowman, if you have a question, put the tc..."

Bowman: "I'd like for the Gentleman to comment on...on whether that is his view of this."

Terzich: "Said the Amendment, #1; deletes the title and everything after the enacting clause and adds a new paragraph for the Court of Claims."

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Bowman: "Well, the...Representative, then, to the Bill. I am still concerned about this and believe that what we are, in effect, doing here is enacting an indefinite lapse period expenditure authority. I mean right now we have situations where agencies will incur obligations that are not budgeted and then go to the Court of Claims and get the court to say yes, it was a legitimate expenditure and then wind up getting it adjudicated and then we have to pay for it through the Court of Claims when it wasn't in the budget in the first place. Representative Leverenz could, perhaps, better speak to that since the Court of Claims is in his Appropriations Committee, but I...I understand it is a problem and that is one reason why I'm concerned about this and would appreciate any comments you do have on the Democratic staff analysis."

Terzich: "Well, again, Representative, I said Amendment #1 deletes the title and everything after the enacting clause, that's exactly what I said."

Bowman: "Okay."

Speaker Greiman: "Well, Mr. Bowman, you asked that question before. I don't know if he answered to your satisfaction, probably not, then you began to speak on the Bill, and then you are asking questions again."

Bowman: "Apparently not...and I...I understand...no, no, no, at this point, it becomes a rhetorical question."

Speaker Greiman: "Rhetorical question, sorry."

Bowman: "...he did not respond earlier."

Speaker Greiman: "Alright, so...then, further discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Gentleman yield?"

Speaker Greiman: "Indicates he'll yield for a question."

Leverenz: "With the Amendment, what will then change, as the procedure is currently with the Court of Claims?"

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Terzich: "From what I understand, rather than going through the three different procedures, which would be the...the Comptroller's Office, the Court of Claims and the Attorney General's Office, that this would, the only time the Attorney General's Office would come into the investigation because of the fact that a lot of these claims are simply routine claims that are paid automatically that the Attorney General's Office has to continuously investigate and review, which there is...there is no necessity for them to do that. However, if the Court of Claims denies the claim or requests that the Attorney General's Office participate in the investigation, then they will review that. That's the only difference."

Leverenz: "Thank you. Mr. Speaker, to the Bill itself."

Speaker Greiman: "Proceed, Sir."

Leverenz: "In my opinion and the opinion of a few others, apparently, the lapse period spending is nothing more than departments of state government dumping money before it lapses and returns to the General Revenue Fund. This is a small way to get by the lapse period now, still have a vendor paid without waiting about a year until the Court of Claims Appropriation Bill comes in. That is kind of a punishment and as an agency of the state as a buyer and a seller, I believe that if we would be a little more frugal, if they would carry out their process completely, it would never end up being a lapse period spending procedure hardly in the first place, with rare exceptions. There is really no need for four or five million dollars...four or five million dollars going through the Court of Claims process. With this Bill, you may screw up further the accounting procedures because there is no real shut off and spending is never really over, therefore; you're giving, I think, the Comptroller a problem and being able to close the

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books. I would ask for the defeat of the Bill."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, the Court of Claims still said this creates a problem for them and I can assure you that it really fouls up the appropriation process and the auditing process. We have been trying for a long time to discourage people from buying...doing last minute lapse period spending because there is a tendency by the departments to get rid of their money if they've got any left. I think this further encourages this, but it also allows for double filing for the same claim, and I think that you are making a system that is cumbersome as it is, even worse, so I hope you will vote "no" on this."

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

Matijevich: "Well, I...I was in a position where I had talked to Ted Leverenz because of his Chairmanship of Appropriations Committee to oppose this because I was concerned about the unlimited lapse period. Then I talked to the Comptroller's Office and they had no problem with the Bill, and I was going to get up and say we'd remove our objections, but now, I understand that the Auditor General does have a problem with it, so I'm back where I started with, because as long as there is that problem with the Auditor General, who does have to do the auditing, I think it's a better responsible position to withhold our approval. I was going to help you, Eck, but because of that, now I can't."

Speaker Greiman: "Mr. Berrios. Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates that he will."

Ropp: "From a practical standpoint, I have a situation that deals with some ten years back where money is due a particular individual or business. Would this allow...how does this Bill affect a ten year old claim?"

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Terzich: "Representative, actually, this does not change it one iota. The only thing this Bill does, is it lets the Court of Claims investigate the claim. If they feel it meets the criteria in accordance with the guidelines that I said, that's all it does, they will pay the claim. If they feel there is something wrong with it, then the Attorney General will participate in the investigation of the claim. That's all the Bill does. Nothing more than that. It eliminates participation by the Attorney General's Office, unless the Court of Claims so requests it, because they can review the claim and pay it themselves. Does nothing other than that."

Speaker Greiman: "Further discussion? Mr. Keane, the Gentleman from Cook."

Keane: "Thank you, Mr. Speaker. There is a great deal of confusion on this Bill because the analyses, at least on this side of the aisle, were based on the Bill as...without the Amendment. The Amendment does what the Sponsor says, and I think that many of the people who have previously opposed the Bill were not aware of...of the Amendment. I talked to the Auditor General and he said that the...that his opposition was based on the Bill prior to the Amendment, and since the Amendment now becomes the Bill, his previous comments do not apply. If...now, possibly the best way to do this is, if you can take it out of the record for a few minutes, we could...everybody could contact and review the Bill...review the Amendment, and then we can come back to it."

Speaker Greiman: "There being no further discussion, Mr. Terzich to close or take it out of the record."

Terzich: "Well, I don't know how the hell I get into these positions, but to relieve everyone's anxieties, I won't take it out of the record. I mean, I've got these biggies

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here, I don't know. I'd like to take it out of the record so we can calm the opposition."

Speaker Greiman: "Out of the...the Bill will be out of the record. We'll just move back one Bill that we...that we skipped over to 1329, if there is no objection. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1329, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1329 amends the...Retailers' Occupation Tax Acts, and it revises the period of time during which the Department of Revenue may commence court action against a person who has now entered into bankruptcy court, and all it really does, is it changes the...it changes the...changes the law to say that, now they may apply the lien when the taxpayer is in federal bankruptcy proceeding nor until 90 days after the Department has received notification, and I'd ask for any questions."

Speaker Greiman: "Gentleman moves for passage of House Bill 1329. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Second Reading...I'm sorry, Third Reading Short Debate appears House Bill 1336. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1336, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

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

Pierce: "Mr. Speaker, this Bill really doesn't do all that much.

It provides a procedure where the taxpayer files suit on the Retailers' Occupation Tax assessment under the Administrative Review Law, and is unable to post an adequate bond sufficient to cover the assessment, that the court may enter a lien upon the complainants property in lieu of such bond, and that lien, of course, would secure the payment should the taxpayer lose the administrative review. Proof of...the proof of the bond cannot be secured, and the lien would be sufficient to secure the disputed tax assessment, would be required to the court's satisfaction. Attorney General apparently feels that this is necessary to further clarify the law, and I urge the passage of House Bill 1336."

Speaker Greiman: "The Gentleman from Lake moves for the passage of House Bill 1336. Does anyone stand in opposition? Being no one, 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 104 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate Calendar appears House Bill 1340. Mr. Flinn is...Mr. Flinn has been excused. Out of the record. On the Order of House Bills Third Reading Short Debate Calendar appears House Bill 1351. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1351, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Marion, Mr. Friedrich."

Friedrich: "This...Mr. Speaker and Members of the House, this

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Bill was initiated by the Supervisor of Assessments who say there are a number of cases where tax bills go out where it actually...processing the bill costs more than the tax return. We...the Bill, as originally introduced just said that when the county treasurer had a bill for less than \$10 he didn't have to send it out, but we found by that time a lot of the work had been done. So the Bill, as it's now amended, says that when a parcel of real estate is assessed at less than \$150, then there is no further action on it. \$150 at \$6 rate would be about a \$10 bill or...as far as tax is concerned. This will eliminate some paperwork which was nonproductive as far as raising revenue is concerned."

Speaker Greiman: "Gentleman from Marion moves for passage of House Bill 1351. Does anyone stand in opposition? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Representative Friedrich, I just wanted to establish, perhaps for legislative intent, make sure the Bill is constitutional. The Constitution gives the General Assembly the authority to levy property taxes uniformly by evaluation and it also gives the General Assembly the right to exempt from taxation certain classes of property."

Friedrich: "This would exempt real estate with an assessed valuation of less than \$150."

Cullerton: "Fine, thank you."

Speaker Greiman: "Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 102 voting 'aye', 2 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate Calendar appears House

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Bill 1356. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1356, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. Basically, 1356 increases the late payment charge to the municipalities in the IMRF fund from a half percent a month to one percent a month and that is the same as what we have in the other pension funds, and I don't believe there is any opposition to it, and there appeared no opposition in Committee as well."

Speaker Greiman: "Gentleman moves for passage of House Bill 1356. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1359. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1359, a Bill for an Act to amend the State Salary and Annuity Withholding Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1359 simply amends the State Salary and Annuity Withholding Act. It provides a system whereby state employees can purchase U. S. Savings Bonds and put that savings bond in somebody else's name. Savings bonds would still be delivered to the state employee, but it could be, for example, in the name of a child or a spouse."

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This is...this is now the practice of the Controller's Office who gave me the Bill. He simply wants statutory backing for a current and reasonable practice."

Speaker Greiman: "Gentleman moves for the passage of House Bill 1359. Does anyone stand in opposition? There being none, 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. Pierce, 'aye'. 110 voting 'aye', none voting (sic - 'no'), none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1370. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1370, a Bill for an Act to amend the Illinois Administrative Procedure Act. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Secretary of State was mandated by the Illinois Administrative Procedures Act to prescribe a uniform system for the codification of rules by July 1, 1980, and to establish a schedule which would convert all rules to the codification system by October 1, 1984. All rules on file with the Secretary of State and in effect on October 1, 1984, must be in compliance with the uniform system for codification of the rules. Now, what this Bill does is to say that if rules...the rules that have not been codified as of that date shall be determined to be void and shall be withdrawn by the Secretary of State from the permanent register of rules. It is a cleanup Bill. It is being sought by the Legislative Information System and the Secretary of State and the Joint Committee on

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Administrative Rules, and I now move for passage of House Bill 1370."

Speaker Greiman: "Gentleman from Cook moves for the passage of House Bill 1370. Does anyone stand in opposition? There being no one, 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 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1371. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1371, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker. I ask leave of the House to move House Bill 1371 back to the Order of Second Reading for purposes of an Amendment. It is agreed to by both sides. I discussed this with Representative Vinsco."

Speaker Greiman: "Gentleman moves for...to return the Bill to...to return House Bill 1371 to the Order of Second Reading for the purpose of an Amendment. Does Gentleman have leave? Leave is hereby granted. Are there any Amendments?"

Clerk Leone: "Floor Amendment #1, Bowman, amends House Bill 1371 on page 1 and so forth."

Speaker Greiman: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is an agreed Amendment among the LIS, the Joint Committee on Administrative Rules and the Secretary of State. It does three things. One; it...all agencies without rules on file as of the October 1st date,

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come under the Central Management Services Rules regarding procurement. Number two; the Secretary of State no longer has to certify annually to each of the agencies that their rules are on file. And number three; it repeals rules which merely report that an agency is following Central Management Services' policies and not having separate policies of their own. That's all the Amendment does. It is cleanup language and agreed to. I move to adopt."

Speaker Greiman: "Gentleman from Cook moves for the adoption of House...of Amendment #1 to House Bill 1371. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor, signify by saying 'aye'. Those opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman from Cook, with leave for the Bill to remain on Short Debate. Gentleman from Cook, Mr. Bowman, for what purpose do you rise?"

Bowman: "Well, now I ask to suspend the appropriate rules so we may take this Bill up and vote on it at this time."

Speaker Greiman: "Gentleman asks leave to suspend the appropriate rule so that House Bill 1371 may be heard immediately. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1371, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment is basically the Bill that is agreed to by the Central Management Services and the Joint Committee on Administrative Rules and Legislative Information System, and I now move for the passage of House Bill 1371."

Speaker Greiman: "Gentleman moves for passage of House Bill 1371."

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Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate Calendar appears House Bill 1381. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1381, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Fulton, Mr. Ewer."

Homer: "Mr. Speaker, Ladies and Gentlemen, I would ask leave to return this Bill to the Order of Second Reading for the purpose of an Amendment."

Speaker Greiman: "Gentleman asks leave to return the... House Bill 1381 to the Order of Second Reading for purpose of an Amendment. Does Gentleman have leave? Gentleman has leave. Leave is hereby granted. Are there any Amendments?"

Clerk Leone: "Amendment #1, Homer, amends House Bill 1381 on page 1 and so forth."

Speaker Greiman: "Gentleman from Fulton, Mr. Ewer."

Homer: "Yes, Amendment #1, Mr. Speaker, is the result of concerns expressed by certain members of the business community, specifically, the Illinois Retail Merchants Association, and it would serve as clarifying language to assure that the enhanced penalty provisions in the Bill would be limited to those instances where there was a specific intent to defraud shown. I would ask for the favorable consideration of Amendment #1."

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Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1381. Is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Homer: "Mr. Speaker."

Speaker Greiman: "Yes, Mr. Homer, the Gentleman from Fulton."

Homer: "Will request leave to leave this Bill on the Order of Short Debate."

Speaker Greiman: "The Gentleman... Yes. The Gentleman has...requests leave for the Bill to remain on Short Debate. On that, Third Reading."

Homer: "I will further move, Mr. Speaker, for the suspension of the appropriate rules so that we may have immediate consideration."

Speaker Greiman: "The Gentleman moves to suspend the appropriate rules for immediate consideration of House Bill 1381. Does the Gentleman have leave? Gentleman has leave. The leave is hereby granted. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1381, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This House Bill 1381 would amend the Consumer Fraud and Deceptive Business Practices Act in such a way as to provide that in lieu of the current penalty provision in the current Act of \$50,000 per person, to change that in instances where there is a specific showing of intentional fraudulent purpose to \$50,000 per violation. The reason for this Bill is in response to a situation that occurred

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in Illinois and throughout the country involving the International Gold Bouillon case, where extensive advertising was done on behalf of this so-called company, and during which consumers were asked to send in money in return for gold bouillon. Approximately one hundred million was sent in by the consumers during extensive investigations in a multi-state cooperation. It was found that the company had absconded with the entire amount. Obviously, in any prosecution under this, in the State of Illinois, where the maximum penalty is 50,000, would be woefully inadequate when dealing with a case such as this. And this Bill then would allow for appropriate remedy be sought by the Attorney General in a case such as the one referred to. And I would ask for your favorable consideration."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1381. Does anyone stand in opposition? There being no one, 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? Take the record. On this Bill there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1388. Representative Flinn. Out of the Record. On the Order of House Bills Third Reading Short Debate appears House Bill 1394. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1394, a Bill for an Act to amend an Act to regulate solicitation and collection of funds. Third Reading of the Bill."

Speaker Greiman: "The lady from DuPage, Mrs. Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. Currently,

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charitable organizations must file annual financial reports with the Attorney General. Charitable organizations with annual revenues of over 25,000 must also include an examination statement from a certified public accountant. Having a CPA examination can often cost between 700 and \$1,000, even for these relatively small organizations. I have introduced this Bill, specifically, for the Jaycees in Schaumburg which finds that the CPA expense represents a major cost to them. What House Bill 1394 does specifically, is to raise from 25,000 to 50,000 the amount a charitable organization can receive before having to include a CPA statement. This Bill does not change the requirement that charitable organizations must file financial reports with the Attorney General. Amendment #1, which became the Bill, removed the possible opposition of both the Attorney General and the CPA society. I ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook moves for the passage of House Bill 1394. Does anyone stand in opposition? Gentleman from Will, Mr. Van Duyne."

