

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

137th Legislative Day

June 21, 1984

Speaker Greiman: "The hour of 11:00 having arrived, the House will now be in Session. Members will please be at their seats. The Chaplain for today will be the Reverend Charles Nicholson, Pastor, Rantoul Church of God, Rantoul, Illinois. Reverend Nicholson is the guest of Representative Harry 'Babe' Woodyard. Will the guests in the gallery please rise for the invocation? Reverend Nicholson."

Reverend Nicholson: "Our gracious and loving Heavenly Father, we thank You, Lord, for this day. We thank You, Lord, that we know that there is a higher court. There is a higher law that ordains and sanctions this great nation of ours. We know it is the law of Your word, and You have given Your word, Lord. You have told us that when the righteous are in authority, the people rejoice, but when the wicked beareth rule, the people mourn. We thank You, Lord, that we live in a nation of freedom, a nation, Lord, that we can truly put our trust in You and say in God we trust. We thank You, Lord, that we shall never forget You, but we shall lift you up, Jesus, above all and above everything else, giving glory. We ask this day that You annoint, lead, guide and direct, Heavenly Father, the very parts of these Bills that are brought forth, the things that are passed, the things that are said. Let it be led by Your spirit, for we ask it in Jesus' name. Amen."

Speaker Greiman: "Representative Ropp will lead us in the Pledge to the flag."

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

Speaker Greiman: "Roll Call for Attendance. Alright. Alright."

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Mr. Clerk, take the record. 116 Members have responded to the quorum call, and there is a quorum. Mr. Piel, are there any excused absences on the Republican side?"

Piel: "Yes, Mr. Speaker. Would the record show that Representative Neff is excused because of illness, please?"

Speaker Greiman: "Let the record so show. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of Bills, the following title, to wit; together with the attached Amendments, House Bills 3136, 3143, 3177, 3193, 3206, 2926, 3209, 3231, 2992, 2996, 2952, 3042, 3072, 3091 and 3093 passed by the Senate, as amended, June 20, 1984. Kenneth Wright, Secretary.'" "

Speaker Greiman: "Committee Reports."

Clerk O'Brien: "Representative Flinn, Chairman of the Committee on Financial Institutions, to which the following Bill was referred, action taken June 20, 1984, reported the same back with the following recommendation: 'Do pass' Senate Bill 1236. Representative Currie, the Chairman of the Committee on... the Select Committee on the World's Fair, to which the following Bill was referred, action taken June 20, 1984, reported the same back with the following recommendation: 'Do pass as amended' Senate Bill 1933."

Speaker Greiman: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1074, McNamara. House Joint Resolution 165, Madigan. And Senate Joint Resolution 125, Madigan."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "House... Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 1074, McNamara, is on the

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retirement of Captain Norman Sibble. House Joint Resolution 165, Madigan, commemorates the fifth annual Chicago Lithuanian Festival. Senate Joint Resolution 125 congratulates Mrs. Hill on her 90th birthday. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "Gentleman from Lake moves for the adoption of the Agreed Resolutions. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Introduction and First Reading of House Bills."

Clerk O'Brien: "House Bill 3279, Giorgi - et al, a Bill for an Act to amend an Act in relation to counties. First Reading of the Bill."

Speaker Greiman: "On page two of the Calendar appears Senate Bills Third Reading Short Debate. Senate Bills Third Reading Short Debate. And on that Order appears Senate Bill 1425. Out of the record. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1457. Mr. Keane in the chamber? Out of the record. On that Order of Business appears 1735. Out of the record. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1797. Out of the record. On the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1879. Mr. Vinson, do you wish to proceed with 1879? Out of the record. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1887. Mr. Nash. Mr. Piel. Out of the record. Okay, we've struck out on Short Debate Third Reading. The Gentleman from Lake, for what purpose do you seek recognition, Mr. Matijevich?"

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, first the announcement, a reminder of those... to all of those on the floor, on the front page of your Calendar, be

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aware that there is a Committee of the Whole today at 4:00 p.m. on the subject matter of School Finances. 4:00 p.m., Committee of the Whole on the House floor. Secondly, Mr. Speaker, I would ask leave and the use of the Attendance Roll Call to suspend the appropriate rule on the posting notice so that we can have a Committee of the Whole, Subject Matter - School Finances, today at 4:00 p.m."

Speaker Greiman: "Gentleman from Lake has moved to suspend Rule 20 of the rules in order to suspend the posting for Committee of the Whole meeting at 2:00... no, at 4:00 on June 21st, 1984, on Subject Matter - School Finances. Does Gentleman have leave for the use of the Attendance Roll Call? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, is it my understanding that it is a subject matter posting that he is suspending and not a particular Bill?"

Speaker Greiman: "That's correct."

Vinson: "Fine."

Speaker Greiman: "That's correct. Alright. There being no objection, the Gentleman has leave and posting requirements are waived pursuant to Rule 20 of the rules. Alright, Ladies and Gentlemen of the House, I would remind you that the deadline for Bills being heard on the Order of Third Reading is Monday. It is the intention of the Chair that Second Readings... that all Bills will be moved by tomorrow from the Order of Second Reading to Third Reading so that on Monday we will have an opportunity to only hear Third Reading Bills or those Bills that must be returned to the Order, for which you must get leave or a Motion. Now, we will... We are now going to the Order of House... of Senate Bills Second Reading on page six so that if you are going to move your Bill, it would be appropriate to move to... to begin to move these Bills at this time. On the

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Order... On page six of the Calendar, on the Order of Senate Bills Second Reading, Short Debate Calendar, appears Senate Bill 1384. 1384. Mr. Hastert. 1384. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1384, a Bill for an Act in relation to State Property Tax Appeal Board. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #1... just one moment. I would like to withdraw."

Speaker Greiman: "Alright. Amendment #1 will be withdrawn. Further Amendments?"

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

Speaker Greiman: "Gentleman from Livingston, Mr. Ewing, on Amendment #2."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this is the Amendment which I think many of you have heard about. It returns to the local counties the final authority for determining tax exempt property. It does that in every county except Cook County, and Cook County will remain under the Department of Revenue. This is a provision which I think is very good. We have for many years allowed the exemptions to be handled pretty much on the county level. Only recently has the Department of Revenue started to review these, and there has been a great deal, in my opinion, of confusion, of taxation of church parsonages, of denial of exemptions and then reissuing of exemptions. And I think that it's been poorly handled at the Department level. We handle the rest of our tax system at the local level, and I think this should well be handled at the local

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level. It's really an issue that deals with local control, and I think this is one place where those of us who have often said we are for local control, then we should be 'yes' on this Amendment. I'll be glad to answer any questions you might have."

Speaker Greiman: "The Gentleman from Livingston has moved for the adoption of Amendment 2 to Senate Bill 1384, and on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. We defeated this proposal earlier in the Session. And at that time, I knew it was a bad Bill, but the more I looked at it the worse it gets. It is really a very, very bad proposal. The Gentleman, I believe, with this Amendment, has excluded Cook. That doesn't make it any better. Basically what it would mean is that the local taxing authority could decide whether or not some property should be exempt or not, rather than the Department of Revenue. Now, you may recall, this is... what Representative Woodyard put a Bill in that strengthened the role of the Department of Revenue, then took an Amendment that did the opposite. We debated that Bill. I suspect that the Sponsor of this Bill, not the Sponsor of the Amendment, doesn't even like it. It is the type of a Bill that could just cause a scandal. It would be... You may recall that machine gun Bill we had a few years ago when we were so embarrassed. Those of you who voted for it were embarrassed that we passed it. This is the same type of an operation. And this is the type of a deal where someone in a small taxing district could just make a deal with somebody to keep their property exempt, and they could be cousins. They could be relatives. They could be business associates, and it just... the type of thing which could

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involve, as I said before, some scandals. I got to believe... I've got to believe the Department of Revenue is... should be opposed to this Amendment. It's bad public policy, and I believe that we should vote 'no' on it."

Speaker Greiman: "Further discussion? The Gentleman from Kendall, Mr. Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for question."

Hastert: "Well, Representative Ewing, I have some concern about this Amendment, but I... seeing that it's being put on a Bill that I am handling, but let me ask you a couple of questions about it. Is this the Bill... or is this the Amendment that deals with parsonages, church parsonages and where some church parsonages are taken off the rolls and some church parsonages are left on the rolls and we get letters from our local churches all the time saying let's be equitable? Is this the one that deals with that?"

Ewing: "It certainly is, Representative. I'm glad you asked the question because probably some of the largest outcry has come from the churches in regarding the policies of the Department of Revenue. For instance, in my own home county, I know of parsonages that are located in new residential districts that the Department has left exempt and parsonages in small country churches where their only phone, the only office, the only facilities they use for church business is in the parsonage and they have been denied. It's been terribly unfair and inconsistent, the review of the Department of Revenue."

Hastert: "One final question. The previous speaker said something about cousins making deals about property taxes. Your experience in downstate government, that never happens, does it?"

Ewing: "No, no, that... I don't believe that is a problem here."

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If that were the case, then why don't we transfer all of our property tax authority from the local level to the Department of Revenue? That... That doesn't hold water."

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

Speaker Greiman: "Further discussion? Gentleman from Cook, Mr. Bowman."

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

Speaker Greiman: "Indicates he will."

Bowman: "Representative Ewing, you keep using the example of church parsonages. Is that only an example, or is the Amendment that you are proposing specifically limited to church parsonages?"

Ewing: "No, it is not limited to church parsonages."

Bowman: "Okay, thank you, Representative. Then to the... to the Amendment, Mr. Speaker. That seems to me to be the source of the problem. I mean it's one thing to use parsonages as an example, but I don't want anyone on this floor to be confused that the Bill or the Amendment is so limited. It opens the door to many, many other kinds of tax redeterminations. And also, so people aren't confused, let me clarify one thing, that the Taxpayers' Federation is against this legislation. Now, I know it's remarkable that the Gentleman from Livingston would go against the Taxpayers' Federation in this way and maybe even more remarkable that I would stand up for the Taxpayers' Federation in this way, but these... I do want everyone to understand that the Taxpayers' Federation of the State of Illinois is against this particular legislation. And I think that the reason they are against it is not because it has something to do with church parsonages, but because... and precisely the opposite of that, that it has... opens the door to many other kinds of redeterminations. Because it opens the door to inequities between counties, that is

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precisely the reason that we must oppose this legislation."