Van Duyne: "I have a... In a way, I'm sort of perplexed, because this was my Bill last year. And to my knowledge, I thought we had passed it, and it was already law. What difference is this from what I had last year?"

Wojcik: "I know not of your Bill last year. I was approached by my local Jaycees in Schaumburg this year, because of a perplexing problem they had, inasmuch as they did not have the money to financially pay the CPA for an audit."

Van Duyne: "Well, I'm going to vote for your Bill. Doing it twice is better than not doing it at all. But anyway, I'm almost sure I passed this same Bill last year, and it is already law. And I did it at the behest of my Joliet Noon Lions' Club. So I think its being a little bit

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repetitious, but nevertheless, I'll vote for it anyway."

Wojcik: "I thank you."

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. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 106 voting 'aye', 3 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1400. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1400, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Pierce: "Mr. Speaker, ladies and gentlemen of the House, House Bill 1400 attempts to correct an unfairness... that exists in the Illinois Income Tax Act, in that the interest received on a state municipal bonds are fully subject to tax as ordinary income, and yet, the expenses in acquiring those bonds are not deductible. The reason for that is, at the Federal level, of course, the interest is not taxable, and the expenses are not deductible. So when we tie in or couple into the federal law, we do not allow the expenses to be deducted under Illinois law. Even under the Illinois law, we add back in full the income from state municipal bonds as ordinary income. So, in fact, we end up taxing the gross and not the net income. This concept of House Bill 1400, which is supported by all the banking groups in the state, was passed by the General Assembly once before, two years ago. It passed the House of Representatives and the Senate. I think now most people are agreed it's a fair thing to do. You can't tax the income from a capital item and not allow people to deduct the expenses in connection

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therewith. I believe this would make state municipal bonds more attractive. In Illinois, would help us sell state municipal bonds. And I, therefore, ask for passage of House Bill 1400."

Speaker Greiman: "The Gentleman moves for a passage of House Bill 1400. Does anyone stand in opposition? Being no one, and the question is, 'Shall this Bill pass?'. All those in favors signify by voting 'aye', those opposed vote 'no'. Mrs. Currie, 'present'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', 1 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate Calendar appears House Bill 1413. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1413, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1413, in essence, says that if you murder your husband or your wife, you can't collect his pension. This was brought to me by the Police Pension Board. In fact, one person did kill his spouse and then filed for the pension afterward. This would prohibit that."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1413. Does anyone stand in opposition? Mr. Terzich, the Gentleman from Cook. I thought Mrs. McAuliffe fainted."

Terzich: "The Bill says it bars from receiving any benefits from the fund any person who is convicted of a felony involving the wrongful death of a police officer. Would this mean that if a wife of a police officer, such as your wife, was driving an automobile and happen to kill 'Officer Friendly' at an intersection because she was drunk and driving and so

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on, that person would be denied benefits because she killed a police officer?"

McAuliffe: "No, he has to be... has to be her spouse."

Terzich: "Well, I know. But I mean would that deny her of receiving any benefits because she killed a police officer?"

McAuliffe: "Well if I was the police officer, I would, yeah."

Terzich: "Also, this Bill would not exempt that person who got wiped out having to be Croatian, I think also which was a..."

McAuliffe: "Doesn't apply to Croatians."

Terzich: "But that wouldn't prevent that person, right now, from receiving that benefit, since this is after the fact, rather than before the fact, would it?"

McAuliffe: "Right."

Terzich: "It would not?"

McAuliffe: "No."

Terzich: "She would still get the money?"

McAuliffe: "We could amend the Bill to put firemen in it, too..."

Terzich: "Well, we don't have any recommendation on the Bill one way or another, anyhow."

Speaker Greiman: "Does anyone stand in opposition? 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? All voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1433. 1433. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1433, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. House Bill 1433 removes the distinction between counties which classify and those which do not classify property for the purpose of the general homestead exemption. The Bill deletes the restriction in the statute limiting the exemption to the lowest property classification in Cook County. Thus, the exemption would be available to larger apartment units privately owned, or certain kinds of apartment buildings owned and used by not for profit organizations, and would make it similar to the Bill as it's applicability to the downstate as it exist now. I'd be happy to answer any questions, and I'd ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1433. Does anyone stand in opposition? The Lady from Cook, Representative Pullen."

Pullen: "I have a question, please."

Speaker Greiman: "The Gentleman indicates he'll yield for a question, Ma'am."

Pullen: "Would the owner of the multiple family dwelling have to be a resident of that dwelling in order to qualify?"

Keane: "That's correct."

Pullen: "What about..."

Keane: "Excuse me, excuse me. There is an exemption in the Bill. This, my Bill, in no way affects the occupancy of the Bill. If you look at the original Bill the way it reads, it says, 'where it is occupied...residential property that is occupied by the owner... owner thereof, is his or their principal dwelling, or that is a leasehold interest on which a family resident is situated'. So, I don't change any of that. It doesn't in any way change the occupancy requirements of the Bill."

Pullen: "But this would make multiple family class residential

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property eligible, right?"

Keane: "Just as it is downstate today."

Pullen: "And because of the provision in the current law, the owner would have to live in it. That would be the case?"

Keane: "That's right. That's right, yeah. That... Whatever... whatever exists in occupancy today, stays that way. I'm not changing that at all."

Pullen: "What about the situation you mentioned, of certain not-for-profit charitable institutions owning multiple family dwellings?"

Keane: "That's the way the... That's the way the Bill... the law reads at the present time. It says, and that goes on, where it says, 'or that is a leasehold interest in which a single family resident is situated which is occupied as a residence by a person who has an ownership interest therein legal or equitable or as a lessee, and in which such person is liable for the payment of real estate taxes'."

Pullen: "That applies to charitable organizations?"

Keane: "Right. Yeah, they have a leasehold... they have the leasehold also."

Pullen: "But that's only single family, isn't it?"

Keane: "Well, if you look at what I did on the Bill, what I did was, I didn't add any... I did not add any language, rather we deleted the language that referred to classify where we... counties that classify real property. The only thing that... We didn't add any language. We deleted the language that said that where you classify, it was only class 2."

Pullen: "So that any owner occupied residential property would qualify or any leasehold residential property?"

Keane: "That's correct."

Pullen: "Thank you."

Speaker Greiman: "Does anyone stand in opposition? There being

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no one, 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 108 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1444. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1444, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

Wolf: "Thank you, Mr. Speaker and Members of the House. House Bill 1444 is an Amendment to the Judges' Retirement System, and simply provides that a participant of the Judges' Retirement System can receive service credit for any period that they might have served as an administrative director of the Circuit Court of Cook County. There are certain conditions attached to that, and one of which is that the maximum service that may be credited is six years. The member must have had at least six years of service as a Judge, and that service immediately preceding retirement. The last six years of service must be as a Judge and as a participant of the system. It also provides that the participant, of course, has to pay the difference between the contributions for such prior service and the contributions required of a participant. I simply ask for your favorable consideration."

Speaker Greiman: "The Gentleman from Madison moves for the passage of House Bill 1444. Does anyone stand in opposition? The Gentleman from Champaign, Mr. Johnson."

Johnson: "I thought the purpose of the judiciary to...Judges' Retirement System was to provide benefits for Judges for

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periods when they served as a Judge. Why do we need to extend it beyond the scope of what the retirement system is, number one? And number two; our analysis indicates that both the Judges' Retirement System and the Pension Laws Commission both were opposed to this Bill. Do they remain opposed?"

Wolf: "Is that a question, Representative?"

Johnson: "Yes."

Wolf: "Well, this is not a... this is not a precedent. I think you'll notice in the comments that the Judges' Retirement System contains provisions for the purchase or transfer of service credits for a State's Attorney, a Justice of the Peace, a Police Magistrate, a Magistrate of the Circuit Court and a Member of the General Assembly. So, adding this provision as the Administrative Director of the Circuit Court of Cook County, is not a first by any matter of mean."

Johnson: "Do the Judges' Retirement System and the Pension Laws Commission both still oppose the Bill?"

Wolf: "I don't have a comment from the Judges' Retirement System. The Pension Laws Commission took a position that they would oppose it, because of the nominal cost, and the cost is nominal. It's some 50,000 or less."

Johnson: "Does this apply to a lot of people, or do you have some specific names of people that this would apply to?"

Wolf: "I think that you'll find that probably the number of people that this Bill would apply to would be one or two at the most."

Johnson: "Who are they?"

Wolf: "I don't have those names, Sir."

Johnson: "Do you know of somebody who might have those names?"

Wolf: "Ah... I don't think it would be too difficult to get those names, possibly."

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Johnson: "Why don't you take... Will you take it out of the record until we know who they are?"

Wolf: "If the Speaker will give me an assurance that we will get back to this Bill, I'll be glad to do that."

Johnson: "No, no that's fine. Oh, I'm not the Speaker."

Speaker Greiman: "Well, Right. Thank you, Mr. Johnson. I appreciate your respect given the Chair. Well, we'll certainly try, Mr. Wolf, but I..."

Wolf: "Well, on that basis, Mr. Speaker, I can't..."

Speaker Greiman: "... We're going to be running on Short Debate here. And going, in other words..."

Wolf: "Mr. Speaker... Mr. Speaker, on that basis, I can say that one of those individuals is Judge C'Connell. Representative Johnson."

Johnson: "Yeah, yes. Yes, Sir."

Wolf: "I indicated that one of those individuals was Judge O'Connell, from Cook County."

Speaker Greiman: "So, Mr. Wolf, would you like to proceed?"

Wolf: "Proceed, Sir."

Speaker Greiman: "Alright. Does anyone stand in opposition? The Lady from Kane, Mrs. Zwick."

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

Speaker Greiman: "Indicates that he will."

Zwick: "If someone is serving as a Judge on a continuous basis, how long do they have to serve in order to qualify for the Judges' Pension System?"

Wolf: "They must have at least six years in the system itself."

Zwick: "So someone who has served six years is already in the Judiciary Pension System, right?"

Wolf: "Correct."

Zwick: "So, what you are doing is giving them credit as a Judge, when they are serving in a different capacity."

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Wolf: "As an administrative director, yes."

Zwick: "Do any other members of the judicial system get included in the Judges' Pension System?"

Wolf: "Would you repeat that, please?"

Zwick: "Do any other non Judge members of the court system?"

Wolf: "Well, yes. The State's Attorneys do, Justices of the Peace."

Zwick: "I don't believe the State's Attorneys are in the Judicial Pension System."

Wolf: "They can receive service credit, which is what we're talking about here, if they become a Judge."

Zwick: "Oh, I... I think the State's Attorneys only qualify if they then go on to become a Judge, is that correct?"

Wolf: "That's correct."

Zwick: "But if they're only a State's Attorney, they do not get into the Judicial Pension System."

Wolf: "No ma'am."

Zwick: "So, it certainly sounds as though you're setting a new precedent."

Wolf: "No, not at all. I..."

Zwick: "Well, who else then would be included in the Judicial Pension System that's not a Judge?"

Wolf: "Well, they would have to be a Judge to get into the Judges' Retirement System. That... that is a number one. Without that, they couldn't get in. They couldn't possibly get in. We're simply saying that, once they become a Judge and become a participant in the system, that any term that they served as administrative director of the Circuit Court of Cook County, could be counted up to a maximum period of six years. And that is a pretty hat you've got on."

Zwick: "Thank you. I thought it might help. Okay, under this precedent then, we could for example say, it appears to me that other members, other people aside from, for example,

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Legislators, could participate in the same pension system that we participate in."

Wolf: "The General Assembly is already in the provision, that could transfer..."

Zwick: "Yeah, we have pretty generous provisions, from my experience. Okay, it... And the estimated cost of this, you said it was just for two people at the present time?"

Wolf: "Right."

Zwick: "And the estimated cost will be about how much?"

Wolf: "Maximum of \$50,000."

Zwick: "Well, if I may address the Bill for just a moment. It sounds to me like this is the most special of special interest legislation that comes before this Body. I don't think that it's a good idea to go off on this kind of tangent, particularly when we're dealing with pension systems, at a time when the State is on very, very short money, and we seem to be borrowing from the pension funds unendingly. I would urge the Members of this House to oppose this Bill, particularly at this time, if we can't at least find out who these members are. And I would just urge you to join me and vote 'no' on this particular Bill."

Speaker Greiman: "Does anyone stand in oppo... Well, we've... She does... Someone has stood in opposition, apparently. The Gentleman from Madison to close."

Wolf: "Thank you, Mr. Speaker, Members of the House. As I've indicated before, there is plenty of precedent for this Bill. And for Representative Johnson's information, the other name is Judge 'Bancroft'. As I've indicated, there's plenty of precedent for this. Police Magistrates, Justice for the Peace, State's Attorneys and even Members of the General Assembly, have already been given the privilege of transferring credit, service credit into the Judges' Retirement System, provided that they become a Judge and

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provided they become a participant of the system. I don't see anything wrong with this Bill. I simply ask for your favorable consideration."

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 60 voting 'aye', 46 voting 'no', 3 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading Short Debate appears House Bill 1463. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1463, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

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

Pierce: "Mr. Speaker, ladies and Gentlemen of the House, this Bill was suggested by the assessors throughout the state to add another reason for a sale in error. A sale in error is where the county clerk or Circuit Court finds that there's been a tax sale to a tax buyer that should not have taken place due to a double assessment or the fact the legal description was wrong, where the taxes were paid but applied to the wrong property. This adds one more reason, and that is, if the assessor, or the supervisor of assessments, or the Board of Review, or in Cook County, the Board of Appeals made a clerical error in their assessment of a property's value. You know, everyone is using computers now. There are often computer errors. And sometimes the computer will indicate that property was not paid, taxes were not paid, and they were paid and so on. And this will allow, if that happens, for the Clerk to declare a sale in error. The tax buyer gets his money

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back, but the tax owner doesn't have the sale against his property. I don't believe its controversial, and I urge the passage of House Bill 1463."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 1463. Does anyone stand in opposition? There being no one, and 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? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Ecuse Bills Third Reading Short Debate appears House Bill 1467. Read the Bill."

Clerk Leone: "House Bill 1467, a Bill for an Act to amend an Act creating the Illinois Department of Veterans' Affairs. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1467 assures that any monies generated through leases at the Illincis Veterans' Homes, stay in the Veterans' Home Funds. The reason for this Bill is, is as many of you are aware, we're being forced to cut, in General Revenue Funds, allocations for Veterans' Affairs in many areas. This will simply assure that monies generated at the homes, by the homes through leases will stay in the Veterans' Home Funds for improvements or operations of the home. I know of no opposition to this measure, and I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1467. Does anyone stand in opposition? There being no one, 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? Mr.

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Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1470. The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. House Bill 1470, sponsored by Representative Cullerton and myself, would create the Illinois Non-Game Wildlife Protection Act. It creates a fund whereby you can designate as much as \$10.00 from your income tax refund to pay into a special fund in the state treasury for the purpose of propagating non-game wildlife. Non-game wildlife is that wildlife which is not pursued for sport or for profit currently in the State of Illinois. It is an attempt to revitalize our ecological environment. It is supported by the Illinois Wildlife Federation, and I would be willing to answer any questions and urgently solicit your 'aye' vote for this ecologically sound measure."