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

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 is very helpful to the church organizations as well as to the veterans. It would benefit because the local boards of review generally give the exempt status to their organizations, but then the Illinois Department of Revenue overturns the local boards. This will allow the local civic groups to deal with local officials, and this would be of great benefit to the veteran groups as well as to churches, and I wholeheartedly support Amendment #2. Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Peoria, Mr. Tuerk."

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

Speaker Greiman: "Indicates that he will."

Tuerk: "What is the current law on exemption of church property today?"

Ewing: "Well, generally, they have some criteria for judging whether a parsonage... Now, church property in itself is tax exempt. What we are talking about is the parsonages mostly, and if they meet the criteria of use for religious purposes, they are also... it's also possible to have them exempt. In fact, most church parsonages have been exempted across the state almost routinely."

Tuerk: "Well, that was my understanding because that's part of church property. This Amendment deals only with the parsonage or all property owned by the churches?"

Ewing: "No, no, not all property owned by the church. It only deals with exemptions which are allowable under our Constitution, which includes church property. But I want to make it very clear that if a church owns a farm, that farm is not tax free."

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Tuerk: "Right, only that property that is used..."

Ewing: "For religious purposes."

Tuerk: "For religious purposes. Now, what your Amendment purports to do is give this local control rather than state control of the exemption. Is that correct?"

Ewing: "Representative Tuerk, currently, the exemptions are determined at the local level. They are determined at the local level, and then we send them down here to the omnipotent Department of Revenue, who can judge from afar what we have done at the local level. And they either deny them or accept them. What my Amendment does is stop the process after the local determination that they are exempt."

Tuerk: "Okay, and that... that would then take care of any problems that have existed over the past year or two relative to the interpretation that apparently the state has put on exemptions, is that correct?"

Ewing: "I believe it would help, yes."

Tuerk: "Thank you."

Speaker Greiman: "There being no further discussion, the Gentleman from Livingston to close."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I understand where the Taxpayers' Federation is on this, and I understand their concern. And I have visited with them about it. I understand some of those who have spoken in opposition to this Bill. And I think or like to believe that I stand for good government. But my experience with this particular problem is that the enforcement of the Department of Revenue's review of local exemptions has been more unfair than if we leave it at that local level. If we don't have some respect for the ability of local people to handle their tax problems and the revenue system, then we ought to bring the whole property tax system down here and

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let the State of Illinois run it and see if that would make you happier. This is purely a matter of returning what should be local to local control. Anyone who is unhappy because they don't get an exemption or some exemption is given that shouldn't be given still has the right to go to the circuit court on that decision. That right will not be affected by this. And I would ask for a positive show of support for this Amendment."

Speaker Greiman: "For what purpose does the Gentleman from Fulton seek recognition?"

Homer: "Mr. Speaker, I would request a Roll Call Vote on the Amendment."

Speaker Greiman: "Alright. Question is, 'Shall Amendment #2 be adopted?' 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... On this Motion there... On this Amendment there are 50 voting 'aye', 58 voting 'no', none voting 'present', and Mr. Ewing, for what purpose do you seek recognition?"

Ewing: "Would you poll the absentees, please?"

Speaker Greiman: "Mr. Clerk, a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Alexander. Braun. Ralph Dunn. Flinn. Huff. Neff. Pierce. Richmond. Taylor. And Winchester."

Speaker Greiman: "Mr. Friedrich, for what purpose do you seek recognition?"

Friedrich: "Mr. Speaker, would you change my vote to 'aye', please?"

Speaker Greiman: "Mr. Friedrich goes from 'no' to 'aye'. On this Amendment, there are 51... Mr. Piel, for what purpose do you seek recognition?"

Piel: "Yes, would you change me to 'aye', please?"

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Speaker Greiman: "Mr. Piel goes from 'no' to 'aye'. Ms. Braun, Ms. Braun votes 'no'. Yes, Mr. Pangle. Mr. Pangle goes from 'no' to 'aye'. Mr. Mulcahey. Mr. Mulcahey goes from 'no' to 'aye'. Mr. Winchester. Mr. Winchester votes 'aye'. Ms. Frederick. Ms. Frederick votes... Ms. Frederick goes from 'no' to 'aye'. Mr. Doyle goes from 'no' to 'aye'. Mr. Brunsvold, for what purpose do you seek recognition? Mr. Brunsvold goes from 'no' to 'aye'. Mr. McAuliffe goes from 'aye' to 'no'. McAuliffe, 'aye' to 'no'. Mr. Ewing, for what purpose... do you want to change your vote?"

Ewing: "Well, I... If it's going to be that unanimous, I might."

Speaker Greiman: "For what purpose do you seek recognition, Sir?"

Ewing: "I'd like a count, if I could, before you announce it."

Speaker Greiman: "Well, I can only announce it. I'll give you the count."

Ewing: "Well, before you declare it either way, I would like..."

Speaker Greiman: "Alright. On this Amendment there are 57 'ayes', 53 voting 'no', none voting 'present', and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading, with leave for the Bill to remain on the Order of Short Debate. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1607. Mr. Matijevich. Oh, there was... let the record show that there was no leave for Short Debate so that 1384 will go to the Order of Third Reading. Mr. Matijevich, 1607. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1659. Mr. Capparelli. Out of the record. On the Order of Senate Bills Second Reading, Short Debate, appears Senate Bill 1876. Mr. Vinson, 1876. Out of the record. On the Order of Senate Bills Second Reading, Short Debate,

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appears Senate Bill 1943. Ms. Breslin, 1943. Mr. Clerk,
read the Bill."

Clerk O'Brien: "Senate Bill 1943, a Bill for an Act to amend
Sections of the Environmental Facilities Financing Act.
Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Lady from LaSalle, Ms. Breslin."

Breslin: "Withdraw Amendment #1, please."

Speaker Greiman: "Amendment #1 will be withdrawn. Further
Amendments?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin."

Breslin: "Withdraw Amendment #2, please."

Speaker Greiman: "#2 is withdrawn. Further Amendments?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the
House, Amendment #3 defines landfill gas recovery systems
as a pollution control device and, therefore, allows
landfill gas recovery facilities for... to make them
available for financing under the Environmental Financing
Act. I ask for your favorable consideration."

Speaker Greiman: "The Lady from LaSalle has moved for the
adoption of Amendment 3 to Senate Bill 1943. On that, is
there any discussion? There being none, the question is,
'Shall this Amendment be adopted?' All in favor signify by
saying 'aye', those opposed 'no'. In the opinion of the
Chair, the 'ayes' have it, and the Amendment is adopted.
Further Amendment?"

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

Speaker Greiman: "Lady from LaSalle, Ms. Breslin."

Breslin: "Withdraw Amendment #4, please."

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Speaker Greiman: "#4 will be withdrawn. Further Amendment?"

Clerk O'Brien: "No further Amendment."

Speaker Greiman: "Third Reading. Leave for the Bill to remain on Short Debate. Leave is granted. Alright. On the Order, now, of Senate Bills Second Reading appears Senate Bill 495, 495. Ms. Braun. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 626. Ms. Currie. Ms. Currie. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1386. Oh, I'm sorry. This is the... appropriation. Out of the record. Yes, Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Inquiry of the Chair. On Senate Bill 1943, what Amendments were adopted? Has Amendment #1 been adopted?"

Speaker Greiman: "Amendment #3 was adopted."

Vinson: "Was Amendment #1 adopted?"

Speaker Greiman: "No, they were withdrawn, and Amendment #3 was adopted."

Vinson: "Thank you."

Speaker Greiman: "Ms. Breslin, would you come to the podium? On the Order of Senate Bills Second Reading appears Senate Bill 1395, Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1395, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

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

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Amendment #1 to Senate Bill 1395 is offered, and it actually becomes the Bill. It provides the recomputation of equalization grants with respect to community college districts whose tax revenues are affected by court

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decisions. It actually, where there is a problem with the courts, the equalization grants will be picked up by the Illinois Community College Board. The Common School Act has this basic requirement, and we are going to try and make this uniform with the community colleges. And I'd ask your support of this Amendment #1 to Senate Bill 1395."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves for the adoption of Amendment #1 to House... to Senate Bill 1395. Is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "Representative, I did not exactly understand what this Amendment did. This does not include a tax on school district to cover the fees for people who attend out of the community... community colleges, does it?"

McGann: "No, I would say it does not, but it does affect with the equalization grants."

Ropp: "What do you mean it affects the equalization grant?"

McGann: "I'm sorry, Representative."

Ropp: "What do you mean?"

McGann: "In other words, you are talking about charge backs?"

Ropp: "Correct."

McGann: "This has no effect on that."

Ropp: "Okay."

Speaker Greiman: "Further discussion? The Gentleman from DuPage, Mr. Hoffman."

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

Speaker Greiman: "Indicates that he will."

Hoffman: "Does this program provide for redistribution of... of an equalization grant?"

McGann: "That is... that is correct, Representative Hoffman."

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Hoffman: "What you are suggesting is..."

McGann: "What will happen here is, if I may further answer the question. What will happen here is there will be a separate line item in the budget for this purpose, and the amounts will be dictated by the General Assembly."

Hoffman: "Then it is not going to be a redistribution of the equalization grant. It is, in fact, going to be a separate program for those school districts that have been adversely affected by a court decision. Is that correct?"

McGann: "That is correct, adverse, right."

Hoffman: "Is there any money in the FY '85 budget for this program?"

McGann: "No, Representative, there is not presently."

Hoffman: "What is the effective date of this program?"

McGann: "Upon the signature of the Governor."

Hoffman: "It becomes effective upon the signature of the Governor. How many school districts... How many community college districts would be affected by this legislation?"

McGann: "Representative, there actually... there are actually no cases presently, none pending, and actually this is for the future. There will be a clarification so that when this does happen, we'll be able to put this into effect. This will be the law."

Hoffman: "So there is no... So there is no need for an FY '85 appropriation?"