Clerk Leone: "House Bill 1470, a Bill for an Act to provide for funding for protection of non-game wildlife by providing for an income tax checkoff. Third Reading of the Bill,"

Speaker Greiman: "The Gentleman moves for the passage of House Bill 1470. Does anyone stand in opposition? The Gentleman from Macon, Mr. Dunn."

Dunn: "The Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Dunn: "Does this Bill amend the Illinois Income Tax Act?"

Vinson: "Well, I haven't looked at it closely, but I would assume it must to...it must, if it deals with the refund."

Dunn: "The Governor told me to ask you if you'd accept an Amendment."

Vinson: "Not without a lot of discussions first."

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Speaker Greiman: "Does anyone stand in opposition? There being no one, 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 102 voting 'aye', 8 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading Short Debate appears House Bill 1483. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1483, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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

Pierce: "Mr. Speaker, this Bill is a product of the Illinois Motor Vehicles Law Commission. Apparently, there has been a problem on liability policies of for-rent motor vehicles where the renter disappears and doesn't have any insurance, and... or that even worse than that, the person that rents a car has a questionable to phony accident and then he disappears. This would provide that the final judgement would go against the owner. And therefore, the owner has to be a party to any legal action for negligence or damage which...which comes against the renter of the car. The owner would have to be notified, his insurance company would have to be notified, and he could go in and defend the action against phony claims that the lessee does not defend. I believe it's a good Bill. I believe it'll cut... it'll really cut insurance rates and insurance premiums for for-rent vehicles by cutting out some phony claims that the renters have agreed to, have agreed to without notifying the owner. And therefore, I support House Bill 1483."

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

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Bill 1483. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed... those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 109 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1486. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1486, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

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

McMaster: "Thank you, Mr. Speaker. But I think if you'll look at page 1, you'll find that Bill is listed for a Special Order of Business on Wednesday."

Speaker Greiman: "Cut of the record, thank you. Cut of the record. On the Order of House Bills Third Reading Short Debate appears House Bill 1490. Read the Bill."

Clerk Leone: "House Bill 1490, a Bill for an Act to amend an Act relating to noninstitutional health care services. Third Reading of the Bill."

Speaker Greiman: "That Bill also is on Special Order. Mr. Preston, you didn't want to go ahead with that, did you? So we'll take it out of the record. On the Order of House Bills... House Bills Third Reading Short Debate appears House Bill 1492. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1492, a Bill for an Act to amend the Illinois Nursing Act. Third Reading of the Bill."

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

McMaster: "Thank you, Mr. Speaker. Pardon me. House Bill 1492 amends the Nurses Practice Act by requiring the Department of Registration and Education to require or approve schools

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of practical nursing to include a course in pharmacology as part of the required education program. I would like to point out that in many cases in our downstate hospitals, the small ones and nursing homes, the licensed practical nurse, as the LPNs, one of their duties is passing medication. And what we are doing with this Bill is requiring those schools that teach the LPNs their courses, requiring them to include a course of pharmacology, because that is one of the requirements that you must meet if you're going to pass medication. I know of no opposition to this Bill."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1492. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill there are 106 voting 'aye', none voting 'nay', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1495. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1495, a Bill for an Act to amend the Dangerous Drugs Abuse Act. Third Reading of the Bill."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1495 is an Amendment to the Dangerous Drug Abuse Act. The Bill as amended is designed to close a loophole in the law which allows a person charged with a crime to be repeatedly admitted to a drug treatment program. One county, Peoria County, was allowing persons to avail themselves of this loophole. And persons charged with felonies were being allowed, as repeat offenders, to elect

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to take advantage of the option for supervised drug treatment. House Bill 1495 as amended would prohibit a drug addict charged with a crime that is a Class 2 or greater felony and has been previously admitted to a drug treatment program, to be again eligible for such program. There is no opposition to the Bill as amended. And I would appreciate your support."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1495. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', 1 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1498. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1498, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker Greiman: "Lady from Cook, Mrs. Topinka."

Topinka: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1498 amends the Medical Practice Act, and would require that any physician who dispenses a drug for the treatment of cancer, which has not been approved for that purpose by an appropriate governmental agency, must disclose that fact to the person being treated and must notify the Department of Registration and Education of his or her use of such a drug to treat cancer. It's an attempt to get at cancer quackery. It is... the proponents include the Department of Public Health and the Illinois State Medical Society, who did draft the Bill."

Speaker Greiman: "The Lady had moved for passage of House Bill

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1498. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?'. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. When Mrs. Topinka speaks, I would appreciate if the Republican staff would move out, move away or down or away some place. So... Yes. Thank you very much. Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1501. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1501, a Bill for an Act to amend an Act in relationship to state finance. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1501 is from the State Employees' Retirement System. And the Bill clarifies an existing recovery procedure between the State Comptroller's Office and the Retirement System. Currently, when an individual leaves state service and requests a refund of their contributions in the State Retirement System, the number and the amount of these transactions are small. The Retirement System never collects more than \$500 per year. The Comptroller's Office, which processed these recoveries, is in support of this Bill, and I would urge your support."

Speaker Greiman: "The Gentleman has moved for the passage of House Bill 1501. Does anyone stand in opposition? There being no one, 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

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this Bill there are 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1502. Read the Bill."

Clerk Leone: "House Bill 1502, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, in early March, the Department of Public Aid implemented their mid-year budget cuts. However, they did not notify the providers that they were making these cuts, and as it turned out, the providers continued to provide service to public aid recipients. And as it turned out for eight days, the pharmacists and the dentists lost money as a result of not being properly notified by the Public Aid Department. This Bill is designed to reimburse back to the Medical Society... to the pharmacists and to the dentists about \$50,000,000, as you were... \$50,000."

Speaker Greiman: "The Gentleman has moved for passage of House Bill 1502. Does anyone stand in opposition? 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. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed, and on the Order of House Bills Third Reading Short Debate appears House Bill 1503. Read the Bill."

Clerk Leone: "House Bill 1503, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

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White: "Mr. Speaker and Ladies and Gentlemen of the House, presently a school district is allowed three waivers of physical education. And... In the beginning there was opposition by the State Board of Education to this Bill that would put a stop to allowing not more than... I mean, I went a little ahead of myself. Right now, a school district may waive physical education not more than three years. And if they go beyond that period, they will be placed on probation. And that's all this Bill does, it places a school district on probation for not providing the mandated program of physical education."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1503. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill there are 87 voting 'aye', 17 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1504. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1504, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, this is one of the Bills that is endorsed by the Pension Laws Commission. It's a simple measure. All it does is, that after the retired teacher... When a retired teacher receives his pension, he can allocate a part of that pension to his wife. And if by chance she precedes him in death, he can now, with this Bill, recover those dollars that were going... that had been allocated to her. Again,

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this Bill is supported by the Pension Laws Commission."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1504. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill there are 105 voting 'aye', 3 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1505. Mr. Clerk, read the Bill."

Clerk Lecne: "House Bill 1505, a Bill for an Act to amend an Act concerning the Director of Mental Health and Developmental Disabilities. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 1505 allows the Association for Individual Development, to which the Department of Mental Health and Developmental Disabilities had previously conveyed some property in the Elgin area, to allow the Association to sell part of that land on the conditions that the proceeds are to be used for purposes authorized by the Association's by-laws. The Association for Individual Development is a not-for-profit agency primarily serving mentally retarded children and adults in Kane and Cook... and Kendall Counties. I'd be happy to answer any questions on the Bill and ask for a favorable Roll Call."

Speaker Greiman: "Gentleman moves for the passage of House Bill 1505. Does anyone stand in opposition? Gentleman from Champaign, Mr. Johnson."

Johnson: "I wonder if the Sponsor could respond to a brief inquiry as to why the Department of Mental Health and

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Developmental Disabilities and also the Department of Central Management Services both oppose the Bill."

Speaker Greiman: "Indicates that he will. Mr. Keane."

Keane: "My understanding is that they had a value on the property at the time it was... At the time we passed it... We passed the Bill in 1981 to transfer the property to AID, and like everything else, in the interim, the cost of the... the value of the property has gone up. And my understanding - and I stand... I can be corrected on this - my understanding is, is that the Department wants to take back the increase in the cost of the property. So, basically, what we're asking... what they're asking for is... is an increase... Mr. Speaker, I think there's a tendency to want this off Short Debate. I wouldn't mind..."

Speaker Greiman: "Well, the Sponsor is asking..."

Keane: "I have no problems with it if.. if it's the wish of the Body."

Speaker Greiman: "Well, why don't we... Are you through with your question, Mr. Johnson?"

Johnson: "I am. I do think probably there are others who want to address the Bill; and, for that reason and no disrespect to the Sponsor, I'd request that the appropriate number of people join me in taking it off Short Debate."

Speaker Greiman: "Well, it appears that there are the appropriate number joining with Mr. Johnson in that request. It's on full debate. And on that, the Gentleman from Cook, Mr. Leverenz."

Leverenz: "Will one of the two Sponsors yield?"

Keane: "Yes."

Speaker Greiman: "Indicates that Mr. Keane will yield."

Leverenz: "When did we convey... When did the state convey the property to the Association for Individual Development? Do you know?"

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Keane: "In 19... We started it in 1979, and the conveyance was...
the transfer was complete in 1981."

Leverenz: "So, in 1981, we gave them how many acres?"

Keane: "You've got me."

Leverenz: "Eighteen."

Keane: "I think maybe Representative Kirkland has that
information. Yeah, eighteen..."

Speaker Greiman: "He yields to the Gentleman from Kane, Mr.
Kirkland."

Kirkland: "Correct. Eighteen."

Leverenz: "And for the 18 acres, what did they acquire the
property for?"

Kirkland: "Forty-three thousand six hundred dollars."

Leverenz: "And what is the purpose that we are allowing them now
to convey it again?"

Kirkland: "Okay. AIDS does not need the full 18 acres. The City
of Elgin and the RTA came to AIDS and said, 'We need a spot
for a bus garage, a maintenance garage,' and wondered
whether part of their property might be available. AIDS...
Okay? AIDS, in turn, wants to build a facility themselves,
can use some money to build the facility and would
rather... and can sell some of the land, do not need all of
the land."

Leverenz: "Is there any restrictions in the deed that they have,
or do they just come back to the General Assembly for that
approval?"

Kirkland: "Does whc come back to the General Assembly for what
approval?"

Leverenz: "Well, Asscciation for Individual Development."

Kirkland: "No. As I understand it, there are no more
restrictions than are... than are in the Bill, which
indicates that the money must be spent for the purposes...
for purposes that would be in the by-laws of the

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Association."

Leverenz: "What was the use of the property prior to AIDs' receiving it?"

Kirkland: "That I don't know."

Leverenz: "Was it not part of the Elgin Mental Health Facility?"

Kirkland: "It may have been. It's right across the street. In fact, I think that's probably right."

Leverenz: "Now, we are going to convey, or allow AIDs to convey, all 18 or what part of the acreage..."

Kirkland: "Six acres."

Leverenz: "... to the RTA."

Kirkland: "Six acres."

Leverenz: "And the property was appraised for how much?"

Kirkland: "That I'm not sure, but I think there's a figure of 202,000 dollars. And I think... I think that figure applies to the 18 acres."

Leverenz: "And what will AIDs receive from the RTA, which is almost a capsized ship, dollar and cent wise? What will the RTA give to AIDs to acquire the six acres?"

Kirkland: "According to the Bill, they can... RTA can pay up to the fair market value, and I think that's what would occur. And it would be around 46 - 50,000 dollars. Does that sound right? No. A third of 66,000?"

Leverenz: "It would be nearer to 70,000 dollars."

Kirkland: "Alright, 70,000. A third."

Leverenz: "So, we... Is it true then that your intent is to help out the RTA and help AIDs acquire 70,000 dollars for property which they purchased for 43? Double their money since '81?"

Kirkland: "That's correct. AIDs needs money to build a facility. So this sale will help them. The City of Elgin and the RTA need a site to build a bus facility. They had another site. The City of Elgin has better use for another site

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and so went hunting for a new site, and this is the one they came up with."

Leverenz: "Adjacent to the six acres that the RTA intends to build a bus garage on, are there... is that residential?"

Kirkland: "No. The... To the south is a firing range for the State Police, and to the north, I believe, is the Secretary of State's... I'm sorry, the... yeah, the Secretary of State's Driver License Facility. I believe that's to the north."

Leverenz: "Why could we not then give the RTA six acres adjacent to this 18 for about 1,800 or 2,000 dollars an acre, rather than enrich this private, not-for-profit organization?"

Kirkland: "That's a suggestion. Well, you mean, rather than having given it to AIDS in the first place or now?"

Leverenz: "Well, we're going to cause the RTA to pay 70,000 dollars for this."

Kirkland: "Okay."

Leverenz: "The RTA is going to come to the General Assembly for 70,000 dollars, presumably. Do you agree?"

Kirkland: "I understand what you're getting at."

Leverenz: "We could just donate the property to begin with. Mr. Speaker."

Speaker Greiman: "Yes."

Leverenz: "To the Bill."

Speaker Greiman: "On the Bill."

Leverenz: "It sounds like a simple conveyance. I don't know that there have been or should be any appraisals to the property attached here to the file, so to speak, but it appears, certainly, that an organization acquired property in '81 from the Department of Mental Health and the state for about 1800 or 2000 dollars an acre. It is now going to turn around and sell that acreage to the RTA for some approximate 70,000 dollars to build a bus garage out there,

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which is a little more than just a simple conveyance of property, or allowing it. I don't know how the people feel in that area, but in Westchester they thought about building a bus garage also. And I just thought it might be better if we had a little public hearing on that transaction. Thank you."

Speaker Greiman: "Gentleman from Hardin, Mr. Winchester."

Winchester: "Would the Gentleman yield?"

Speaker Greiman: "Indicates he will."

Winchester: "Could you tell me why the Department of Central Management and the Department of Mental Health are opposed to this piece of legislation?"

Kirkland: "Let's see. There were... As I understand it, there were two... mainly two things. I think, mainly, that the Bill wasn't tight enough, in terms of the intent of AIDs to use the property to build a building. In other words, there's no restriction in the Bill that says AIDs couldn't sell that property, I suppose, if that's allowed... sell more property, if that's allowed in the by-laws. Okay? And the by-laws don't strictly set out that this money would be used for building a facility... for AIDs to build a facility, although that is what they intend to use the money for or indicate they intend to use the money for."

Winchester: "Alright. Thank you."

Speaker Greiman: "Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "Indicates that he will."

Friedrich: "Did you say that the AIDs paid 43,000 for the total 18 acres in the beginning?"

Kirkland: "That's right. It was under a bid process."

Friedrich: "Well, I think this... To the Bill, Mr. Speaker. I think this is another..."

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Speaker Greiman: "Proceed."

Friedrich: "... case of the state getting ripped off, and we're doing it every year around here. In 1981, the state got 43,000 for 18 acres. Now the recipient, which is not part of State Government, is getting 70,000 dollars for six acres. Now, there's something wrong with the way we're doing business, and we've done this in several cases. But now we're dealing with a private organization, with state property, and we're getting ripped off. Obviously, if six acres is worth 70,000 dollars, we got a bum deal on the 18 acres. So, I suppose that the original deal said that it would revert to the state if they ceased to use it for the purpose for which it was conveyed, but now we're changing the rules in the middle of the game saying, 'Well, you've got it. Now you can turn around and sell it and make a profit on it.' I have no problem with the activity that AIDS is engaged in, but this is not the business of State Government."