McGann: "That is correct."

Hoffman: "Fine. Thank you very much."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Cook to briefly close."

McGann: "I would... Mr. Speaker and Members of the Assembly, I would appreciate an 'aye' vote for this Amendment 1 to Senate Bill 1395."

Speaker Greiman: "Alright. Question is, 'Shall Amendment #1 be

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

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Representative Breslin in the Chair."

Speaker Breslin: "Senate Bill 1478, Representative Wojcik. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1478, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Wojcik, amends Senate Bill 1478 on page two and so forth."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, this is a technical Amendment that adds an immediate effective date, and it provides that counties are not liable for any interest accrued on tax monies collected for local governmental units prior to the effective date of Senate Bill 1625, other than monies held on or after November 18, 1983."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to Senate Bill 1478, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "I'm sorry. I just couldn't hear her. I wonder if she could repeat it?"

Speaker Breslin: "Representative Wojcik, would you repeat your explanation of Amendment #1?"

Wojcik: "Yes, I will. This is a technical Amendment, adds an immediate effective date, and it is in reference to the counties are not liable for any interest accrued on tax monies collected for local governmental units prior to the

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effective date of Senate Bill 1625."

Speaker Breslin: "Is there any discussion on this Amendment? There being no discussion, the question is, 'Shall Amendment #1 to Senate 1478 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1522, Representative Greiman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1522, a Bill for an Act to amend the Chicago World's Fair 1992 Authority Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Greiman, amends Senate Bill 1522, as amended."

Speaker Breslin: "Representative Greiman."

Greiman: "Thank you, Speaker. Ladies and Gentlemen of the House, Amendment #2 is presented at the... to make the Bill better and to respond to concerns that the Committee had. This Bill is to require that the beneficiaries of land trusts who sell property to the Authority be disclosed so that we will know who the Authority is dealing with. At the Committee hearing, Representative Pierce suggested that it might be wise to provide for all trusts, the beneficiaries of all trusts to be disclosed so that if there was a trust holding property, indeed, that beneficiaries would be disclosed. Representative Friedrich wisely also suggested that there ought to be some kind of handle on people leasing property to the fair so that we would know the beneficiaries... who the beneficiaries are of those trusts.

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And in order to learn... to have continuity, we have provided for a method of the Authority, from time to time, finding out who is the beneficiary of a land trust leasing property. This is what the Bill is about... the Amendment is about. I know of no opposition to the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1522, and on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, will the Sponsor yield for questions?"

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "Representative, I don't understand... Will you explain to me the purpose of the language on page one, line 23 and 24 and page two, one and two? What's this date business?"

Greiman: "Thank you. The date is because there may... that date keys into the time that we passed the Authority Act. For example, there may, indeed, be people or... who have purchased and acquired property in contemplation of that who have some kind of a potential with some clout that would be able to sell it. So that's why it goes back, in case there has been any sales or acquisitions. That's what the purpose of that is."

Vinson: "Is the effect of that language to mean that only land acquired during the pendency of discussions about the World Fair is subject to the disclosure?"

Greiman: "No, it's for all property that is acquired. Certainly, it would be an impotent Act if we limited to that. It's for people who are selling property later on."

Vinson: "All beneficial interests in all land trusts must be disclosed under this Amendment?"

Greiman: "In all land trusts that sell real estate to the Fair Authority."

Vinson: "Now, what is the Freedom of Information Act language in here?"

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Greiman: "Well, the purpose of that is that it be disclosed to the public, not merely that it be disclosed and kept in some secret file, but that it be obtainable by the public."

Vinson: "So, this makes it subject to the Freedom of Information Act? Is that what it does?"

Greiman: "Absolutely. That's right."

Vinson: "Okay, now, the... in a land trust, there are certain specified beneficiaries that have to be identified to the banking institution. Now, you can have a situation where a specified beneficiary is identified to the institution, but he's really holding the beneficial interest as a nominee for someone else. Does... Is this... Is that dealt with under this?"

Greiman: "Sure, he's a trustee... He would be covered as a trustee. He is a trustee. He holds it... He holds the beneficial interest as a trustee. So, if he would make the sale or directs the sale, my belief is that he would be committing perjury if he didn't give the certification."

Vinson: "He would be?"

Greiman: "I think he would be."

Vinson: "You're certain he would be?"

Greiman: "Sam, I'm not the Supreme Court of Illinois, but I think that because of the... of this Amendment, which includes not just land trusts but all trusts, he is a trustee. He would be a trustee. So, I think he would be, yes."

Vinson: "And the purpose of this Act... one of the purposes of this Act is to make sure that he would be. Isn't that correct?"

Greiman: "That's right."

Vinson: "Thank you. I would urge... I would support the Amendment. I would urge everybody to vote for it."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 1522 be adopted?' All those in favor say 'aye', all

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those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Greiman, amends Senate Bill 1522 as amended."

Speaker Breslin: "Representative Greiman."

Greiman: "Thank you... Speaker. Amendment #3 extends the principle that we have just developed in Amendment 2 and in which the Bill develops to corporations which hold land in the area and sell that land to the... to the Fair Authority so that any time there is a sale of land from a corporation, ten percent... any shareholder holding ten percent or more would be required to make the same kind of disclosure. And that's what Amendment #3 is about, and I would urge it's adoption. It's in the same kind of genre."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1522, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to Senate Bill 1522 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Flinn is recognized for the purpose of a Motion."

Flinn: "Madam Speaker, I move that we suspend Rule 35(a) so that the Order of Second Reading First Legislative Day may appear on a Supplemental Calendar and that Senate Bill 1236 may appear on that Order. We have cleared this with the other side of the aisle."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being no discussion, all those

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in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. Senate Bill 1524, Representative Stuffle. Representative Stuffle. Out of the record. Senate Bill 1612, Representative Hoffman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1612, a Bill for an Act to amend an Act in relationship to civic centers. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed. Oh, Motion. Motion by Representative Cullerton. 'I move to table Amendment #3 to Senate Bill 1612.'" "

Speaker Breslin: "Representative Cullerton, on the Motion."

Cullerton: "Yes, Motion, Motion. I would move to table Amendment #3, which is a inappropriate Amendment to be on this Bill. Ask for a favorable vote."

Speaker Breslin: "Representative Cullerton moves to table Amendment #3 to Senate Bill 1612, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to Senate Bill 1612 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #3 is tabled. Are there any further Amendments?"

Clerk Leone: "Amendment #4, Leverenz, amends Senate Bill 1612 on page... so forth."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you. Amendment #4 would provide for the River Forest Metropolitan Exposition Auditorium and Office Building Authority, as we did in a previous House Bill, and I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 1612, and on that question, is

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there any discussion? There being no discussion, the question is, 'Shall Amendment #4 to Senate Bill 1612 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Brunsvold, amends Senate Bill 1612 on page 120 and so forth."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Amendment #5 would add the Aledo Community Center Authority. Aledo is the largest town in Mercer County, and I would move for the adoption of the Amendment."

Speaker Breslin: "Representative Brunsvold moves for the adoption of Amendment #5 to Senate Bill 1612, and on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "I would ask the Sponsor if he could take this Bill out of the record for just a few minutes, and we'll come right back to it. That be okay?"

Speaker Breslin: "Out of... That's agreeable, Representative Hoffman? Okay, this Bill will be taken out of the record. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of Senate Bills Second Reading appears Senate Bill 1625. Mr. Ropp, 1625. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1625, a Bill for an Act to amend an Act relating to taxes collected on behalf of taxing districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions?"

Clerk Leone: "No motions filed."

Speaker Greiman: "Are there any further... any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2, Ropp, amends Senate Bill 1625..."

Speaker Greiman: "Gentleman from McLean, Mr. Ropp."

Ropp: "Mr. Speaker and Members of the House, this Amendment just places an immediate effective date on the Bill."

Speaker Greiman: "Gentleman from McLean has moved for the adoption of Amendment 2 to Senate Bill 1625. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1629, Mr. Giorgi. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill... Mr. Giorgi, do you want to proceed on 1629? Out of the record. You talked to counsel. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1664. Ms. Oblinger, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill..."

Speaker Greiman: "Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1725, Mr. Homer. Mr. Homer in the chamber? Out of the record. On the Order of... Yes, for what purpose does the Gentleman from Fulton, Mr. Homer, seek recognition?"

Homer: "Mr. Speaker, the board shows Senate Bill 1725. May we proceed with that Bill on Second Reading, Sir?"

Speaker Greiman: "Yes, alright. On the Order of Senate Bills Second Reading appears Senate Bill 1725. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1725, a Bill for an Act in relationship

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to victims of violence and abuse. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Homer, amends Senate Bill 1725..."

Speaker Greiman: "Gentleman from Fulton, Mr. Homer, on Floor Amendment #4."

Homer: "Thank you, Mr. Speaker and Members of the House. Amendment #4 simply clarifies a provision that's already in the Bill. This Bill has two parts to it. The part we are amending is the Crime Victims' Bill of Rights Bill, and one of the rights that crime victims have is to be notified, under this Bill, upon the release of the defendant from the..."

Speaker Greiman: "Excuse me, Mr. Homer. Mr. Piel, for what purpose do you seek recognition?"

Piel: "Question of the Clerk, Mr. Speaker. Has this Amendment been printed and distributed? We do not have it over here."

Speaker Greiman: "I'm advised by the Clerk that it has been printed and distributed."

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

Speaker Greiman: "Well, Mr. Piel, the Clerk's records indicate that the Amendment has, in fact, been distributed. Mr. Piel, have you searched your records and your conscience and found the Amendment?"

Piel: "My conscience is always clear. My records aren't, but we are still looking for them, Mr. Speaker."

Speaker Greiman: "Mr. Piel, alright."

Piel: "You can go with it."

Speaker Greiman: "Alright. Mr. Homer, proceed."

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Homer: "Thank you, Mr. Speaker. Amendment #4 would provide that the Board of Review, the Prisoner Board of Review... Prisoner Review Board, excuse me, who is required to notify the victim, under the proposed Bill, of the release of the defendant from the penitentiary, would be required to do so only in the event that they were provided with the name and current address and phone number of that victim. Currently, the Prisoner Review Board maintains no such records; and, therefore, this is simply necessary in order to allow them to perform the functions set forth under the Bill. And I would ask for your approval."

Speaker Greiman: "Gentleman from Fulton moves for the adoption of Amendment 4 to Senate Bill 1725, 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 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Oblinger, amends Senate Bill 1725 as amended."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, this Amendment is in response to a request by Representative Cullerton, and we have deleted the lines that he wished deleted from the Bill which has to do with elderly abuse."

Speaker Greiman: "The Lady from Sangamon moves for the adoption of Amendment 5 to Senate Bill 1725, and on that, is there any discussion? There being none, the question is, 'Shall Amendment #5 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Greiman: "Third Reading. On the Order of Senate Bills Second Reading appears Senate Bill 1727. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1733. Out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1746. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1746, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Hoffman, amends Senate Bill 1746..."

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

Hoffman: "Take it out of the record, please."

Speaker Greiman: "Alright, this Bill will be out of the record. On the Order of Senate Bills Second Reading appears Senate Bill 1747. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1747, a Bill for an Act to amend the School Code. 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: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, John Dunn, amends Senate Bill 1747 as amended."

Speaker Greiman: "Gentleman from Macon, Mr. Dunn, on Amendment #2 to Senate Bill 1747."

Dunn, J.: "Mr. Speaker, I ask leave to withdraw Amendment #2."

Speaker Greiman: "Amendment #2 is withdrawn. Further

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Amendments?"

Clerk Leone: "Floor Amendment #3, John Dunn, amends Senate Bill..."

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

Dunn, J.: "Okay, this Amendment will clear up a mistake, which unfortunately appeared in what was known as House Bill 133, which is on the Governor's desk and is now signed into law. So this is needed for corrective purposes, and I don't... I don't think there is any controversy about it. I think both sides of the aisle support this Amendment, and I would ask for a favorable Roll Call."

Speaker Greiman: "Gentleman from Macon moves for adoption of Senate Bill... of Amendment #3 to Senate Bill 1747. On that, is there any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "The Gentleman is correct, and I support the adoption of this Amendment."

Speaker Greiman: "Alright. The question is, 'Shall Amendment #3 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Cullerton, amends Senate Bill 1747 as amended."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment provides that the members of the Chicago Board of Education, who right now can receive up to \$300 a month without having to verify for what they are spending the money, shall be reimbursed for their expenses incurred while in the performance of their duties only after they submit proper receipts or a signed voucher, in the case of an expense allowance, evidence in the amount of such reimbursements to the president of the Board for

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verification and approval. I would move for the adoption of Amendment #4."

Speaker Breslin: "Representative Breslin in the Chair. The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 1747, and on that question, the Lady from DuPage, Representative Nelson."

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

Speaker Breslin: "The Gentleman will yield for a question."

Nelson: "Representative Cullerton, what kinds of expenses would these board members incur? People in my area who are members of the Board of Education receive no compensation whatsoever for going to board meetings and workshops and so on."

Cullerton: "Right. You have to understand right now they get \$300, even though the law says they are not supposed to serve... they serve without any compensation. They get \$300 without having to show any receipts, or vouchers or anything. So, this is an effort to reform that situation by requiring them to come up with receipts for their expenses. Now, those expenses might mean... include travel, stationery, that sort of thing. But whatever it is, they have to have vouchers and receipts, and this is a change from the current law where there is \$300 that are given to them almost as an income source without any verification of the receipts. As a matter of fact, the real problem is that without having to have a verification of receipts, it is deemed by the IRS to be income and even though the law says they are not supposed to receive any compensation. So, that's the purpose of the Amendment. So, you have had it explained to you from both sides of the aisle simultaneously, so I think at this point in time you should really understand it."

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Nelson: "That's very helpful, but the point that I am interested in getting at is that under present law they are not to receive compensation and yet they do?"

Cullerton: "Yes."

Nelson: "That's the point that I'd like to make and make clear to this Body."

Cullerton: "Yes, and this corrects it."

Nelson: "I understand that yours is a reform of sorts, but on the other hand, it seems to me peculiar that of all board members in the state, only those board members who serve in the City of Chicago receive compensation, and the law specifically states that they are not to receive compensation. And that is my point. Thank you, Representative Cullerton."

Speaker Breslin: "Is there any further discussion? There being no further discussion, Representative Cullerton, to close."

Cullerton: "I would just simply move for the adoption of the Amendment..."

Speaker Breslin: "The question is, 'Shall Amendment #4 to Senate Bill 1747 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1790, Representative Jaffe. Out of the record. Senate Bill 1793, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1793, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1793 on page one and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment changes the conduct of business by the Prison Review... Prisoner Review Board by requiring that when parole decisions are made in cases of persons sentenced for murder and persons sentenced for any crime to a minimum prison term of 20 years or more, the decision must be made by a majority vote of the entire board, there being ten members, rather than the majority vote of a three member panel. The second thing that the Bill does... the Amendment does is to require the Prisoner Review Board... Prisoner Review Board to maintain a registry of decisions in cases where parole has been granted. The registry must include the basis for the decision of the board to grant parole on any such decisions, and it must be open for public inspection. This Amendment contains provisions similar to Senate Bill 1841, which apparently is in trouble somewhere. So we've asked... we've asked that this Amendment go on this Bill.

Speaker Breslin: "Representative Cullerton has moved for the adoption of Amendment #2 to Senate Bill 1793, and on that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Sounds like a good idea to me. Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

McCracken: "Do you plan that this... or is it the intent of the legislation that this be applied... or let me ask this. Do you envision any constitutional problems with its application to prisoners already currently sentenced and subject to existing standards of parole review or has any

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thought been given to that?"

Cullerton: "I don't think there's a constitutional problem. I think all we're saying with the registry, of course, we're just making decisions public with regard to the vote by the Prisoner Review Board. They have ten members, and they have decided amongst themselves to have these, for purposes of convenience, to have a three member panel. I think... I'm not sure of this, but I think the three member panels decisions has to probably be ratified by the ten member board. So all we are saying with this is that rather than just have a three member panel decide for these serious offenses, murder and anything over twenty years or more, that it should be done with regard to all ten members. So it's really more of a procedural change, and I don't think it would have any constitutional infirmities."

McCracken: "I certainly endorse it. I hope you are correct. I... this is a change which is long overdue, so I think we should be supporting this wholeheartedly."

Speaker Breslin: "The Gentleman has moved for the passage... or the adoption of Amendment #2 to Senate Bill 1793. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Ryder, amends Senate Bill 1793 on page one and so forth."

Speaker Breslin: "Representative Ryder. Representative Ryder, you are the Sponsor of Amendment #3 to Senate Bill 1793."

Ryder: "Madam Speaker and... Amendment #3 deals with the Department of Conservation and changed the amount of dollars from 20 to ten. I would ask for favorable approval."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1793, and on that question, the

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Gentleman from Cook, Representative Cullerton."

Cullerton: "I think Representative Ryder would like to withdraw Amendment #3 and go with Amendment #4, which does the same thing but... better drafted."

Speaker Breslin: "Very good. Amendment #3 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Ryder, amends Senate Bill 1793 on page one and so forth."

Speaker Breslin: "Representative Ryder."

Ryder: "Yes, this is the Bill to which I originally spoke, and it does change the dollars for the Department of Conservation only."

Speaker Breslin: "Representative Ryder moves for the adoption of Amendment #4 to Senate Bill 1793, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 to Senate Bill 1793 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1794, Representative Topinka. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1794, a Bill for an Act in relationship to the offense of aggregated (sic - aggravated) fleeing or attempting to elude a police officer. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Cullerton, amends Senate Bill 1794 on page four and so forth."

Speaker Breslin: "Representative Cullerton."

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

Speaker Breslin: "The Gentleman withdraws Amendment #2. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Cullerton, amends Senate Bill 1794 as amended."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I would like to withdraw Amendment #3."

Speaker Breslin: "The Gentleman withdraws Amendment #3. Are there any further Amendments?"

Clerk Leone: "Amendment #4, Cullerton, amends Senate Bill 1794."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I would like to not withdraw that Amendment."

Speaker Breslin: "Proceed."

Cullerton: "Thank you. This Bill deals with the offense of aggravated fleeing, and what this Amendment does is to change the definition of the offense slightly. Yes, now this is not fleeing, f-l-e-a. This is f-l-e-e-i-n-g, aggravated fleeing. What this says is that the offense would occur only if the injury caused is caused directly... if the fleeing causes personal injury directly, as opposed to just indirectly, and it also says that property damage would not be necessary for the offense to occur. I would move for the adoption of the Amendment which makes the Bill better if it passes."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 1794, and on that question, the Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, I don't remember the new penalty imposed on aggravated fleeing. I think it was something short of a capital offense. What is the penalty? Does your Amendment change the penalty?"

Cullerton: "No, no, the Amendment is designed to, perhaps, limit in some ways, limit the applicability of this new offense."

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Brummer: "So, it does not change the death penalty or whatever we have in this for aggravated fleeing?"

Cullerton: "No, I think the death penalty would still apply."

Brummer: "Thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield for a question."

McCracken: "How do you define 'indirect injury'? Would direct injury, as is now required, occur if the chasing police officer, in the course of his duty, had an accident causing injury? Would that be the type of injury that's within the scope of the Bill?"

Cullerton: "No, I would say that that certainly would be open to interpretation by a court, I imagine."

McCracken: "Is it your intent that it be... that it be within the scope of the Bill?"

Cullerton: "Why don't I give you an answer to that on Third Reading. I have to discuss that with the Sponsor of the Bill. I'm not the Sponsor of the Bill, and I think we should discuss that."

McCracken: "Well, let me ask you, do you... Alright. Well, why don't you defer to Representative Topinka now?"

Cullerton: "Fine."

Speaker Breslin: "Representative Topinka."

Topinka: "Yes, I would consider that indirect."

Speaker Breslin: "Would you repeat your answer, Representative Topinka? The Assembly did not hear it."

Topinka: "The answer is it would be indirect rather than direct."

Cullerton: "And I agree with that interpretation; and, therefore, it would not be an offense."