Speaker Greiman: "There being no further discussion, Mr. Keane to close."

Keane: "Thank you, Mr. Speaker. I'd just like to clarify what occurred here. The state, in its infinite wisdom, sold this property to an agency, a not-for-profit agency, that is engaged in taking care of mentally retarded children and adults. In other words, AIDS is doing state work. These people, if they don't attend a private institution such as that that is provided by AIDS, become wards of the state. So, in the process, the state conveyed to AIDS a plot of land. They were in the process of getting money together to build a building on that land to treat mentally retarded citizens of the State of Illinois. In the process of doing that, they were approached by the BIA who said, 'We would like to buy a piece of your land for a bus terminal', or

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whatever kind of terminal it is. The fair market property value of that is roughly around 7,000 an acre, and they wanted six acres. AIDs felt this is a great way to increase, to speed up the construction of their facility. They're going to build a facility, and the faster they do that the faster they'll be able to reduce the cost to the state for mentally... handling mentally retarded children and adults. So, what you have is... it's a case that we have a situation where it's to the benefit of the state in the long run to assist this organization, which is in a not-for-profit, state-related business. I don't see what's so difficult about it. We've often given grants in... far in excess of this to other agencies, in fact even not to for-profit groups. I think we're in the state's business. Some might say, "Well, it would be better for us to take the money back, to put it in the General Revenue and to, again, award it to AIDs." I think that we can speed up the process if we pass the Bill and let AIDs get on with their construction. Thank you."

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 68 voting 'aye', 37 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading, Short Debate appears House Bill 1509. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1509, a Bill for an Act to repeal certain Acts concerning laetrile. Third Reading of the Bill."

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

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

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Bill 1509 seeks to repeal two Acts that permit the use of chymopapain and laetrile. Chymopapain, for those of you who may not be aware, is a drug that's used to control back pain from slipped disks, and it's made from a chemical derived from papaya plant. And the reason the Act is being repealed is, because the Act as is presently constituted, actually acts as an hindrance to its use. Chymopapain, I should mention, too, was FDA approved just this past fall. And by repealing the Act on chymopapain, we are acting to make it easier to be used in the State of Illinois. We're also seeking in House Bill 1509 to repeal the Act that was passed over a gubernatorial veto in 1977 that related to laetrile. And after we did override the gubernatorial veto, the USIA reevaluated laetrile. They did tests on laetrile, and they came to the conclusion that it was not effective. And so it's our feeling that this may hinder cancer patients to avoid more effective, more conventional treatment. And in terms of some of the statements made on earlier Bills before the House today, and in terms of the cancer quackery series, it's an opportunity for those people who would seek to use pe... cancer patients for their own gainful purposes, to do so. So that's what House Bill 1509 would do with relation to chymopapain and laetrile, and I would appreciate the support of the House on House Bill 1509."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1509. Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1525. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1525, a Bill for an Act to prohibit harassment of hunters, trappers and fishermen. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, would you have a... one Amendment to the Bill?"

Speaker Greiman: "Oh, I'm sorry. The Gentleman asks leave to return the Bill to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Leave is hereby granted. Mr. Clerk, are there any Amendments?"

Hicks: "I've got the... I got the Amendment. It was turned in. Don't have it."

Speaker Greiman: "Have the Amendments been filed, Mr. Hicks?"

Hicks: "I believe they were, Sir. ...Fine, we can go ahead without the Amendment. That's alright."

Speaker Greiman: "Alright. Third Reading."

Hicks: "It's just the one Amendment, Mr. Speaker. Alright, fine. It's already been adopted, I've been informed."

Speaker Greiman: "No, that's alright. You can proceed on Third Reading, Mr. Hicks, if you want to."

Hicks: "Yes, Sir, I would like to."

Speaker Greiman: "Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1525, a Bill for an Act to prohibit harassment of hunters, trappers, and fishermen. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker, House Bill 1525 is the harassment of hunters Bill. What this Bill actually does, it provides for penalties being imposed upon anyone who knowingly would

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interfere with the hunting of wild game, fishing or anything like that. That's all the Bill does. It's a very simple Bill from what the problem arose out of some areas in the state, whereby people were picketing game preserves and that type of thing and did not want to leave when they were told to by the law enforcement officer. This Bill simply provides penalties in case that they do not leave and knowingly do so."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 1525. Does anyone stand in opposition? The Gentleman from Cook, Mr. Bowman."

Bowman: "Question of the Sponsor."

Speaker Greiman: "Indicates he'll yield for a question."

Bowman: "Would this legislation apply in cases where endangered species were involved?"

Hicks: "This Bill simply provides for areas whereby you have a licensed hunter or a licensed fishermen. I don't believe we have any license provided for hunting of game that is..."

Bowman: "Well, no, but I mean, I believe the license simply gives you license to hunt, it doesn't give you a license to hunt particular species. So, I conclude from your answer that conceivably the Bill would apply in cases where endangered species were involved."

Hicks: "No. No. It's simply authorized by the Illinois Game and Wildlife."

Bowman: "I'm not persuaded, Representative, Thank you."

Hicks: "A license does not authorize you to hunt any type of game that would be endangered species."

Bowman: "So that if someone were to picket or harass or whatever you want to call it in your legislation, an individual who is hunting or trapping or otherwise taking an endangered species, then your Bill would not apply. There would be no

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penalties assessed against such individuals?"

Hicks: "That's... that would be correct."

Bowman: "I... Thank you."

Speaker Greiman: "The Lady from Cook, Mrs. Braun."

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

Speaker Greiman: "Indicates that he will."

Braun: "Representative Hicks, if... Would this Bill..."

Speaker Greiman: "Please give the Lady some attention."

Braun: "... Representative, if someone were trying to stop, for example, the bludgeoning of baby seals, they will be guilty of a crime under this Act, is that correct?"

Hicks: "I suppose that would be correct, if we had any baby seals in Illinois."

Braun: "Well, how about Bambi, I mean if you're trying to save Bambi, you could go to jail under this Act, right? Thank you, no further questions."

Speaker Greiman: "The Lady from Sangamon, Mrs. Oblinger."

Oblinger: "Thank you, Mr. Speaker. May I ask the Sponsor a question?"

Speaker Greiman: "Indicates he'll yield for a question."

Oblinger: "Representative Hicks, does this apply to posted land?"

Hicks: "The Bill as it's been explain, I do not believe would interfere. Let's say you had a no trespassing signs upon your property, and you were telling people they could not hunt on your property, then they would be in violation if they came on to your property. You would not be in a predicament of being able to be prosecuted by this Bill, no, you being the landlord."

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

Vinson: "I stand in support of the Gentleman's Bill, Mr. Speaker. It's good Bill. It protects lawful hunting."

Speaker Greiman: "It's on Short Debate, it's not necessary."

Vinson: "I beg your pardon?"

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Speaker Greiman: "It's on Short Debate, it's not necessary."

Vinson: "Well, it's still a good Bill even though it's on Short Debate."

Speaker Greiman: "Good, thank you. Gentleman from Cook, Mr. McAuliffe. Gentleman from Cook, Mr. Marzuki."

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

Speaker Greiman: "Indicates that he will."

Marzuki: "Is this restricted to game preserves, Sir? I mean, not game preserves, but game hunting farms?"

Hicks: "No, Sir, it's not restricted just for that, no."

Speaker Greiman: "There being no further... There being no... Mr. Preston, the Gentleman from Cook."

Preston: "Well, Mr. Speaker, I'd like to be joined by some of my colleagues to take this off Short Debate, because I think it... Is it off Short Debate now? Well then, Mr. Speaker, I'd like to just rise in opposition to this Bill. I think everybody should realize what this Bill is doing. It's making it a crime, a misdemeanor, for somebody well intentioned, but wrongfully, saying...stopping someone or interfering with someone from taking, shooting wild game. Now you can do that by mistake, you can do it without knowing that there is a law that says this person can do it, but that still means you're doing it intentionally under the law and you've committed a crime. And what's your crime been? Your crime has been interfering with somebody who's armed with a weapon shooting an animal, a rabbit that's not armed, and that's a crime. That doesn't make any sense. This is a terrible Bill. This is contrary to the direction society should be moving. It's one thing to make the mistake and do it without authorization, but to be committing a crime to be able to be convicted makes absolutely no sense whatsoever. I'm voting 'no'. This is crazy."

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Speaker Greiman: "Mr. Vinson, I did cut you off, and we seem to be in the latter land of Short Debate. If you want to say a word a two, I would certainly give you that privilege. I didn't mean to cut you off, since others have spoken. Probably you'll pass it. So the Lady from Marshall, Mrs. Koehler."

Koehler: "Thank you very much, Mr. Speaker. And I would like to address my remarks to the Representative who just finished speaking. After those remarks, I'm sure he will be even more unwelcome in Cairo County. But I wanted to address myself to his comment. And Amendment #1 on Representative Hicks' Bill will take care of the problem. It does insert the word 'knowingly' which has the effect of requiring the establishing of intent, so they would have to intentionally violate this provision. Furthermore, the Bill itself talks about interfering with the lawful taking of a wild animal by another with the intent to prevent the taking of that animal. What this does, essentially, is to require that people not interfere with the lawful hunting of a hunter who is acting well within the constraints of the law. It is a good piece of legislation. The Department of Conservation has advocated it as do many wildlife and hunting groups. Thank you very much."

Speaker Greiman: "There being no further debate, the Gentleman from Jefferson, Mr. Hicks, to close."

Hicks: "Yes, Mr. Speaker, to just to further reiterate with Representative Preston the fact that the Amendment #1 did take care of knowingly... You have to knowingly try to obstruct the hunting of any wild type of game. So, I think that takes care of any problems that Representative Preston should have with this Bill. Secondly, I feel like it is a good Bill. It's a piece of legislation that particularly may not be a big problem to the state right now, but I

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think it could become a problem in the very near future. I would ask for a 'yes' vote on this."

Speaker Greiman: "The question is, 'Shall this Bill passed?'. 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 81 voting 'aye', 21 voting 'no', 9 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. We're now going to, with the agreement of the leadership on both sides, we're moving to the Order of Third Reading on page 25 of the Calendar, House Bill 1325. I'm sorry, 1345. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1345, a Bill for an Act to amend Sections of an Act concerning public utilities. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Krska. Mr. Krska, please. Go ahead."

Krska: "Mr. Speaker, I have to have... I'd like to have leave to bring 1345 back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Gentleman asks leave for... to return the... House Bill 1345 to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Gentleman have leave, and the Bill is now on Second Reading. Mr. Clerk, are there any Floor Amendments?"

Clerk O'Brien: "Amendment #4, Krska."

Speaker Greiman: "Mr. Krska."

Krska: "Amendment #4 replaces Amendment #3 which is technically incorrect. It has the same intent as Amendment #3 which is to preserve the provisions of Illinois Commerce Commission Rule #11. The portion relating to the renegotiations in Rule 13(b), adopted pursuant to the Illinois Commerce Order

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81-0657, dated October 20, 1982, as amended."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #4 to House Bill 1345. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Alright. Now moving on Third Reading on Short Debate, page 9 of the Calendar House Bill 886. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 886, a Bill for an Act to amend an Act concerning public utilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Well the Bill is on Third Reading isn't that... I think we moved it to Third, right? So, we... Alright. Alright. Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. I'd like to..."

Speaker Greiman: "The Gentleman... The Gentleman from DuPage moves that House Bill 886 be returned to the Order of Second Reading for purposes of an Amendment. Does the Gentleman have leave? Gentleman has leave. Leave is hereby granted. House Bill 886. Are there other other Amendments from the floor?"

Clerk O'Brien: "Amendment #2 was withdrawn. Floor Amendment #3, Hoffman."

Speaker Greiman: "Mr. Hoffman, Gentleman from DuPage."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is a cleanup language which takes the place of Amendment #2. And I move for the adoption of Amendment #3."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #3 to House Bill 886. Is there any discussion?"

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There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Hoffman."

Speaker Greiman: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, ladies and gentlemen of the House. Amendment #4 is an Agreed Amendment which provides for interest on overcharges. And I would move for the adoption of Amendment #4."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #4 to House Bill 886. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Representative Tuerk."

Speaker Greiman: "Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker and Members of the House, Amendment #5 is the same as House Bill 2107 which went through the Committee and on to Second Reading without any controversy. As I understand it, it is an Agreed Amendment, and I'd move for the adoption."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #5 to House Bill 886. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #6, Representative Wait."

Speaker Greiman: "Representative Wait."

Wait: "Leave to withdraw the Amendment."

Speaker Greiman: "The Gentleman withdraws Amendment #6 to House

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Bill 886. Further Amendments."

Clerk O'Brien: "Floor Amendment #7, Davis."

Speaker Greiman: "The Gentleman from Will, Representative Davis."

Davis: "Thank you, Mr. Speaker. Amendment #7 allows the Commerce Commission, may for reasons that they consider legitimate according to their own regulations, extend the time by which a return of a gross revenue for the preceding year shall be filed. It grants an extension of up to forty-five days."

Speaker Greiman: "The Gentleman moves for adoption of Amendment #7 to House Bill 886. Is there any discussion? There being none, the question is, 'Shall Amendment #7 be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yeah, with leave to keep on Short Debate. Leave is granted. There is an additional Bill which has been agreed on that same Order. On page 22 of your Calendar, House Bill 1134. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1134, a Bill for an Act in relation to insurance. Third Reading of the Bill."

Speaker Greiman: "Representative Mautino, Gentleman from Bureau."

Mautino: "Thank you very much, Mr. Speaker. Amendment #5... Oh, I'd like to have leave to take 1134 from Third Reading and bring it back to Second, for purposes of an Amendment."

Speaker Greiman: "The Gentleman asks leave to return the Bill to the Order Second Reading. Does the Gentleman have leave? Leave is hereby granted. Are there any Amendments?"

Clerk O'Brien: "Floor Amendment #5, Mautino."

Speaker Greiman: "Representative Mautino, Gentleman from Bureau."

Mautino: "Thank you. Amendment #5 to 1134 is an Agreed Amendment

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with the other side of the aisle. And what it basically does is, accept the task force recommendation to reinstitute the provisions for registered agents within the State of Illinois in this legislation."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #5 to House Bill 1134. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?'. All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Representative Mautino."

Mautino: "If it's proper, I'd, as well, like to have leave to have this Bill heard at this time."

Speaker Greiman: "Well, Mr. Mautino, there was an agreement to return the Bill."

Mautino: "I'll withdraw."

Speaker Greiman: "No. No... Alright, fine. No agreement to hear it, thank you. We are... Wait a few minutes, Mr. Piel. We are returning to a Bill we just addressed on page 25, House Bill 1345, for a technical Amendment or technical action. Mr. Krska. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1345, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Greiman: "Mr. Krska, the Gentleman from Cook, moves to return the Bill on the Order..."

Krska: "I'd like to return the Bill to Second Reading for..."

Speaker Greiman: "...moves to return your Bill to the Order of Second Reading for purposes of a Motion. Does the Gentleman have leave? Leave is hereby granted. Yes, Mr. Krska."

Krska: "Alright, I'd like to bring House Bill 1345 back to Second

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Reading for the purpose of an Amendment."

Speaker Greiman: "It's there, it's already been granted."