Speaker Breslin: "Representative McCracken, for further questions."

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McCracken: "Well, I'm unclear. So, if it's the police officer involved, as opposed to the suspect, that would not constitute a factor or be within the scope of this Bill?"

Cullerton: "Right, that makes sense. You wouldn't want to have the conduct of the police officer, perhaps negligent conduct on his part, trigger a criminal or enhance criminal offense for a defendant."

McCracken: "Well, I don't agree on... To the Amendment. Under the felony murder rule, which has been enforced in this state and most all states for many years, if the police officer is involved in what causes the murder, even though that's the case, the felon committing the crime which initiated the police action is guilty of felony murder. And that's a very appropriate doctrine. And I think that that should be part of your fleeing statute. It is perfectly analogous, and I think the aggravated fleeing statute would be a lot better if we included that situation. We'd be protecting the public because it is not an unforeseeable event that damage or physical injury might occur as a result of the chase, either as a direct result of the suspect or the police officer."

Speaker Breslin: "The Lady from Cook, Representative Topinka, on the Amendment."

Topinka: "Madam Speaker, I'd like to take the Bill out of the record until we work this out."

Speaker Breslin: "Out of the record. Senate Bill 1803, Representative Pierce. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1803, a Bill for an Act to amend an Act concerning public utilities. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Amendment #1 lost in Committee. Floor Amendment #2, Hastert, amends Senate Bill 1803 on page nine and so

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forth."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman (sic - Speaker), Lady... Ladies and Gentlemen of the House. 1803 is a... I have an Amendment prepared to 1803. However, I can't get any agreement on that with the Sponsor or those people... the people from the Commerce Commission who is pushing this Bill, so I will respectfully withdraw the Amendment."

Speaker Breslin: "Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1853, Representative McGann. Senate Bill 1853."

McGann: "Madam Speaker, how about Senate Bill 1845? Madam Speaker, I'd like leave to come back to Senate Bill 1845, and then I'll have Senate Bill 1853 now if it's alright."

Speaker Breslin: "Very good. Very good. Senate Bill 1853."

Clerk Leone: "Senate Bill 1853. It's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, McGann - Keane, amends Senate Bill 1853 as amended."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #2 to Senate Bill 1853 is a clean up Amendment which is drafted by the Illinois Department of Transportation. It makes clear that the Bill is intended to deal only with the Illinois Department of Transportation and not county or township highways. It assures that the state can continue to use federal money for relocation of utilities when provided for by federal law; and, third,

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that the rights of the individual property owners are in no way compromised by the Senate Bill; and, four, existing uses of the right of way are permitted to remain. These are important items that will, as I have stated, clean up the Senate Bill 1853, and I'd appreciate an affirmative vote."

Speaker Breslin: "Representative McGann has moved for the adoption of Amendment #2 to Senate Bill 1853, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to Senate Bill 1853 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #3, McGann - Keane, amends Senate Bill 1853 as amended."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #3 to Senate Bill 1853 allows the county board to designate county highway commissioners to respond to applications for crossing of highways by utilities currently, and this response must wait for the county board to act. It's a... It's a simple Amendment, and I'd appreciate its affirmative vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1853, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to Senate Bill 1853 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #4, McGann - Keane, amends Senate Bill

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1853, as amended."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #4 to Senate Bill 1853 is a Amendment that's requested by the City of Chicago. If you recall, by the cooperation of both sides of this aisle last year, we put into law the requirement that 25 percent of all the motor fuel tax monies going into Chicago must be used for nonarterial streets. What we are doing with this Amendment is we are clarifying that law a little further stating that to be sure that they are going to have these nonarterial streets repaired, we are putting the words maintenance and repair. It's a simple Amendment, and I'd appreciate your support on it."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 1853, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 to Senate Bill 1853 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, McGann - Keane, amends Senate Bill 1853 as amended."

Speaker Breslin: "Representative McGann."

McGann: "Madam Speaker and Members of the Assembly, Amendment #5 is actually a word correction for three words in the Bill. That's all it does, and I'd appreciate an affirmative vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to Senate Bill 1853, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to Senate Bill 1853 be

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adopted? All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative McGann, we can now go back, with leave of the Assembly, to 1845, Senate Bill 1845. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1845, a Bill for an Act to amend the Workers' Compensation Act and the Workers' Occupational Diseases Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Representative McGann. Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Tuerk - Mays - Vinson, amends Senate Bill 1845 as amended."

Speaker Breslin: "Representative Tuerk."

Tuerk: "Madam Speaker, I withdraw that Amendment."

Speaker Breslin: "Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, McGann - Madigan - Capparelli, amends Senate Bill 1845 on page one and so forth."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #3 to Senate Bill 1845 is an Amendment that's been agreed upon by the City of Chicago, the Chicago firefighters in regards to the workmen's compensation. What the Amendment does, it actually covers the populations which exceed over 200,000, and it also states that a duly appointed member of a fire department in the city, the population which exceeds 200,000 according to the last

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federal or state census, is eligible for compensation under this paragraph only where such serious and permanent disfigurement results from burns. That's all the Amendment does, and I'd appreciate support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1845. And on that question, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Tuerk: "Now, this Amendment deals only with permanent partial as far as the Chicago firemen, is that correct?"

McGann: "Yield... Madam Speaker, I'd like to yield to our leader, Mr.... Representative McPike."

Speaker Breslin: "Representative McPike, in answer to Representative Tuerk's question."

McPike: "It is somewhat more limiting than just permanent partial. It allows a permanent partial filing for disfigurement due to burns only. So, it's a very limited permanent partial."

Tuerk: "And a... And it ties in with the definition now in the statute relative to disfigurement of the face and neck and..."

McPike: "That's correct. It simply references that paragraph and then limits it to disfigurement due to burns."

Tuerk: "Now, in Committee on the Bill itself, there was some indication that the Chicago firemen now have a wage loss concept that is part of their pension rights and so forth when they're injured on the job. Is that correct?"

McPike: "Well, that has nothing to do with this Bill."

Tuerk: "Well, it sure does because what you're giving them in the Bill, and it's part of the total conversation relative to the merits."

McPike: "Well, I would say that they're not... they're not

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covered by work comp, and this Bill allows Chicago firefighters to begin to be covered by our Work Comp Law in a very limited fashion. This does not address their pension benefits at all."

Tuerk: "Not the Amendment. I understand that, and maybe I should deal with..."

McPike: "Or the Bill."

Tuerk: "... the Amendment at this stage and then maybe ask that question on Third Reading."

McPike: "Well, the Bill... The Bill itself does not deal with that. Neither the Amendment nor the Bill deals with their current pension."

Tuerk: "I understand that, but the Bill itself ties in with the system that is now in place, because the work comp benefits would be, as I understand it - and I need to clarify that between now and Third Reading - that it could be in addition to what they're getting on the wage loss concept as relates to their pension program. So, I'll do a little studying. And as far as the Amendment is concerned, I have no problem with that."

Speaker Breslin: "The Gentleman from Will, Representative Davis."

Davis: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Davis: "Representative McPike, did I understand you to say this is the beginning of workers' compensation for the Chicago firefighters?"

McPike: "The Chicago firefighters are not covered by workers' compensation."

Davis: "I know that."

McPike: "Okay. They requested to be covered by permanent partials under work comp; and, during the negotiations, we finally arrived at limiting that to serious disfigurement caused by burns, which means that if someone is seriously

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difigured from a burn, he can appeal to the Industrial Commission for a permanent partial award."

Davis: "Well, I think that's pretty nifty. Let me ask you a question. Are the Chicago police covered by workers' compensation?"

McPike: "No."

Davis: "They're not. Why a half a loaf? Why did we stop? Last year, the Republicans supported the firefighters in their move towards going to full workers' compensation, which, I personally, believe they should be under. Why have you decided, why have you decided to give them a partial? A beginning rather than the whole loaf, Jim."

McPike: "Quite obviously, the city couldn't afford it the first year, and I'm sure it will be an ongoing negotiating process every year as to when they will be fully covered. The firefighters were satisfied to take one step at a time."

Davis: "Well, I'm not totally certain that that part is true; but, nevertheless, I suppose we'll have to support the Amendment. It seems to me that we're proceeding at a rather awkward manner. They got stiffed last year, and apparently they're getting half stiffed this year."

Speaker Breslin: "There being no further discussion, Representative McGann is recognized to close."

McGann: "Thank you, Madam Speaker and Members of the Assembly. This Amendment is actually the Bill. It is a step in the right direction. It's true it's only a partial amount; but, at the same time, we must take into consideration the burden of the taxpayers in the City of Chicago also. And I think this compromise is a good compromise. It is not shutting the firemen out, but it is bringing them into a long overdue coverage. And I think it's a step where we are going down a good road in a partnership with the City,

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and that's pretty important in this day and age. So, I'd appreciate your support on the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 1845. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1855, Representative Nelson. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1855, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Nelson, amends Senate Bill 1855 on page one and so forth."

Speaker Breslin: "Representative Nelson."

Nelson: "Thank you very much, Madam Speaker. I would ask leave of the House to withdraw Amendment #1."

Speaker Breslin: "Withdraw Amendment #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Nelson, amends Senate Bill 1855 on page one..."

Speaker Breslin: "Representative Nelson."

Nelson: "Thank you very much, Madam Speaker. Members of the House, Amendment #2 to Senate Bill 1855 adds some of the language of a Bill that was my Bill, which passed out of this House 111 to nothing. That was House Bill 2830, which had to do with the determination of placements for children who have been evaluated for special ed services. And the language that was in that particular Bill, which we all approved of and which is included in Amendment #2 to Senate Bill 1855, basically says that if a parent disagrees with

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the summary report or recommendations of the multidisciplinary conference or the findings of any educational evaluation which results therefrom, the school district shall not proceed with a placement based upon such evaluation and the child shall remain in his or her regular classroom setting. This is inserted into the Bill and then the rest of the Bill goes on to set up a system of checks and balances to insure that the child is placed in a situation that is best for him or her, but that it is not done without the parent being able to achieve an independent evaluation at the correct time. I would ask for adoption of Amendment #2."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to Senate Bill 1855, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "The Lady will yield for a question."