Krska: "Alright. I would like to withdraw Amendment #3...or
table Amendment #3."

Speaker Greiman: "The Gentleman moves to table Amendment #3 to
House Bill 1345. All those in favor signify by saying...
Mr. Vinson, yes, on that Motion."

Vinson: "I think it might be prudent to take this out of the
record for just a minute."

Speaker Greiman: "Well... Mr. Krska, we'll just kind of relax
for a minute. Well... Mr. Vinson tells us to go ahead.
Alright, all those in favor of the Motion to table signify
by saying 'aye', those opposed 'nay'. The 'ayes' have it,
and Amendment #3 to House Bill 1345 is tabled. Are there
further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Piel, yes."

Piel: "Thank you, Mr. Speaker. Earlier today we took House Bill
1314 out of the record until an Amendment was distributed.
It was Representative Cullerton's Amendment. You said that
we'd get back to it once the Amendment had been
distributed. I've got no problems with the Amendment. And
I was wondering if we could go to that Order at this time,
to hear that Amendment to move it to Third Reading?"

Speaker Greiman: "Well, we're on... We're going to Short Debate,
and let me check back with you in a little while, I'll be
right back with you, Mr. Piel, okay? We're returning
now... Representative Flinn was originally announced as
being absent, and was absent, has now joined us, and should
be placed on the record henceforth today. On the Order of
House Bills Third Reading Short Debate Calendar appears
House Bill 1557. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1557, a Bill for an Act to amend the

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Retailers Occupation Tax Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Kane, Mrs. Zwick."

Zwick: "Thank you, Mr. Speaker, Members of the House. House Bill 1557 simply amends the Retailers' Occupation Tax Act so that..., No. So that retailers would be able to get their security deposits back from the Department of Revenue after they go out of business in a timely fashion. There are currently no provisions in there as to when those security deposits must be returned, usually in the form of surety bonds. And this sets up a timely process thirty days after final determination of their tax records are in order. I would ask for your favorable votes."

Speaker Greiman: "The Lady moves for passage of House Bill 1557. Does anyone stand in opposition? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Lady yield for a question?"

Speaker Greiman: "Indicates that she will."

Cullerton: "Representative Zwick, could you please tell us how a taxpayer becomes a prior continuous compliance taxpayer?"

Zwick: "Is that in the language of the Bill?"

Cullerton: "It sure is, on line 9. It's even capitalized, so it looks like it's real important. But it's one of the prerequisites before your Bill would apply."

Zwick: "Okay. That means that they have paid their taxes for three consecutive years."

Cullerton: "How many?"

Zwick: "Three."

Cullerton: "Thank you."

Speaker Greiman: "Are there any further... Is there any further debate? 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. Have all voted who wish? Mr. Clerk, take the record. On this Bill there

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are 112 voting 'aye', no voting... none voting 'no', none voting 'present.' This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1567. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1567, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from DuPage, Mrs. Nelson."

Nelson: "Thank you very much, Mr. Speaker, Members of the House. House Bill 1567 amends the School Code to prohibit the punishment or discrimination of students whose parents are indigent and can not afford to purchase certain required textbooks or pay required fees. I'm sure, you know, if you have kids in school yourself, that the public schools in Illinois charge various educational fees, including fees for book rental, lab, shop, graduation, and so on. The Department of Public Aid currently allows ten dollars extra for a high school senior to pay graduation fees, but even that really does not cover the cost today. As children get older, parents find that they have to pay more and more in school. In some few school districts in this state, in order to pressure parents to pay fees for their children, school districts have refused to provide verification of public school attendance to the Department of Public Aid. They have, in some cases, refused to issue class pictures, refused to issue report cards, and in fact, have precluded some students from full participation in class work and field trips. This Bill does not prohibit a school district from attempting to collect fees from parents. What it does is merely prohibit punishing children, and I would ask for your affirmative vote."

Speaker Greiman: "The Lady from DuPage moves for the passage of House Bill 1567. Does anyone stand in opposition? The

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Gentleman from Rock Island, Mr. Brunsvold."

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

Speaker Greiman: "Indicates she will."

Brunsvold: "How is the school district going to discriminate against a child? Not give them the books?"

Nelson: "What they have done in some districts, Representative Brunsvold, is withhold from the child the child's report card or a class picture, and I have some testimony here from a lawyer who's name is Michael 'Younge', who had a student named Jim, who was a junior in high school, had to pay thirty dollars in fees that year and was unable to find the money. This included fees for a shop class uniform, and for workbooks, and so on. And since he was unable to pay these fees, Jim had to sit out during most of his shop classes and that reduced his grade. That kind of thing."

Brunsvold: "Does... does the district end up picking up some of the costs in this... in this situation?"

Nelson: "I would assume so. At the present time Chicago is under a consent decree to waive fees for indigent families, and yes, the district would pick it up."

Brunsvold: "Thank you."

Speaker Greiman: "Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 103 voting 'aye', 8 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1577. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1577, a Bill for an Act to amend Sections of the Illinois Drainage Code. Third Reading of

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the Bill."

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

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is reimburse county treasurers for the amount of money that they've expended to drainage districts in the State of Illinois. The Commission to Study County Problems, of which I'm a Chairman, conducted a study last year from October 1st to... October 1st, 1982, and out of the one hundred and two counties, ninety-nine counties responded with the figures that they... that had co... the drainage districts had cost them. And as you know, the Constitution 1970 prohibited collecting fees, and this a reimbursement schedule, and I would be happy to answer any questions and ask for an affirmative Roll Call."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1577. Does anyone stand in opposition? The Gentleman from Effingham, Mr. Brummer."

Brummer: "Yes, will the Sponsor yield?"

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

Brummer: "You indicated, Representative Yourell, in your comments that the Constitution prohibited charging fees with regard to collecting amounts due units of local government. How does this circumvent that prohibition?"

Yourell: "The intent of the legislation is that treasury service is not expect to rendered free of charge. It was clearly established at the time this code was adopted. As I indicated, the fees were made unconstitutional, and since that time counties have been forced to provide these services to drainage districts free of charge. This is a reimbursement schedule and does not imply... not apply under the statute regarding the charging of fees."

Brummer: "Okay. With regard to other units of government such as townships or villages, are they... do they reimburse the

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county treasurer for collecting the taxes that go to the school district, or the township, or the village?"

Yourell: "I'm... all right, I don't know about that."

Brummer: "Well, I... I would respectfully suggest the answer is, no, they do not, specifically for the prohibition to which you alluded. And... and I guess I do not think we ought to select one local unit of government, i.e. drainage districts, to single out for the collection of... for the assessment of charges for collecting the assessments for the district. We did not do that with regard to school districts. We don't do it with regard to other units of government. I realize there is a cost to the county treasurer's office in... in collecting the taxes for... for park districts, or for library districts, or for school districts, or for drainage districts. And I think we ought to be consistent with that, and I would respectfully suggest that the appropriate vote is a 'no' vote on this until we address that problem with regard to all the units of government, local units of government, consistently."

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

Yourell: "Yes, the Gentleman's probably right, but I don't see what that has to do... his argument has to do with this particular Bill. If the... if he has feelings about the reimbursement from one unit of local government to another, I think he ought to introduce legislation in that regard. This has to do with county treasurers and drainage districts, and I think it's only fair that they should be reimbursed for all actual costs that they've sustained through the service provided to the drainage districts. I would ask for a favorable Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'."

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Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 80 voting 'aye', 30 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1590. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1590, a Bill for an Act in relation to insurance fees and taxes. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, House Bill 1590 makes the penalty for failure to make timely payment of the fire marshal tax and surplus lines tax identical for the penalty for failure to make timely payments of other types of insurance taxes imposed on the Insurance Code. This is supported by the Department of Insurance. It's self... it's self-contained, self-explanatory, and I urge the affirmative vote."

Speaker Greiman: "The Gentleman moves for the passage of House Bill 1590. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting's now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', none voting 'no', 1... none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1593. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1593, a Bill for an Act to amend Sections of the State Comptroller Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Fond, Mr. Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. House Bill 1593 puts in the statute a provision whereby the Comptroller will make all information contained in reports filed by local government units available to state agencies and local governments, and adds... calls on the Comptroller to issue one standardized form instead of the thirteen now in used... in use by the different levels of government."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1593. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting's now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading Short Debate appears House Bill 1596. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1596, a Bill for an Act relating to the preparation and review of annual audits, fiscal affairs, and operations of local government in the State of Illinois. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker. House Bill 1596 creates the... the Local Government Audit Act, and it's to be administered by the Auditor General's Office. It requires local governments to file an annual audit with the Auditor General for examination and requires that the Auditor would notify a local State's Attorney for prosecution if the audit review indicates state law was violated."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1596. Does anyone stand in opposition? There being no one, the question is, 'Shall...' Oh, yes. The Lady from

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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: "Indicates that he will."

Koehler: "It... it is from a cursory reading of this, it looks as though local governments would have to file an annual audit with the Auditor General. Is that correct?"

Slape: "Yes. That's correct. This came about from the local government accounting task force, and some of the suggestions that was made as we held hearings across the state, and this is one of the provisions and some of the legislation that was proposed out of those hearings."

Koehler: "What type of auditing procedures do local governments now have?"

Slape: "Well, that's the problem. They have a whole variety of different audit procedures. And one of the complaints that we received from auditing officials and from local government officials was that there is no standardized form and that there's no provision whereby an audit form is usually that scrutinized."

Koehler: "Well, would that... would this mandate a state-wide auditing procedure on local government?"

Slape: "Yeah, they already, by law, have to audit. This just requires that they file that audit with the Auditor General."

Koehler: "Well, with whom do they currently file the audit, then?"

Slape: "Well, they keep it on file for their own public records, and I don't know they have a... have a audit. I guess the Comptroller's... Comptroller's... larger units to the Comptroller, smaller units don't have to."

Koehler: "All right. So am I to understand you, then, that they cur... local governments currently file an audit with the

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Comptroller, and this would require that they file that same audit with the Auditor General? Is that correct?"

Slape: "Yes. That's correct."

Koehler: "Or would this be a... a different type of audit?"

Slape: "It would be... well, right now as it's written in, it would probably be a similar type document. Right."

Koehler: "Well, thank you very much, but would this be a great increased cost to our local government?"

Slape: "Apparently not, because there was a large consensus during our hearings on this."

Koehler: "All right. The local governments, themselves, then generally approve of this. Is that correct?"

Slape: "That's correct."

Koehler: "Thank you very much."

Speaker Greiman: "Does anyone stand in opposition? There being no one, 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? Mr. Clerk, take the record. On this Bill, there are 63 voting 'aye', 44 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. We are now moving to the Order of Second Reading to pick up some Bills that were taken out of the record earlier with the understanding and agreement of both sides of the aisle that we would return to those Bills. On page four of the Calendar appears House Bill 961. On the Order of House Bills Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 961, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any floor Amendments?"

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

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill had to do with the unauthorized use of television interception or decoding devices. It originally applied just to subscription television services. This Amendment makes it also apply to cable television services. It also indicates that the...a prima facie evidence of intent to violate will be possession of the actual decoder device itself. It also allows for civil penalties for people who violate this Section applying both to cable or to subscription television services, allowing for monetary damages, treble damages in the amount of actual damages... treble damages of the actual damages if the purpose of the pirating is for the purposes of commercial advantage. It also allows for provi... provides for provisions to allow for an injunctive relief. So I'd be happy to answer any questions and would move for the adoption of Amendment #1."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment #1 to House Bill 961. On that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Amendment. It's a carefully drawn Amendment that does create an appropriate sanction for this particular kind of theft, and I would urge everybody to vote in favor of it."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills

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Second Reading appears House Bill 1314. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1314, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #... this Bill has been read a second time previously. Amendment #1..."

Speaker Greiman: "The Gentleman from Cook..."

Clerk O'Brien: "... was adopted."

Speaker Greiman: "Well, are there any Amendments?"

Clerk O'Brien: "Amendment #2, Cullerton."

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

Cullerton: "Yes, thank you, Mr. Speaker. This Amend... this Amendment is a very simple one. It makes sure that the Bill itself applies state-wide. Initially the Bill only applied to Cook County, and so now, with this Amendment, it would apply state-wide. The purpose of the Bill is to say that any reductions by the board of appeals would remain in effect for the remainder of the quadrennial. The same thing would be true for any property tax appeal board decisions."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment 2 to House Bill 1314. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'nay', and the 'ayes' have it. The Amendment is adopted. Yes, the Gentleman from Madison, Mr. McPike. For what purpose do you rise, Sir?"

McPike: "Mr. Speaker, I believe Amendment #2 amends a title and the Bill should be returned to Second Reading First Legislative Day."

Speaker Greiman: "We'll look at the Bill. Mr. Clerk, do we have the Bill up here? Yes, the Gentleman from DeWitt, Mr. Vinson."

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Vinson: "Mr. Speaker, that Section of the rules does not apply to title changes which only change Section numbers, and I believe that's the nature of the change in the title in this Amendment. And so, I would ask you to rule that it does not apply, and that the Bill..."

Speaker Greiman: "The... the Parliamentary is looking... the Parliamentarian is examining it, and we'll look at it in a minute. Mr. Piel, did you want to make a comment, Sir?"

Piel: "No, I was just going to say..."

Speaker Greiman: "Pardon?"

Piel: "... just going to say, Mr. Speaker, that if you look at the Amendment, it has nothing to do... if Mr. McPike would look... read the Amendment, it has nothing to do with the title whatsoever."

Speaker Greiman: "Well, let... let the Parliamentarian examine it. Thank you. We'll be right back with you. Examining House Bill 1314, this amends Section 113 of the Revenue Act of 1939. Amendment 2, however, of House Bill 1314, that we have just adopted, instead, amends an Act in relation to assessment appeal boards. One is the Revenue Act of 1939. The other is an Act in relation to assessment appeal boards; therefore, the title would be changed quite clearly. Accordingly, the ruling of the Chair is that the Bill will be returned to the Order of Second Reading First Legislative Day. Thank you. On the Order of House Bills... yes, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Would you... would you read the language in the Amendment which changed the title?"

Speaker Greiman: "Yes, I just did. It says, if you'll notice on line three, 'An Act in relation to assessment appeal boards.' That's the title of the Act. That's the Act that we have just amended, so that we have amended the title of that Act. It is not in the previous title. Accordingly,

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Mr. Vinson, we have amended the Act, and under our... the title of the Act and under our rules the Bill must return to the Order of House Bills Second Reading First Legislative Day. And on that, Mr. Fiel, the Gentleman from Cook."

Fiel: "This is what you might call an exercise in futility. And I would move to suspend Rule 36(d) of the House rules. I move for the suspension of Rule 36(d) of the House rules in relationship to House Bill 1314."

Speaker Greiman: "The Gentleman has moved to suspend Rule 36(d) of the rules, and on that, the Gentleman from Madison, Majority Leader McPike."

McPike: "Well, thank you, Mr. Speaker. I think that downstate Members should have an opportunity to correspond with their board of appeals to see if they're for or against this Bill; and therefore, I think the extra time is necessary. I think it should be returned to Second Reading First Legislative Day, so I would oppose the Gentleman's Motion."

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

Leverenz: "I move that his Motion lie on the table."

Speaker Greiman: "The Gentleman has moved that the Motion to suspend the Rule 36(d) lie on the table. All those in... is there any discussion? All those in favor signify... Mr. Fiel."

Fiel: "Thank you, Mr. Speaker. Seeing that it is my Bill, for those of you that don't know really what the Bill does..."