Cullerton: "Representative Nelson, do you... do you feel that there is any fiscal impact at all with reference to this Bill, either as amended or not amended?"

Nelson: "No, I do not, Representative Cullerton."

Cullerton: "Could you just explain why not?"

Nelson: "Because under Public Law 94-142, all school districts in this state, well, in this nation, as a matter of fact, are mandated to provide special ed services. A free and appropriate education is the entitlement of every child in this country. And a determination must be made for those children who are to be placed in special ed services. But that has to take place... no, whether or not any other factors are involved. This Bill and what Senator Berman and I are about, basically is to insure that children are not labelled unnecessarily, but there is absolutely no fiscal impact."

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Cullerton: "Okay, fine. Thank you."

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

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

Speaker Breslin: "The Lady will yield for a question."

Satterthwaite: "Representative Nelson, is this the same substance that you have amended into another Bill? Didn't we already put this substance into a piece of legislation earlier?"

Nelson: "Representative Satterthwaite, we passed out of this House my Bill, which was House Bill 2830, but it did not get out of the Senate Rules Committee; and, therefore, I am adding some of the language of that particular Bill to Senator Berman's Bill."

Satterthwaite: "And so, this is language that has already been approved by the House?"

Nelson: "That is correct. I'll do nothing."

Satterthwaite: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 1855 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1857. Out of the record. Senate Bill 1873. Out of the record. Senate Bill 1924, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1924, a Bill for an Act to amend Sections of the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, McPike and Tuerk, amends Senate Bill 1924 by inserting immediately below line ten the following: Section 2."

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Speaker Breslin: "Representative Tuerk."

Tuerk: "Well, Madam Speaker and Members of the House, there is some unclear facts about the situation as applies to conformity with the feds. What this Amendment does is merely put off the effective date until July 1, 1985, in other words, one year hence, to give us an opportunity to possibly take care of this in the meantime, check out the conformity features and perhaps put this in conference for the fall, as I understand it. And that's why the idea of the Amendment, and that's why it's offered. And I'd move the adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1924, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to Senate Bill 1924 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, the Chair intends to go to the Order of Senate Bills Third Reading, Non-Appropriation Bills. Later on this afternoon, the Chair intends to go to the Order of Concurrences. So, if work needs to be done on your Bills on the Order of Concurrences, please do it now and be prepared to have your Bill called on the Order of Concurrences later on this afternoon. Presently, we will go to the Order of Senate Bills Third Reading, page two on your Calendar, appears Senate Bill 1179, Representative Jaffe. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1179, a Bill for an Act in relation to parentage. Third Reading of the Bill."

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Speaker Breslin: "Representative Jaffe."

Jaffe: "Yes, Madam Speaker and Members of the House, Senate Bill 1179 is a product of much study, both in the House and Senate and also through various and sundry different conferences throughout the entire state. And Senate Bill 1179 creates the Uniform Parentage Act of 1984. It was necessary to come up with the Uniform Parentage Act of 1984 because there are several court decisions which indicate that our present law is unconstitutional. The new Act focuses on the right of an illegitimate child to have the same rights to child support from his natural father as does a legitimate child. Thus the new Act provides, for the first time, that a suit may be filed by a child, as they can with a legitimate child. This is necessary because of the court decision. In addition, all of the statute of limitations is told until the child reaches the age of maturity, and this is consistent with the recent U.S. Supreme Court law, it's Jude versus Morrisey, in the First Appellate District, and the right of the legitimate child to bring an action until two years after he reaches the age of maturity. The propose... also... focuses on the right of the child to support. The Act is modeled after the Uniform Act and provides for an agreed petition for a finding of paternity, instead of requiring that a father plead guilty or not guilty. It decriminalizes the nature of the paternity actions. It does away with the requirement that a father be arrested if he does not appear at paternity hearings, and the Code of Civil Procedure applies. The Act recognizes the reliability of blood tests, due to advanced technology. However, Representative McCracken's Amendment, which was an agreed Amendment, has removed certain evidentiary objections to this Section, and it is now in acceptable form. As I indicated to you,

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there's been much discussion with regard to this Bill, and at the present time, I know of no one who is in opposition to it. I think we've satisfied everyone, and I would be happy to answer any questions."

Speaker Breslin: "Representative Jaffe has moved for the passage of Senate Bill 1179, and on that question, the Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Hawkinson: "Representative, as I understand, this Bill in its amended form still takes away the discretion of the Judge and requires that when any party requests a blood test, that that test must be performed. Is that right?"

Jaffe: "That is what the law is at the present time, and that leaves it in, yes."

Hawkinson: "Well, the law at the present time is that the Judge 'may' order the test, and this would be that he 'shall' order it, as I understand it."

Jaffe: "That is correct."

Hawkinson: "Who's going to pay for these tests?"

Jaffe: "The party that requests it."

Hawkinson: "And if that party is indigent, the county then pays for the test?"

Jaffe: "That is correct."

Hawkinson: "And as I understand the new, sophisticated tests, which do an excellent job, they run close to \$500 apiece. Is that right?"

Jaffe: "Well, I don't know what the costs are, but there are three different tests, as was indicated in the Committee, and there is one test that will bring you within a probability of 95%."

Hawkinson: "And that test costs something like \$500."

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Jaffe: "That may very well be. I really don't know what the cost of the test is."

Hawkinson: "Has there been any study or evidence as to what the fiscal impact would be on the counties because of this?"

Jaffe: "I don't know what the fiscal impact would be on the counties. I think it's the same impact that you have at the present time, but I would think that counties... no one has indicated that they're in opposition to it. As a matter of fact, it's supported by the state's attorneys and everyone else."

Hawkinson: "Have the county organizations supported this legislation as well?"

Jaffe: "I have not heard from them, outside of hearing from various and sundry state's attorneys' organizations which are in support of that, but no one has indicated that they're in opposition. As you know, we had... you know, we had Subcommittee hearings, and we had a regular hearing. And none of the county organizations filed any appearances anyway."

Hawkinson: "If, after this law goes into effect, there would prove to be a problem, do you think you'd be amenable to requiring the state to pay... pick up the tab on these blood tests?"

Jaffe: "Well, I... I think you're asking me what FDR used to call an iffy question. I think that the counties do it now, and they're not complaining about it, because in the long run, if they're able to get fathers to pick up the tab for children, they're coming out way ahead."

Hawkinson: "In another area of the Bill, have any of the Amendments affected the provision saying that no evidence could be admitted against other persons who have had sexual relations during the relevant period unless they are named as parties to the suit?"

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Jaffe: "I'm sorry. Would you repeat the question?"

Hawkinson: "I sat through part of the Subcommittee hearing, at which time there was a great deal of discussion. I don't know if someone... one of the analysts called it the 'football team Amendment', where there is evidence that there had been other sexual contact during the relevant period, and there was a provision in the Bill that would prohibit introduction of that evidence unless the party could be identified and named as a party to the suit. Is that still present in the Bill?"

Jaffe: "Let me just check the... I think there were three Amendments. Let me just check one of the Amendments. I'm just looking at our... at our summary, over here. It says the... and this is in Amendment #1, 'Under the current law, each person who so testifies need not be made a party,' so the persons are willing to testify. Let me just ask one question. Okay. If... If they are within the jurisdiction, and if they are identified, they have to be made a party."

Hawkinson: "But if they are not identifiable by name or if, for some reason, they are beyond the reach of the course... of the courts, that evidence could still be admitted under normal rules of evidence?"

Jaffe: "If they are beyond the reach of the court, yes."

Hawkinson: "Thank you."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 1179 and Representative Jaffe's Motion to move this Bill. From the number of years I spent in the Circuit Court, was a party to these types of action, the decriminalization of a paternity suit and the added benefits to both child, society and the collection of child support will be very

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beneficial. I move for its passage."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Homer: "Representative Jaffe, directing your attention to the statute of limitations portion of your Bill. Under current law, what is the statute of limitations for the bringing of a paternity action?"

Jaffe: "It would be two years, and as you know, under the present law, the child does not have a right. Under the Bill, as we have, the child is given a right because the courts have said that the law would be unconstitutional otherwise."

Homer: "So, under... under current Illinois law, the action has to be brought by the mother or guardian within two years after the birth of the child."

Jaffe: "That is correct. However, the child does have a right of... of cause of action and can bring that action even two years after reaching maturity, but that's for the child itself. For all other parties, I believe the cause of action would be two years."

Homer: "Under... You're talking under existing law, the child has the right to bring the action two years after age of majority?"

Jaffe: "No. Under existing law, the child has... has no rights at all, and the courts have said, 'Well, you can't do that.' And that's one of the reasons that we're coming forward with the Bill at this time."

Homer: "Okay. So, what you're doing is extending the cause of action to the child, him or herself, and then allowing the same statute of limitations as pertains to other civil actions on behalf of... or that are brought by children."

Jaffe: "That is correct."

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Homer: "Alright. Are... Do you know, and I don't expect that you would, but do you know what the pattern in other states is with regard to that issue, as to whether the child has a cause of action?"

Jaffe: "Well, number one, it's in the Uniform Parentage Act; and secondly, now this... you know, the Supreme Court has come out and said you must have it. So I don't think we can go any other way, and I don't think any other state can go any other way."