Speaker Greiman: "Yes, Mr. Leverenz."

Leverenz: "Thank you. Is this a debatable Motion? I understand it's a nondebatable Motion, so..."

Speaker Greiman: "I'm advised by the Parliamentarian that it's a nondebatable Motion. All those in favor..."

Fiel: "Roll Call, please."

Speaker Greiman: "... of tabling... Roll Call... all those in

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favor of tabling the Motion to suspend Rule 36(d) signify by voting 'aye', those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion to table, there are 57 voting 'aye', 48 voting 'no', none voting 'present', and the Motion prevails. Accordingly, House Bill 1314 will be returned to the Order of House Bills Second Reading First Legislative Day. Still on the Order of Second Reading page six House Bill 2012. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2012, a Bill for an Act relating to public financing of gubernatorial campaigns. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any floor Amendments?"

Clerk O'Brien: "Amendment 2 was withdrawn. Floor Amendment #3, Madigan - Preston."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was previously discussed in part, but to refresh the recollection of my colleagues, what Amendment #3 does is to rewrite the entire Bill. And Mr. Speaker, if you can get some attention in the House, this... this is, I think, one of the most important pieces of election reform legislation..."

Speaker Greiman: "You're right. Mr... Mr. Preston. Mr. Preston, it is an important matter, and the House should listen carefully. There may be people here that will run for Governor someday, and this will affect all of your futures. Mr. Preston, continue."

Preston: "Mr. Speaker, I... I think this Bill and the Amendment that becomes the Bill is one of the most important pieces

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of election reform legislation that we've had in Illinois. What the Amendment does, becoming the Bill, is places a spending limit on candidates for Governor and Lieutenant Governor who chose to participate in the public funding of their gubernatorial election. Puts a limit of a million and a half dollars in campaign expenditures on primary elections, and a two million dollar cap on the re... on the permitted expenditures in the general election. It raises the limit... makes the limit of a hundred thousand dollars on what a candidate must raise themselves before they're eligible for matching public funds, and it raises the qualifying contribution limit from a hundred and fifty dollars in the original Bill to a limit of five hundred dollars, so that in order to make up the hundred thousand dollars, in order to get public matching funds, the candidates for Governor and Lieutenant Governor cannot accept personal qual.. personal contributions in excess of five hundred dollars. It provides for the transfer of funds from a primary election account to a general election account and limits that to twenty-five thousand dollars for the pair of candidates, Governor and Lieutenant Governor. It allows political parties to contribute in the general election up to and not exceeding a quarter of a million dollars, and again, that quarter of a million dollars becomes part of what a candidate is eligible to receive matching funds for. It permits the family of a candidate for Governor and Lieutenant Governor to contribute a maximum of thirty-five thousand dollars to the campaign and permits corporations, unions, and political committees to contribute five thousand dollars. What I think are some of the most important provisions of the Bill is that it requires unexpended amounts that are left in a candidate's account, requires that amounts to be returned to the

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gubernatorial election fund, and it prohibits... it prohibits incurring post-election expenses that are not for the purpose of closing out these accounts. In short, what those two provisions mean is that somebody who has received public matching funds, to fund the gubernatorial election or the election for Lieutenant Governor can't after the election, after that person is elected to the office, or after that person has lost the office, that money can't go in the person's pocket. That money came from our tax dollars. That money must be returned to the gubernatorial fund unless and until it is expended for the purposes for which the funds were given. This is an important Amendment. I'd be glad to answer any questions, and should there be none, I ask and encourage your 'aye' vote. It's an important piece of election reform that will change the course of gubernatorial elections in Illinois. Last... in the last election that we've experienced, over eight million dollars was spent to elect the Governor of Illinois. That's an outrageous sum of money that flies in the face of what our par... our constituents want. This Bill will change that around, and I ask for your 'aye' vote."

Speaker Greiman: "The Gentleman moves for the adoption of House Amendment 3 to House Bill 2012. Is there any discussion on that? The Gentleman from DeWitt, Representative Vinson."

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

Speaker Greiman: "He indicates he'll yield for a question."

Vinson: "Representative Preston, in your Bill on page five, lines twenty-two and twenty-three, you create a Class A misdemeanor offense for someone who exceeds the limits permissible for contributions. Is that correct?"

Preston: "That's correct."

Vinson: "Now, in your Amendment, you do not require that the

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Gentleman... that the person who falls afoul of that sanction knowingly make the mistake. Is that correct?"

Preston: "Representative Vinson, in Amendment #5, which is coming up as soon as this Amendment is adopted, that problem is cleared up, where it does require, in order to be guilty of that offense, that it be done knowing or knowingly."

Vinson: "All right. Now, in that Amendment #5, which relates back to this, if someone negligently makes such a contribution, what is the sanction for them?"

Preston: "There is no... there is no criminal sanction if it's done without the element... the element of scienter, knowingly making that, not mistake, but doing it on purpose."

Vinson: "Why do you chose to deal with the problem in that fashion here, rather than in the fashion that Representative Cullerton suggested earlier in the hazardous waste matter, where he also provided a lesser penalty for the negligent error?"

Preston: "Because... because, Representative Vinson, gubernatorial campaigns go on for a very lengthy period of time. From the time somebody announces their candidacy in December of the previous year until the next November, the campaign is going on. It is very easy during that eleven month period of time for someone to, by mistake, contribute over the amount required or prohibited by law, and it is easy to lose track in an eleven month period how much you... you had previously contributed. So for doing it negligently, I don't... didn't see any need whatsoever to have any penalty attached."

Vinson: "You don't believe there should be any penalty for the negligent contribution in excess of the limit?"

Preston: "That's correct. If it's done... if it's done unintentionally, it's done unintentionally."

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Vinson: "Okay, then let me call your attention on page six to the language in lines one, two, three, and so forth, on corporations, labor unions, associations, political committees. You set up a sanction there, where, if they violate the law, if they exceed the limit, that they would be punishable by a Class A misdemeanor."

Preston: "Yes, if they do it knowingly."

Vinson: "Where do you... where's the knowing language..."

Preston: "Line nine, Representative."

Vinson: "No, I think that refers to the candidate's acceptance of the contribution."

Preston: "All right. The... the knowing portion, I believe, is taken care of in Amendment 5, as far as the contribution itself."

Vinson: "Well, I believe if you'll take a look... if you take look at Amendment 5, I don't think you'll find that corrected with regard to that particular kind of entity."

Preston: "Representative, when you're... this doesn't refer to prosecuting an individual. When you're talking about some entity as a corporation or a labor union, you can have strict liability in the law for that, because their accounts... their account keeping, their reporting system is such that they can and should be held to properly account for what their previous contributions had been. You as an individual, however, don't have the computers, the wherewithal, the accountants, the bookkeepers to do that. So there is a different standard which is applied, and that's normally applied in the law as well."

Vinson: "Okay, so it is your intention to have a different standard with regard to those different groups. It is? All right. Now, on page sixteen, no, I'm sorry. On page eight, lines four through nine, you establish a penalty for any candidate operating under this Act, a gubernatorial

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candidate, if you will, who is the beneficiary of a favorable loan from a financial institution. Is that correct?"

Preston: "If you'll give me one second, let me just read it. No. What that Section prohibits is for the candidate to take out a loan that is unlike other forms of credit issued by that lending institution, so that they can't go behind the rules and regulations that that lending institution pre... prescribes for its normal lenders and can't receive preferential treatment, which itself is a form of a contribution or can be considered a form of a contribution."

Vinson: "All right. Now, let me describe a very brief situation, and I'd like for you to tell me why you put that burden on the candidate, rather than on the financial institution. Let's say that normally, when a bank makes a loan to a political candidate, it does it at two points over prime. And let's say that that bank makes a contribution to a candidate for Governor at one point over prime... I'm sorry, not a contribution, but a loan. Then why would you put the burden on the candidate, rather than put the penalty on the financial institution? How's the candidate supposed to know?"

Preston: "Repre... Representative, if the candidate doesn't know, he is not guilty of anything. Again knowingly is required. If the candidate does it without knowing what the rules, normal norm of procedure for that lending institution is, he has violated no law whatsoever."

Vinson: "How would you ever find knowledge in that kind of situation?"

Preston: "Oh, there are many situations where it's difficult to get at... at knowledge, to get at the scienter element. This isn't the only one. The law is... is with it all

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time, but there are... there are ins... there are situations where that knowledge may be there, and it's a matter of fact. If you can't prove it, you can't prove someone guilty for violating it."

Vinson: "All right. Now, on page sixteen in lines..."

Preston: "Representative, if I... if I might just continue my answer on that, Mr. Vinson. The whole purpose and intent of this Amendment and that Section is to make sure that people cannot go beyond... can't get public funds... Representative Olson, if I could see Mr. Vinson. So that..."

Speaker Greiman: "Senator Lemke, welcome to the chamber. Mr. Olson, could you move away just so they can carry on their extended debate? Thank you."

Preston: "The whole purpose of that Section and this entire Amendment is to prohibit people from taking public monies and doing under the table things in order to get special favors from various groups, even without getting in-kind contributions which a beneficial loan can be. We can consider that an in-kind contribution. You're taking... you're taking tax dollars in order to fund your campaign. The rest of what you do must be all above board, and that's what the intent here is."

Vinson: "Okay. Now, on page twelve, lines twenty-four and twenty-five of the Amendment, you used the language 'eligible candidates'... that language there?"

Preston: "Yes, right."

Vinson: "Is that defined anywhere in the... in the Amendment or the Bill? I think you'll find that in your definition Section you used the language 'qualified candidates'."

Preston: "No. Eligible candidate means, Representative, candidates who, by virtue of this law, become eligible for state matching funds."

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Vinson: "What's the difference between an eligible and a qualified candidate?"

Preston: "There's no difference between an eligible and a qualified candidate. Two different words identifying the identical person."

Vinson: "Okay. Why did you define in the Bill qualified candidates and then use throughout the Bill eligible candidates?"

Preston: "Eligible candidates, as I explained, means those who are eligible for state matching funds."

Vinson: "It came off the press pretty quickly?"

Preston: "Oh, no. This is very well thought out."

Vinson: "On line... on page sixteen, lines four and five, I believe you authorized the State Elections Board to employ attorneys without regard to the Personnel Code. Is that correct?"

Preston: "Representative, when you employ legal counsel that is almost always without regard to the Personnel Code."

Vinson: "That's not true. There's a specific exemption in the Personnel Code that deals with attorneys, but you don't do it without regard to it because of compensation and so forth."

Preston: "Well, that's my understanding of it, Representative."

Vinson: "Okay. Now, are those attorneys employable without the consent of the Attorney General?"

Preston: "That... that's exactly the way the State... that's exactly the way the State Board operates now."

Speaker Greiman: "Will the Gentleman bring his questions to a close, please?"

Vinson: "Okay. To the Bill. This Bill has come off the printing press very quickly. It contains a myriad of errors in it that you're going to tie yourself to for a long period of time if you live with it. I would urge Members to oppose

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it, not just because of its technical flaws, but in addition, because it puts the process of politics itself in competition with mental health, with education, with higher education, with retarded children, in comp..."

Speaker Greiman: "Turn Mr. Vinson on. I had the tiger on."

Vinson: "... in competition for the General Revenue... in competition for the General Revenue Fund dollar. I would just ask Members to consider, apart from the fact that the Bill is very technically flawed, whether they really want to have politicians competing with retarded children, with school kids, with children in need. I think this is a bad Bill, and I think we ought to defeat it."

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

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

Preston: "Yes."

Birkinbine: "Mr. Preston, on page two of the Amendment, I notice on line twenty-three and twenty-four, you referred to '...contributions shall not be construed to include services provided without compensation by individuals volunteering'. Now does that mean that an independent group could come in and provide..."

Speaker Greiman: "Turn Mr. Birkinbine back on."

Birkinbine: "Thank you. Does that mean that independent groups could not come in and provide help, compensation that they might receive that was not being paid by the campaign by an outside group? And I think specifically, say if AFL-CIO's COPE, Committee on Political Education, were to come in and provide an entire organization staff, or if they were to provide a phone bank, or if perhaps NICEAC were to come in and provide press people, phone banks, whatever, that they might entirely be paid for such contributions would not be considered under this Act?"

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Preston: "That's not at all what it means, Representative. What it means is that individuals who volunteer to help out in a campaign are not considered as part of an in-kind contribution to reaching the two million dollar, or in the case of a primary, one and a half million dollar limit, so that I can go and volunteer. Now if somebody's paying me, no matter... even if it's not the candidate, if somebody else is paying me, I'm no longer a volunteer. But I can go in myself and volunteer my services, and I'm not considered part of that candidate's in-kind contributions towards his limitation and expenditure."

Birkinbine: "I understand that entirely, but my question was could..."

Preston: "Then you're for the Bill."

Birkinbine: "... could an organized group such as COPE or NICPAC provide such individuals or staffs, not paid by the campaign, in other words..."

Preston: "All right. Let me... let me clarify that, again. They cannot... NICPAC cannot go and pay Representative Vitek to come in and help out in the campaigns without that being considered in-kind contribution; however, Representative Vitek, no matter who he happens to affiliate with, if he comes and works for Governor Thompson in his reelection effort, that doesn't mean that... that the 11th Ward or anyone else has paid him to do that and that is not considered as contributing towards the maximum... maximum expenditure."

Birkinbine: "So, based upon what you just said, if some workers, volunteer workers, if you will, or workers not paid by the campaign itself..."

Preston: "No..."

Birkinbine: "... wait a minute, if indeed they were paid by NICPAC or paid by COPE that would be considered

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compensation."

Preston: "Yes. During the time... for... to the extent they are paid for their work in that gubernatorial campaign, even if they... even if they were not paid by the... by the candidate. That's correct."

Birkinbine: "Okay, so..."

Preston: "And that's also not unlike present law. You know, if you go and pay someone to work on my campaign that's a contribution that I must report today under present existing law."

Birkinbine: "Even if they were working independently?"

Preston: "Yes, because you are a campaign... you're a campaign fund for me. If you make expenditures for me..."

Birkinbine: "No, I'm talking about independent."

Preston: "I... I understand that. But if you help me, that must be to the extent I received that help, that's an in-kind contribution today, and I have to report it."

Birkinbine: "Okay. Next question."

Preston: "But you're welcome to... to help me in my next campaign."

Birkinbine: "In Section E, right below that on page two, on lines twenty-eight and twenty-nine, you say corporation means corporation et cetera, but does not include a political party or a labor union. Why is it that unions are not included in this as are political parties and yet you exclude companies, partnerships, associations. When I think of associations..."

Preston: "Labor unions..."

Birkinbine: "... you could have associations like the American Association of Retired Persons."

Preston: "That's just the definition, Representative. Labor unions are covered in this Act, not just in that definition as a corporation. They're elsewhere covered."

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Birkinbine: "Well, you seem to group... you seem to be saying that labor unions and political parties are virtually on the same status in that regard."

Preston: "Well, I'm saying that labor unions, political parties are not corporations, partnerships, or associations. I'm... that... I'm defining them otherwise in this Bill."

Birkinbine: "You're defining associations to mean... I'm sorry. You're defining corporations to mean an association such as the AARP. Under that definition they're included. They're an association."

Preston: "They probably would be included as an association. That's correct."

Birkinbine: "I'm sorry."

Preston: "Yes, they probably would be included as an association."

Birkinbine: "Thank you. That's what I thought. Question."

Preston: "Answer."