Homer: "Alright. Well, I... to the Bill, Madam Speaker. I have no quarrel with the concept that the child should have a right to the determination of his or her parentage. The problem comes in in trying to effectuate a... a just result under that standard. My experience in dealing with these matters as a state's attorney and one charged with the responsibility for commencing paternity actions was that they're... they're probably the most difficult of all cases to prove, even when they're brought by the mother within the two year statute of limitations, for the obvious reasons that... for evidentiary purposes, it is usually the mother's word versus the punitive fathers. Seldom are there witnesses to these matters, hopefully not, in any event. But now, we're extending that right to bring an action to the child who was allegedly conceived during this situation, and as a practical matter, it's almost impossible, without a confession by the punitive father, or some admission, to realize a situation where a child could possibly sustain the burden of proof by a preponderance, even, that this is the father. How would that child go about setting about proving that matter? And remember that this Bill addresses the situation only where there is a non-presumption, in other words, where the father has never made an admission or never married the mother. And what my

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concern is - and I again think that the concept is a very fine one - I think that we would all agree that a child should have that right afforded to him or her. But the problem is that we have to balance the right of the child against the right of the punitive father, and I can certainly conceptualize more harm to be done in the case where a punitive father is having a lawsuit brought 20 years after an alleged occurrence, by an individual who certainly, because of the very inherent facts of the situation, could not possibly have witnessed the occurrence. And it's a situation, frankly, that I think opens up the possibility for more harm than satisfies any just result on the other side. And I do think that there are situations that would arise were there would be vexatious suits. And I realize that this is a civil suit, and it's being decriminalized. I appreciate that. But I would submit to you that an action brought in the Circuit Court against a punitive father 20 years after an alleged situation could cause irreparable damage to the reputation of that individual. And then, I think that we also have those innocent victims to be considered, and I must, therefore, rise in opposition."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Well, everybody who doesn't have a copy of the Bill ought to get a copy of the Bill. The Bill itself is 25 or 26 pages, and with the Amendments, it's 30 pages. I'd just be interested to know how many people in here have any idea in the world what this Bill does. It makes major procedural and substantive changes in the law in a variety of areas in the State of Illinois. And while I... very much, I truly do very much respect the Sponsor, all you have to do is go back over the last five or six years to

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the number of instances where, at the last minute, we get huge Bills on new areas in procedure and substance, and nobody knows what you're voting on. We passed Senate Bill 606 last year, and I don't think there's probably five people in here that voted on that who really knew what it did. And now, we've had Law Review article after Law Review article after critique after editorial, that says, why did they come down here the last two weeks - in that case it was longer than that - and passed a monumental change in the law without Subcommittee hearings, without more detailed analysis, and we got what we got. And now, we had to come back in this time and pass a whole revisory statute. We did the same thing with respect to the Contribution Act and a whole number of other areas, where we get a good idea - and a lot of things in here are good ideas, just like a lot of things in here are bad ideas - and we pass them out because two or three people understand what they do. And we explain about 2% of what they do. And then we spend the next four years trying to have the courts and Legislators and editorial analysts and the Chicago Daily Law Bulletin analyze what we're doing to the people of the State of Illinois. I'm not saying that everything in here is negative, nor am I saying in here that everything is good. What I am saying is, we're going to regret the day, as we have in a whole series of other Bills, when we act on gigantic pieces of legislation without knowing what's in them. What we ought to do is defeat this Bill. We ought to put it back into our Committee, have Subcommittee hearings where we can have both sides represented, a wide variety of input on it, and maybe we could come up with a workable product. But if we do it because of some sort of catch word that this is going to help people who aren't being supported now, or

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whatever catch word gets 60 votes in here, then we're going to live to regret it. I think it's not good government, and I think it's a bad exercise in trying to make this process workable. And for those reasons, I urge you to vote 'no', or to vote 'present', which I intend to do."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I first want to apologize to Representative Jaffe. I engaged in the Amendment process here and pulled out what I thought was the only onerous provision of the Bill. That provision has been corrected, and we are back to current law relative to certain evidentiary issues. But I am appalled to find - and I must confess that I should have known this earlier - I am appalled to find that defense witnesses have to be joined as parties. That is the most onerous, unfair, anti due process, anti equal protection provision proposed in the law in the State of Illinois and probably in the country. I can think of no precedent which requires defense witnesses, merely because they are defense witnesses, to be joined as parties. And for those of you who say it's necessary in order to protect women and in order to protect children, I say, you're wrong. The Code of Civil Procedure currently allows liberal Amendment process to add and drop parties. Parties can be added after the close of evidence. Parties, in certain cases, can be added at appeal. There is absolutely no reason to mandate defense witnesses to become parties. It's anti democratic. It's unfair. It's anti due process. It's anti equal protection. Vote 'no'."

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

Levin: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This legislation was subject to Subcommittee

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hearings. I sat on the Subcommittee, and as a former assistant state's attorney who prosecuted paternity actions, I think we need this legislation. When it came over from the Senate, it had serious problems. The Senate, in it's usual way, did not do a good job of deliberating. We found a number of provisions in this Bill which were not acceptable, but we had Subcommittee hearings. We went through these provisions of this Bill, point by point. And through the Amendments that were offered both in Committee and on the floor, I think we cleaned up the problems that exist. I'd like to remind this Body that this Bill is before us as a result of a court decision which many believe has eliminated from our statute books the current Paternity Act. So it seems to me that unless we pass this Bill today, we will not have a Paternity Act in the State of Illinois that can be used to protect the mothers and protect the children from the abuses of punitive fathers. I think this is a good Bill. It's had a lot of work. It's had a lot of work in the House, and I think we need to pass this so that we have on the books, a Paternity Act in the State of Illinois."

Speaker Breslin: "There being no further discussion, Representative Jaffe is recognized to close."

Jaffe: "Yes, Madam Speaker and Members of the House, some of the opposition comes as a surprise to me, for this reason: Number one, this Bill has had really extensive hearings. As a matter of fact, I'm sort of amused at the fact that my spokesman on the other side says that there were no hearings on this. As he well knows, we had a Subcommittee meeting on this that took a whole day. He, himself, appointed several of the Members to that Subcommittee. And when he says that this Bill is really entirely new, that's really not correct. Most of this Bill is a recodification

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of law, and I must tell you that unless we do pass this Bill, in all probability, we will not have a Paternity Act in the State of Illinois. This Bill is consistent with U.S. Supreme Court decisions and with Illinois Appellate Court decisions. If we don't pass this Bill, we may not have a Paternity Act. The courts have mandated this Bill. I would further tell you that under this Bill, the illegitimate child is given the same rights as a legitimate child. That's basically what the Bill does. I don't think that all the devious things that you've heard about in some of the arguments contrary to this Bill actually hold water. It's a good Bill. It's a necessary Bill, and if we don't pass it, we're not going to have a Paternity Act in the State of Illinois. And I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman... The question is, 'Shall House... Senate Bill 1179 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Johnson, for what reason do you rise?"

Johnson: "I just want to verify if it gets the votes."

Speaker Breslin: "This Bill requires 60 votes for passage. Have all voted who wish? Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, for a long time I have been active in making minor kinds of revisions to the Paternity Act and was chastised by one of the lawyers from my district for not going for a uniform Paternity Act, such as this one before us. I felt that I was not really capable of working through all of the intricacies of a complete Bill that dealt with paternity, but I am very pleased that the people within the Judiciary Committee and the... many of the people throughout the state have worked for a long period of time to put this

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together. It is something that we have needed for a very long time. It incorporates minor kinds of changes that were made to upgrade our law, and I think that we would be very much in error not to put this law into effect. As you were told, court decisions have indicated that currently we may have no Paternity Act whatsoever. I think this would be a major step in the right direction and would urge some more green votes."

Speaker Breslin: "The Gentleman from Cook, Representative Shaw, to explain his vote."

Shaw: "No, Madam Speaker. Would you change my vote from 'yes' to 'present'?"

Speaker Breslin: "The Gentleman changes his vote from 'yes' to 'present'. Excuse me, you can do that yourself. The board is still open. Representative Matijevich in the Chair."

Speaker Matijevich: "The Lady from LaSalle, Peg Breslin, to explain her vote."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. Just an explanation of what they call the 'football team Amendment'. Let me tell you what the circumstance is. Presently, in the State of Illinois, a person who is trying to establish parentage is often confronted with a situation where the defendant says, 'I'm not the father of this child. Somebody else is.' The present procedure, now, is for the woman to go out and try to find that other person and bring them in as a defendant. In this circumstance, if the defendant... The change in this is that, if the defendant is going to name the football team as the father of this child, he is going to have to find the football team and bring them in so that they are before the court. The whole purpose is that people are avoiding child support. It costs the taxpayers of this state hundreds of

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thousands of dollars a year because people are avoiding parentage and are avoiding their proper child support duties. I think that the change in this law is appropriate, and we ought to be voting 'aye'. It not only... It conforms, really, practice to law today."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 65 'ayes', 21 'nos', 26 answering 'present', and Senate Bill 1170... oh, just a minute. The Gentleman from Champaign, Representative Tim Johnson, asks for a verification."

Johnson: "Verify the green votes."

Speaker Matijeich: "And Curran asks leave to be verified. And Representative Jaffe asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Berrios. Capparelli. Krska. Neff. Taylor and Terzich."

Speaker Matijeich: "Alright. What do we start off with, Jack? 65 - 21? We start off with 65 - 21. The Clerk will announce the Affirmative Vote. When your name is called, be in your seat and raise your arm. Yes, Representative Curran had leave to be verified."

Clerk O'Brien: "Alexander."

Speaker Matijeich: "Mautino asks leave to be verified. Leave. Karpel. No? Representative Karpel, 'no'. From 'aye' to 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "Alexander. Barnes. Bowman. Braun. Breslin. Brookins. Brummer. Bullock. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico. Doyle. John Dunn. Farley. Virginia Frederick. Giglio. Giorgi. Greiman. Hannig. Huff. Jaffe. Keane. Kirkland. Koehler. Kulas. Laurino. Levin. Markette. Marzuki. Matijeich. Mautino. McGann. McPike. Mulcahey. Nash. Nelson. Oblinger. O'Connell. Olson. Panayotovich. W. Peterson.

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Pierce. Preston. Rhem. Rice. Ronan. Ropp. Ryder.
Saltsman. Satterthwaite. Slape. Steczo. Topinka.
Turner. Vitek. White. Wojcik. Younge. McNamara. Zwick
and Mr. Speaker."

Speaker Matijevich: "Representative Tim Johnson on questions of
the Affirmative Vote."

Johnson: "Braun."

Speaker Matijevich: "Was that Braun? Did you say Braun?
Representative Johnson, I couldn't hear you. Did you say
Braun?"

Johnson: "Braun."

Speaker Matijevich: "Is Representative Braun in the chamber?
Remove her from the Roll. Bullock, what was your pleasure?
From 'aye' to 'no'. Bullock, from 'aye' to 'no'. Proceed,
Representative Johnson."