Birkinbine: "Why, in the original Bill and in the Amendment proceeding this that you're changing, you had set of fifty... on page four on line twenty-five, you had set a fifty thousand dollar original limit, now you've raised it to a hundred thousand."

Preston: "Yes, that's..."

Birkinbine: "Right?"

Preston: "... that's to coincide with the Senate version of this same Bill. It was discussed. We looked at all the areas, and frankly, we found that in today's climate with inflation, it's too easy for someone to get matching funds if all they have to do is raise fifty thousand dollars themselves."

Birkinbine: "Don't you think this tends to work against such groups, such, if you will, lesser or minor parties such as say libertarian, or socialists, or the... taxpayer party?"

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Preston: "No, I think... I think a serious... you know, the federal... the federal standards for matching funds are far in excess of this. You can always claim that it works against a smaller party. For me, personally, if I started my own party, it would certainly work against me at a hundred thousand, or at fifty thousand, or at thirty thousand, but for serious candidates for the Governor and Lieutenant Governor of Illinois, that takes a major campaign effort, and you have to put some minimum standards in in order for them not to get a hold of your tax dollar. And it was decided, and I think properly so, by Mr. Madigan and those that he worked very hard and over long hours with, that a hundred thousand dollars was the appropriate level."

Birkinbine: "I have no doubt. Question. On page six, there's something new that was added to this part of the Bill on this Amendment where you... on line fourteen in Section C, you referred to, 'No individual political party unit.' What is an individual political party unit? Because you refer to that distinct from the... the Section below that where you refer to... to political parties being able to make two hundred and fifty thousand dollar party limitations, but in the Section right above that, you refer to this individual political party unit with a ten thousand dollar..."

Preston: "The Democratic Party of Chicago and Cook County would be a limit... would be a unit. The Democratic Party of the 49th Ward, a fine Ward, may be considered a unit."

Birkinbine: "Is that defined somewhere in the Bill? I did not find it."

Speaker Greiman: "The Gentleman bring his... his questioning to a close."

Birkinbine: "When I finish my questions, I'd be glad to."

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Preston: "There... there is a definition at the beginning of
'political party'."

Speaker Greiman: "You have two minutes, Sir."

Birkinbine: "I'm sorry."

Speaker Greiman: "Two minute rule is in effect."

Birkinbine: "You said it's defined where? You said it's defined
where?"

Preston: "On page four of the Bill."

Birkinbine: "Okay. On page seven, you referred... Section E
places a thirty-five thousand dollar limit on the
candidates' or the candidates' families personal
contribution."

Preston: "That's right."

Birkinbine: "At the federal level, didn't they find that there
was a constitutional problem with the FEC trying to put
limits on individual party contributions? That's why a
Democratic candidate for Governor like Rockefeller in West
Virginia could contribute or a 'Heintz' Republican of
Pennsylvania could throw in millions upon millions on their
own behalf?"

Preston: "The answer to your question is 'no'. The federal
situation where they had constitutional problems was not a
situation of public financing. This comes up in the
context of public financing, so that when somebody
contributes out of their own pocket, that's not really the
effect. They're also contributing at the same time out of
my pocket. And when there's public financing involved,
there was no constitutional problem at the federal level."

Birkinbine: "Oh, I see. Okay. Thank you. Why in Section C did
you separate corporate and labor communications? Why is...
why is that somehow exempt in that you say there's no limit
on what... what they can do with communications?"

Preston: "What... where... where are you referring to,

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Representative?"

Birkinbine: "The same page on Section G."

Preston: "Now, can you repeat your question?"

Birkinbine: "Why is that somehow exempt? If, for example, a conglomerate or a labor union were to pump out magazine after magazine, information piece after information piece as union or corporate communication, why is that somehow exempt from spending money on a campaign, because in Section G you do just that?"

Preston: "Because, if you'll read that Section, that Section talks about nonpartisan registration and get out the vote projects. There is no prohibition to spending any amount on encouraging people to vote, regardless of who does the encouraging. That's nonpartisan messages. Go out and vote. However, if those..."

Birkinbine: "It doesn't say it has to be con... confined strictly to nonpartisan get out the..."

Preston: "It does say... it uses the words 'nonpartisan registration' and 'get out the vote campaigns' by a corporation aimed at its stockholders, or by a labor union, or association and its members."

Birkinbine: "But you could have a get out the vote campaign on behalf of a certain candidate."

Preston: "It is... the word 'nonpartisan', in my understanding, means nonpartisan. Not in favor of a candidate. Just get out and vote."

Birkinbine: "One last question, before the... the minions on your side get angry."

Preston: "You have a constitutional right, Representative, to vote."

Birkinbine: "Question. Last question, on page ten where you refer to on, I think it's Section C, I'm sorry, on Section D, that if there are monies left over, they are to be

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returned to the General Revenue Fund. Beyond the question that what if their aren't any monies, what if people indeed do say, 'Yes, take a dollar of my tax return and put it into this fund?' In a sense they're figuring, not even in a sense, they're definitely saying, I'm going to contribute to the politic campaigns, be it Republican, Democrat, through this process. And yet you're saying that if there's any left over, it's going to be returned to the state. That, then, turns it into a tax, a tax gathering function..."

Preston: "That's a very..."

Birkinbine: "... and not a political function."

Preston: "That's a very good point, and an excellent question. You make a point that should be brought out. One of the main purposes of this Amendment, which is now the Bill, is to see to it that when you check off and you send your dollar to a political campaign, when that campaign is over, that candidate can't turn around and put that dollar in his or her pocket, or spend it to hire his or her husband, father, brother, uncle, or best friend to work for something that's no longer in existence. You point out the essence, really, of the need for this Bill."

Birkinbine: "But that doesn't answer my question."

Preston: "When money is given to a campaign fund, it's used for campaign purposes. When those purposes no longer exist, that money goes back to the taxpayer when you're using public funds."

Birkinbine: "Why not leave it in the same fund? The people contributed the money thinking it would go to..."

Speaker Greiman: "Mr. Birkinbine and Mr. Preston, let's not debate this. Let's ask a question, put the question, answer it. Go ahead Mr. Birkinbine. I think you said that was the last question you had."

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Birkinbine: "And as soon as I get an answer that'll be it."

Preston: "I'll... I'll be glad to give you the rest of the answer, Representative. Again, once the fund no longer has its stated purpose, the money shouldn't be left there for the use of the candidate any way he or she feels... deems necessary. It should go back to the taxpayer who gave it, and that's exactly what the law should require, and this Bill does require."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz. Mr. Leverenz moves that the previous question be put."

Leverenz: "Thank you. I so move."

Speaker Greiman: "Excuse me. The Gentleman is within his rights to make that Motion. Now you can vote for the Motion or you can vote against the Motion. He's within his rights, and I would appreciate that side of the aisle remaining in good decorum. Now, the question is, 'Shall the previous question be put?' All those in favor signify by saying 'aye', all those... all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. On this Motion, there are 65 voting 'aye', 49 voting 'no', and the Motion fails. The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I had my light on. I wanted to explain my vote, by saying that this is a perfect example..."

Speaker Greiman: "Well, I've already..."

Van Duyne: "... of why I filed that Motion that Mr. Matijevich is holding."

Speaker Greiman: "I have already ruled that the Motion fails. Now... the Gentleman from Lee, Mr. Olson continuing on."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. First I have a question for the Clerk. A fiscal note requested as amended was filed. I wonder if the information has been filed with the Clerk as of this

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hour?"

Speaker Greiman: "The Clerk says that he has not received any amended fiscal note."

Olson: "Is... is this to remain on Second, Mr. Speaker, until that is found?"

Speaker Greiman: "Well, we'll see... if that's... that's the rules that we operate under, Mr. Olson, that if a fiscal note has been requested, I suppose one would have to be given unless there be a Motion to waive that."

Olson: "Will... will the Speaker yield for just a very few questions?"

Speaker Greiman: "Speaker, will not..."

Olson: "I mean... excuse me, the Sponsor."

Speaker Greiman: "... yield for any purpose, but the Sponsor will."

Olson: "Would you yield, Mr. Preston? Thank you. I have just a couple of questions. They go more to the essence than to the technicalities which have just been discussed. One of the things that I'm concerned about, I'm wondering if this legislation will attract the huge field that New Jersey just experienced with this type of legislation. Are you familiar with that?"

Preston: "No."

Olson: "Do you think there might be a possibility?"

Preston: "I... I think in a democracy, Mr. Olson, that it is possible to have a large field of candidates for any election. That's why we set the... the limit for matching funds substantially high at a hundred thousand dollars. It is not easy to go out and raise a hundred thousand dollars. I couldn't do it if my life were on the line, much less just to run for public office. I think many people find the same things. Now, if you're a very popular figure, if you have a well organized campaign, then you can raise a

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hundred thousand dollars. But the threshold amount of a hundred thousand is substantial, and without reaching that amount you can't get public funds. And you have to reach that amount in certain ways. You can't do it through writing your own check. You have to raise it through relatively small contributions from many different entities. And if you're not a serious candidate, I submit to you, Sir, under this law you can't possibly do it."

Olson: "I have a couple of other related, but they go to the fiscal note that was asked. The... the State Board of Election audit in a predication of this Bill, have you given any thought to the State Board of Election audit? If it's going to be taken out of the... the gubernatorial election fund, or if it's going to be taken out of general revenue? Has that been given any thought?"

Speaker Greiman: "Mr. Preston, they were inquiring into your thoughts. Go ahead."

Preston: "That would be under the operating budget of the State Board, which is a general revenue responsibility."

Olson: "The State Board will be responsible for the audit?"

Preston: "Yes. Right."

Olson: "Again, in lieu of the absence of the fiscal note, has the thought been given to the actual cost of this program?"

Preston: "Much thought has been given to it, and in fact, it, in many ways is a savings to the people of Illinois, because as I indicated, during the last gubernatorial election over eight million dollars was spent. This requires... puts a cap on the maximum expenditures of half that amount, so just in this last year, if this were in place, we would have saved four million dollars. Now granted, it wouldn't have been coming out... it wouldn't have been all savings of the general revenue fund, but it would have been a savings to the people of the State of Illinois."

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Olson: "One of the issues raised, and this is my last question, is that the proliferation of PACs is a direct result of the check off at the federal level. I have an opinion on that?"

Preston: "I don't... I don't see why, under this legislation, there would be a proliferation of PACs. I don't see what the incentive to proliferate PACs would be under this Bill as drafted, because there's no great savings to... to have many PACs under this Bill."

Olson: "Thank you very much, Mr..."

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

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

Preston: "I'd be thrilled."

Churchill: "Can you tell me in a payment of the matching funds, it says that the treasurer is to pay those matching funds. To whom does the treasurer pay the matching funds?"

Preston: "They... to the candidate's campaign committee."

Churchill: "Is it to the campaign committee or is it directly to the candidate?"

Preston: "Oh, no. It goes to the campaign committee."

Churchill: "Does it say that in the Bill?"

Preston: "Yes, it does."

Churchill: "I don't believe it does. I believe it says it goes directly to the candidate."

Preston: "Well, you know, I don't have time to sit here and read... read it to you to find it, cause it's a lengthy Bill, but the intent is clearly that it goes to the... the candidate's campaign committee."

Churchill: "Well, I guess my question goes to that issue, because if it does go directly to the candidate, the Bill provides nothing for providing records of expenditures. It says that there should be records for receipts, but it says

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nothing about records for expenditures."

Preston: "Representative, current election law, which is not changed by virtue of this, requires detailed record keeping of all political committees, of all political candidates. You... you file reports, if you're obeying the law, with the State Board of Elections, as do I. This doesn't change that requirement at all."

Churchill: "Then this does provide for recordkeeping though, does it not?"

Preston: "Oh, of course."

Churchill: "And it provides for recordkeeping for campaign contributions."

Preston: "That's correct. And expenditures."

Churchill: "Well, then, I think only the campaign receipts, if I read the Bill correctly."

Preston: "Well, but I'm saying the Bill... this Bill doesn't change existing law on your recordkeeping requirements for your expenditures and your receipts. You have to keep detailed records now under the law, as does the Governor and Lieutenant Governor today, and this doesn't cha... both on receipts and expenditures, and this doesn't change that."

Churchill: "So then the record keeping provisions are surplusage."

Preston: "I'm sorry I didn't hear what you said."

Churchill: "I just asked if the record keeping provisions of the Bill were surplusage. They're extra. You don't need them."

Preston: "No. I... I... I'm not prepared to say that they're unnecessary here. I... I do know that, if this Bill fails, you have the Governor and Lieutenant Governor have recordkeeping requirements. This Bill certainly doesn't diminish the requirements they have to have. In fact, it

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increases their recordkeeping requirements, because they're dealing now with your money and mine, not just with their own contributors."

Churchill: "Turning to another question I have. This is a Bill that provides for a checkoff program. Is that not correct?"

Preston: "Yes, of course."

Churchill: "And that would be a dollar per taxpaying citizen?"

Preston: "Who volunteers and does it, you know, in request that a dollar be taken out of that person's money."

Churchill: "Do you have any idea of how many tax returns are filed each year on which this checkoff box would be located?"

Preston: "Oh, many, many, many. I couldn't..."

Churchill: "What... are we talking millions or are we talking hundreds of thousands?"

Preston: "Well..."

Speaker Greiman: "Mr. Churchill, bring your remarks to a close, Sir. Would you please?"

Preston: "Tens... tens... tens of thousands, hundreds of thousands of tax returns in Illinois, hundreds of thousands, maybe millions."

Churchill: "So I guess what I'm getting to is how many dollars per year would you anticipate receiving from this dollar checkoff?"

Preston: "By 1986, we expect to receive 6.8 million dollars. That's based on other states who have similar programs."

Churchill: "6.8 million dollars in the next four years. That's what you will anticipate receiving?"

Preston: "That's correct."

Churchill: "And then is it reasonable to anticipate that the... by the limitations imposed by this Bill that those 6.8 millions dollars would never be contributed to the

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candidate?"

Speaker Greiman: "Mr. Churchill, bring your questions to a close after this remark."

Preston: "That... that the money raised will not go to candidates?"

Churchill: "It exceeds... it exceeds the amount of money that would be spent under this program."

Preston: "If in... in the case that it should exceed the number of candidates, for example, if there are only two candidates, two different sets of candidates that run, and we have six million dollars in this Bill... let's just take the hypothetical that for whatever reason, we have more money, a surplus of money, that money goes back to the General Revenue Fund. It's not available for candidates to spend willy-nilly as they see fit."

Churchill: "And if for some reason there are not sufficient amounts for this fund, then where does the money come from?"

Preston: "Oh, well, there's always suf... oh, I see. Well, then it comes out of GRF, but the experience in other states is that does not happen."

Churchill: "So but... but in the event that we did not receive this 6.8 million dollars that you're talking about, it's conceivable that the General Revenue Fund would pay into this gubernatorial election fund for the candidates."

Preston: "Representative, other states have had this, just have not experienced that hypothetical that you're giving, but let's say we experience it. The world comes to an end, and we just experience that we're going... we don't have enough money from the gubernatorial fund to pay all the candidates, we'll see that well in advance. And if that's a concern, we can repeal this Bill before it ever... before money is ever given any candidate."

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Speaker Greiman: "Mr. Churchill, bring your remarks to a close."

Preston: "But that has never happened in other states."

Churchill: "I'll ask one last question, if I may, Mr. Speaker.

I... under this piece of legislation who has the right to bring litigation against the candidates?"

Preston: "The State Board of Elections."

Churchill: "Does it not..."

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

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to speak to the Amendment itself. I see here in the front of the Amendment, it says, 'It is hereby declared to be in the public interest and to be the policy of this state that primary and general election campaigns for offices of Governor and Lieutenant Governor shall be partially financed by public support pursuant to the provisions of this Act.' Do we really want to make public financing of elections the public policy of this state?"

Preston: "Yes, we do, Representative. Thank you."

Koehler: "I think not."

Speaker Greiman: "Mr... Mr. Preston, that was not a question to you. It was a rhetorical question. Proceed."

Koehler: "I.. I think... I think we do not, and I would object. It further goes on to state here on its first page, 'It is further declared that by limiting the application of this Act to gubernatorial election campaigns, the intent is not to thereby foreclose future consideration and application of public financing to other elections.' Is it the Sponsor's intention to broaden this to other offices eventually, such as Secretary of State, and perhaps, the General Assembly? Representative Preston. Is that your intention?"

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Speaker Greiman: "Well, Ms... Ms... Ms. Koehler, the customary way in debate is to ask questions, then discuss the Bill after you have asked your questions. You did not do that. You sought to speak to the Bill, and now you are asking questions. I think that would be bad form, so you have ten minutes and you certainly may speak to them."

Koehler: "Okay, well..."

Speaker Greiman: "Excuse me, the Gentleman from Cook, Mr. Birkinbine, for what purpose do you arise, Sir?"

Birkinbine: "Yes, Mr. Speaker, on a point of order. I would remind you of the rule you just quoted which refers to the fact that each and every one of us here has ten minutes for debate, specifically 65... Rule 65 Sections F, G, and H. Now you seem... admittedly, this is a one of the liberal dreams as far as running a Bill like this through, but you seem to be pushing people to shorten debate when you don't have the right to do that, as Speaker of the House."

Speaker Greiman: "Excuse... excuse me, Mr. Birkinbine. First place, I suspect that the reference to what I might believe personally has no reference and no place in this... in this chamber. I am the Chair, and I am doing the Chair in a fair way. You may speak, Mr Birkinbine. Just relax. Indeed, Section 65(f) provides that each Member has ten minutes. I have listened to Mr... well, to several of your Members for ten minutes. I have let them go over ten minutes. It is the opinion, I am advised, of the Parliamentarian that ten minutes includes ten minutes of debate, ten minutes of question. You can not interminably ask questions and then seek your ten minutes, so the ten minutes is your total time. Now, on that, on that, Mr. Birkinbine, you raised a point of order. What is your point, Sir?"

Birkinbine: "My point of order is not only did you cut me off

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without saying, "Have you completed?" But you just cut off Mr. Churchill when he spoke for only about two minutes."

Speaker Greiman: "No. Mr. Churchill spoke for longer than that; however, we will begin timing everyone from now on."

Birkinbine: "That would be an..."

Speaker Greiman: "Now, I am on the Lady... the Lady from Marshall. I hear your point. I hear your point, and the only way that we will do it is to use our electronic equipment. All right? That way we know. Now I have not begun to time the Lady from Marshall, and we will call on her again, because she will not abuse that. The Lady from Marshall was speaking. Proceed, Mrs. Koehler."

Koehler: "Thank you, Mr. Speaker, and I would draw my remarks to a conclusion by just saying that public financing of elections just leads to more expensive elections, and the taxpayers should not have to foot the bill. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash. Excuse me, do you have a point of order, Mr. Preston? What is your point, Sir."

Preston: "Mr... Mr. Speaker, this bill has had a lengthy debate, and since the fiscal note has not been filed, I would ask that it now be taken out of the record."

Speaker Greiman: "Well, Mr. Preston, I was going to ask people to get their bedrolls, but if that's what your choice is, we will take the Bill out of the record. On the Order of House Bills Third Reading Short Debate appears House Bill 1598. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1598, a bill for an Act to amend an Act to revise the law in regard to estrays and other lost property. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill suggested by the county clerks under

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Chapter 50 dealing with estrays. It removes certain advertising requirements and makes technical changes. Those details include removing the advertising provisions that estrays under fifteen dollars are to be advertised at three of the most public places in the county. It retains notice at the courthouse, requires notices to be published in newspaper located in the county, rather than in the state, and it consolidates and clarifies provisions in the Act. The Amendment to the Bill struck the enacting provisions which would have placed this in the hands of the circuit clerk who deals with the court orders. It makes minor changes in the existing statutes, and I move for passage of House Bill 1598."

Speaker Greiman: "The Gentleman moves for passage of House Bill 1598. Does anyone stand in opposition? There being no one, the question is, 'Shall this Bill pass?' All those in favor signify by saying... by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Take the record, Mr. S... Mr. Clerk. On this Bill, there are 110 voting 'aye', 1 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading Short Debate appears House Bill 1599. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1599, a Bill for an Act in relationship to the use of public funds. Third Reading of the Bill."

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

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. An important goal of all levels of government in Illinois should be to let the private-for-profit sector provide services whenever possible. For-profit entities pay taxes and often offer the service for lower cost.

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House Bill 1599 is a permissive Bill and allows townships another option in enabling them to place children eligible for subsidy in for-profit daycare centers. This enables mothers to work, and this means keeping them off welfare. Since private centers are spread around geographically, they are more convenient for mothers, since they can usually find one close to where they live."

Speaker Greiman: "Representative Yourell in the Chair."

Pedersen: "The Legislative Committee of the Township Officials of Illinois supports this Bill. It has bipartisan support from my colleague, Representative Steczo. It's permissive, and I urge support of this fine Bill which will provide townships, if they want to use it, a tool for reducing costs or serving more children for the same cost, and I move for passage of this Bill."

Speaker Yourell: "Does anyone stand in opposition? The lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker. Will the Gentlemen yield for a question?"

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

Braun: "Representative Pedersen, does this in any way relate to a federal court ruling of about a year and a half ago that mandated payment for daycare directly to the parents of children and so involved? Does this in any way circumvent that court ruling?"

Pedersen: "I... I... I doubt it."

Braun: "Okay. Thank you."

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

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this legislation. I've been contacted by a number of daycare agencies who oppose this legislation. There are some rather peculiar things in the

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Bill, and I'm not sure that the Sponsor fully appreciates some of the modifications that he's making here. For one, he is changing some language so that now we're amending the Child Care Act so that the Department of Children and Family Services may... make grants specifically to units of local government. Now a unit of local government does not include a sch... a public school. Public schools are considered separately under our Constitution. And I don't think that the... the Gentleman would necessarily want to preclude the Department of Children and Family Services from entering the contracts with school districts necessarily, but that's the way I read the Bill. That's what it does. In addition, the Gentleman is also providing for the Department of Children and Family Services in the Section 1 of the Bill to provide grants to for-profit organizations. Now, right now, we do contract with for-profit organizations, but we don't provide grants to them. A grant is a much different thing than a contract. And a grant is a... is an award which is not necessarily related to the service provided. Now, he also speaks of these for-profit entities as providing the goods for less cost. Well, there's no guarantee that they'll provide them for less cost. The Bill doesn't say that. In any event, it is a departure from the present public policy, and the Bill opens it up far beyond daycare. If you'll look at Section 2, he adds the language, '... or any for-profit business entity is provided,' in paragraph two. And then there's a whole list of things, public safety, environmental protection, public transportation, health, recreation, libraries and social services. I believe that the Bill goes far beyond what he is alleging here on the floor. I... I don't know if he intended this or if it was done knowingly, as we like to say here, but it does it

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nonetheless, and I stand in opposition to this Bill."

Speaker Yourell: "The Gentleman from Champaign, Representative Johnson."

Johnson: "The point is moved, but since we followed the rules on the previous debate 10(e) of our rules, put a two minute limits on opponents. Mr. Cowman's way beyond the two minutes."

Speaker Yourell: "Thank you. Is there further discussion? If not, the Gentleman to close."

Pedersen: "Well, it was our intent not to give money to schools, but we would go through the township to... to provide money for those families who need subsidized care. We currently are providing funds for children through transitional daycare, and... and money can go to for-profit centers there. So all this does is give townships an option. They don't have to exercise it, and when you think in terms of what the private sector can do, it normally means more efficient care, better care, at a lower cost. And all we want to do is provide that option."

Speaker Yourell: "Have you concluded, Sir?"

Pedersen: "Yes, I move to pass this Bill."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor will vote 'yes', those opposed will vote 'no'. The ru... voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 67 'aye's, 32 'nos'. The Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading Short Debate is House Bill 1602. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1602, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

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

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Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1602 was amended in Committee and makes the Bill now permissive. The Bill provides that a municipality upon written request of a municipal antenna television system may permit the construction, installation, operation, maintenance, or improvement of the system within the municipality. The television system must pay all the costs incurred by the community, if the community decides to exercise its right. Mr. Speaker, I ask for adoption of House Bill 1602."

Speaker Yourell: "Does anyone stand in opposition? There being no opposition, the question is, 'Shall this Bill pass?' All those in favor will vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 98 voting 'yes', 6 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order Third Reading Short Debate is House Bill 1613. For what purpose does the Gentleman from Marion, Representative Friedrich arise?"

Friedrich: "I have no objection to that Bill, but that was one that was on a Special Order of Business, and I thought we were staying away from those."

Speaker Yourell: "Thank you. Capparelli here? Out of the record. Appearing on the Order of Third Reading Short Debate is House Bill 1614. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1614, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Yourell: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1614 is a product of the hearings held by

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the School Problems Commission over the fall. This addresses the issue of the regional superintendents inspecting buildings pursuant to the Life Safety Code. Ten years, as the... is the process of expiring, this provides that regional superintendents will be required to investi... to look at school buildings during the ten year period of time unless it's waived by them, because of the condition of the building and the school districts keeping up with it. So I would move for the passage of House Bill 1614."

Speaker Yourell: "Does anyone stand in opposition? There being no opposition, the question is, 'Shall this Bill pass?' All those in favor will vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 106 voting 'aye', 3 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading Short Debate is House Bill 1649. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1649, a Bill for an Act to describe, define, and adopt a system of coordinates for designating a position of points on the earth within the State of Illinois. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill creates the Illinois Coordinates System Act which provides for the establishment of the Illinois Coordinates System which sets out a uniform system of coordinates to aid in the pin-pointing of the position or points of land in the State of Illinois. What this Bill is about is for the... to facilitate the use of computers

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in map making, and it simply allows for a uniformity throughout the state. I know of no opposition to the Bill, and I would ask for your support in the Bill."

Speaker Yourell: "Does anyone stand in opposition? The Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, are you familiar with the system of latitude and longitude created some three or four hundred years ago?"

Cullerton: "I... I don't recall how many years ago it was created, but all I know is that this has to do with computers. It uses X and Y coordinates."

Speaker Yourell: "Excuse me, Representative Cullerton. The Gentleman by the name of Mercator did that, Representative Vinson."

Vinson: "Mercator, that's it. Now you... the City of Chicago, who suggested this Bill, now wants to supersede the City of London on the Mercator projection. Is that we're supposed to understand from this Bill?"

Cullerton: "Oh, no. No. You have this map Bill figured out wrongly. This is... this is progress. It's not a shell Bill. It's not going to be used to be amended against."

Vinson: "What's wrong with that old system?"

Cullerton: "Well, the problem is when you try to put maps on a computer, if different sections of the state are using different systems, there's no uniformity. So the purpose of this is to establish uniformity so that you could put maps on computers."

Vinson: "Some of those computers won't accept that Mercator system."

Cullerton: "That's the problem."

Vinson: "I don't know why, but I'm suspicious of this Bill and

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would urge a 'no' vote."

Speaker Yourell: "Is there further discussion? Being no further discussion, is the question is, 'Shall this Bill pass?' All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Clerk, will take the record. On this question, there are 74 voting 'aye', 37 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Agreed Resolutions. Representative Giorgi."

Clerk Leone: "Senate Joint Resolution 44; House Resolution 293, Doyle; House Resolution 294, Hoffman; House Resolution 295, Daniels; House Resolution 296, Giorgi; House Resolution 297, McGann; House Resolution 298, Younge; House Resolution 299, Topinka; House Resolution 300, Zwick; House Resolution 301, Shaw; and House Resolution 302, O'Connell."

Speaker Yourell: "Representative Giorgi."

Giorgi: "Mr. Speaker, Senate Joint Resolution 44, by Dwight Friedrich and Wolf, calls our attention to the Tricentennial Anniversary Year of the German Settlement of the United States. 293, by Doyle, talks about the works of mercy performed by the Handmaids of Jesus Christ. 294, by Hoffman, calls attention to a retirement. 295, by Minority Leader Daniels, tells of a forthcoming marriage. Giorgi's, memorializes Congress to study the railroad retirement program. 297, by McGann, also notes an impending marriage. Younge's 298 honors Mrs. Myrtle Officer. 299, by Topinka, recognizes fifty years of priesthood. 300, by Zwick, notes a school closing. 301, by Shaw, tells of a founding 100th anniversary of band, and 302, by O'Connell honors a Medallion. And I move for the adoption of the Agreed Resolutions."

Speaker Yourell: "The Gent... the Gentleman moves for the

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adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Resolutions are adopted. Death Resolution."

Clerk Leone: "House Resolution 303, Nash, in respect to the memory of Doctor Nicholas Capos. House Resolution 304, Capparelli - Madigan - et al, in respect to the memory of Joe Kupcinek."

Speaker Yourell: "The Clerk needs about five minutes to read in the record messages from the Senate. Representative Giorgi on the Death Resolutions."

Giorgi: "I move for the adoption of the Death Resolution."

Speaker Yourell: "Mr. Giorgi has moved the adoption of the Death Reso... All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolutions are adopted. Five minutes perfunct for the Clerk to read into the record messages from the Senate. Representative McPike is recognized."

McPike: "Thank you, Mr. Speaker. Allowing the Clerk two minute perfunctory, I move that we stand adjourned until tomorrow at the hour of 9 a.m."

Speaker Yourell: "All those in favor signify saying 'aye', opposed 'no'. The 'ayes' have it. The House stands in recess."

Clerk Leone: "Senate Bills. Introduction and First Reading. Senate Bill 26, O'Connell, a Bill for an Act to amend Sections of the Agent Orange Study Act. First Reading of the Bill. Senate Bill 146, Homer - Tate, a Bill for an Act to repeal Sections of the Unified Code of Corrections. First Reading of the Bill. Senate Bill 150, Homer, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 152, Pierce, a Bill for an Act to amend Sections of the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 172, Brookins, a Bill for an Act creating the Adelbert H.

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Roberts Memorial Statue Committee. First Reading of the Bill. Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. "Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles and passage of which, I'm instructed to ask concurrence of the House of Representatives to wit; Senate Bills 233, 247, 249, 252, 266, 284, 285, 286, and 292, passed by the Senate May 23, 1983. Kenneth Wright, Secretary." A message from the Senate by Mr. Wright, Secretary. "Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Bills 215, 220, 222, 225, 237, 240, 241, 242, 244, 246, passed by the Senate May 23, 1983. Kenneth Wright, Secretary." A message from the Senate by Mr. Wright, Secretary. "Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and passage which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Bills... Senate Bill 199, 192, 195, 201, 204, 206, 208, 211, and 213, passed by the Senate May 23, 1983. Kenneth Wright, Secretary." Being no further business, the House now stands adjourned until Tuesday at 9 a.m. May 24th."

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