Johnson: "You said Representative Bullock changed from 'aye' to
'no'."

Speaker Matijevich: "Changed from 'aye' to 'no'."

Johnson: "Okay. Representative Curran."

Speaker Matijevich: "Representative Mike Curran was given leave
to be verified."

Johnson: "He... He was? I didn't give him leave to be verified."

Speaker Matijevich: "Well, he's here anyway, but I did ask..."

Johnson: "Okay. Alright. I didn't hear that."

Speaker Matijevich: "Nobody objected."

Johnson: "DeJaegher."

Speaker Matijevich: "Representative DeJaegher is in his seat."

Johnson: "Vitek."

Speaker Matijevich: "Representative Vitek. How's Mr. Vitek..."

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him from the Roll Call."

Johnson: "Domico."

Speaker Matijevich: "Representative Domico. Put Vitek back on

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the Roll. He's over here. How is Mr. Vitek recorded...
Domico."

Johnson: "Domico."

Speaker Matijevich: "Domico, I mean."

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him. Proceed."

Johnson: "Saltsman."

Speaker Matijevich: "Representative Saltsman is right here in the
front. Representative Nelson Rice, for what purpose do
you rise?"

Rice: "To vote to 'present', please."

Speaker Matijevich: "Change Rice from 'aye' to 'present'."

Johnson: "Doyle."

Speaker Matijevich: "Representative Doyle. I don't see him.
There's a lot of people there, but I don't see him. How is
Representative Doyle recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Remove him from the Roll."

Johnson: "Greiman."

Speaker Matijevich: "Representative Greiman is in the aisle."

Johnson: "Slape".

Speaker Matijevich: "He's over here."

Johnson: "Did I already verify Saltsman?"

Speaker Matijevich: "He was here when you..."

Johnson: "Okay."

Speaker Matijevich: "Bullock back from 'no'... from 'aye' to 'no'
to back to 'aye'. Bullock, 'aye'."

Johnson: "Capparelli."

Speaker Matijevich: "How's Capparelli recorded? Capparelli..."

Clerk O'Brien: "The Gentleman is recorded as... not voting."

Speaker Matijevich: "Not voting."

Johnson: "Okay. I'm sorry."

Speaker Matijevich: "Representative Rice asks to be returned to

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'aye'. Nelson Rice, 'aye'."

Johnson: "Karpziel."

Speaker Matijevich: "Karpziel is recorded 'no'."

Johnson: "Marzuki."

Speaker Matijevich: "Representative Marzuki. Oh, he is back there. Yes. He's in the back. Return Carol Braun to the Roll Call. Carol Braun, 'aye'. Representative Terzich, for what purpose do you rise? Terzich, 'aye'."

Johnson: "Topinka."

Speaker Matijevich: "Topinka. How is Representative Topinka recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Matijevich: "Remove her from the Roll. Proceed."

Johnson: "Ryder."

Speaker Matijevich: "Representative Ryder. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Remove him. Your mike is on, Representative Johnson."

Johnson: "Ropp."

Speaker Matijevich: "Representative Ropp. How is he recorded? Oh, he's in the aisle. He's right near you."

Johnson: "Steczo."

Speaker Matijevich: "Representative Steczo. Terry Steczo. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Remove him..."

Johnson: "McNamara."

Speaker Matijevich: "Just one moment. Remove Steczo from the Roll Call. McNamara is in his seat. Proceed."

Johnson: "McNamara."

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

Johnson: "Okay."

Speaker Matijevich: "By his seat."

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Johnson: "Did I say Ryder?"

Speaker Matijevich: "He's been removed."

Johnson: "Okay."

Speaker Matijevich: "Representative Leverenz, for what purpose do you rise?"

Leverenz: "Well, Mr. Speaker, I'm going in the tank. Record me 'aye'."

Speaker Matijevich: "Leverenz 'aye'. Proceed, Representative Johnson."

Johnson: "What's the count?"

Speaker Matijevich: "What's the count? 61 'ayes', 22 'nos', and Representative Wolf, for what purpose do you... Wolf 'aye'. 62 'ayes'."

Johnson: "This is going to be an all day process. Every time we take one off, there will be a new one on. So I'll... we'll stop verifying."

Speaker Matijevich: "Alright. The... On this Motion, there are 62 'ayes', 22 'nos', 24 'present', and Senate Bill 1179, having received a Constitutional Majority, is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "Senate... Representative Kulas is recognized for the purpose of a Motion."

Kulas: "Thank you, Madam Speaker. I would like to suspend Rule 35(a) so that Senate Bill 1933, which was heard in the House Select Committee yesterday, would be placed on Second Reading so that it may appear on the Supplemental Calendar today so I can have it heard by the deadline."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker. An inquiry of the Chair."

Speaker Breslin: "Proceed."

Vinson: "Is the nature of the Motion that the Bill that he

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mentioned would be placed on a Supplemental Calendar First Reading, today?"

Speaker Breslin: "That is correct."

Vinson: "Then I have no objection to the Motion."

Speaker Breslin: "Excuse me. The Parliamentarian clarifies that it is Second Reading, First Legislative Day. Representative Piel."

Piel: "Would the Gentleman mind telling us what the Bill is, please?"

Speaker Breslin: "Representative Kulas."

Kulas: "Yes. Senate Bill 1933 just forms an advisory board in the Department of Agriculture for the Cultural and Ethnic Heritage Festival at the State Fair."

Piel: "I'm sorry, Madam Speaker. I could not hear him at all."

Speaker Breslin: "Would you repeat your answer, Representative Kulas?"

Kulas: "Senate Bill 1933 forms an advisory committee in the Department of Agriculture for cultural and ethnic affairs which go on at the State Fair."

Piel: "Was this heard in Committee and defeated in Committee, or why... you know, you said it was heard in Committee, but I didn't..."

Kulas: "It was heard in Committee yesterday afternoon, yes."

Piel: "But there was no vote taken on it?"

Kulas: "Pardon me?"

Piel: "There was no vote taken on it?"

Kulas: "Yes, there was a vote taken on it."

Piel: "What was the vote?"

Kulas: "I believe the vote was 9 to 1."

Piel: "'Do pass?'"

Kulas: "On the 'do pass' Motion, yes."

Piel: "Thank you."

Speaker Breslin: "The question is, 'Shall the House suspend Rule

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35(a) so that... for the purposes of having Senate Bill 1933 appear on a Supplemental Calendar on the Order of Second Reading, First Legislative Day?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. Attendance... Leave for the Attendance Roll Call. Hearing no objection, there is leave. On Senate Bills Third Reading, page two on your Calendar, appears Senate Bill 1223. Out of the record. Senate Bill 1375, Representative Tate. Out of the record. Senate Bill 1420, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1420, a Bill for an Act in relation to delinquent taxpayers. Third Reading of the..."

Speaker Breslin: "Representative Keane."

Keane: "Leave to bring the Bill back to Second Reading for purpose of Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. And on that Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "I wonder, Madam Speaker, if the Gentleman might take the Bill out of the record for a few minutes?"

Keane: "Yes. Can we get back to it in short order, then?"

Speaker Breslin: "Surely."

Keane: "Thank you."

Speaker Breslin: "Out of the record. Senate Bill 1481, Representative LeFlore. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1481, a Bill for an Act to provide funding for housing and for food grants through an income tax return checkoff system. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore."

LeFlore: "Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1481 is to provide assistance to the huge

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number of hungry and homeless individuals in the State of Illinois. It... attempts to supplement the assistance provided by private, non-profit organizations, and this will merely be a income tax checkoff. And it won't cost the state or... one penny. And I would like to have a favorable vote on Senate Bill 1481. Thank you."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 1481. And on that question, is there any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Gentleman yield for a question, please?"

Speaker Breslin: "The Gentleman will yield for a question."

Piel: "Representative, our analysis states that during the Human Services Committee, that some problems were brought up, and that this was going to be worked out between the interested parties before it brought up on the House floor. Have these problems been worked out between the parties with Amendments?"

LeFlore: "Yes, they have, Representative."

Piel: "That was all in Amendment 1? Was that a Floor Amendment - Amendment #1?"

LeFlore: "Yes. Yes, it was."

Piel: "Fine. Thank you very much."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative LeFlore, to close."

LeFlore: "I merely ask for a favorable vote on this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1481 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Bill, there are 83 voting 'aye', 26 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair."

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Speaker Greiman: "On the Order of Senate Bills Third Reading appears Senate Bill 1420. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1420, a Bill for an Act in relation to delinquent taxpayers. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. I would ask for leave to bring the Bill back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Gentleman from Cook asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? The Gentleman has leave, and the Bill is on the Order of Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #1, by Representative Keane, amends..."

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

Keane: "Thank you, Mr. Speaker. Amendment #1 to Senate Bill 1420 provides some changes that the Department of Revenue felt would improve the Bill. The first change provides for a 60 day rather than a 90 day amnesty period. The second change prohibits those under criminal investigation from participating in the tax amnesty program. The third change imposes a repealer effective December 1, 1984. The fourth change specifies that the proposed increases in tax penalties take effect after December 1, 1984. And we have another one that restores some old language. I'd be happy to answer any questions on the Amendment and would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, has moved for the adoption of Amendment 1 to Senate Bill 1420. 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', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the

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Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Third Reading appears Senate Bill 1484. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1538. Mr. Giorgi, do you wish to proceed with 1538? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1631. Mr. Giorgi, 1631? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1644, Mr. Stuffle. 1644, out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1692. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1841. Mr. Keane. Out of the record. Oh, Mr. Keane, would you like that Bill called?"

Keane: "Mr. Speaker, could we come back to that in just a minute?"

Speaker Greiman: "Yes, of course. On the Order of Senate Bills Third Reading appears Senate Bill 1850. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1859. Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1864. Mr. Vinson, do you wish to proceed? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1883. Mr. Wait or Mr. Vinson, either one, do you wish to proceed on that Bill? Out of the... Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1889. Out of the record. On the... On the Order of Senate Bills Third Reading appears Senate Bill 1935. Mr. Clerk... Ms. Currie, out of the record? Out of the record. On the Order of Senate Bills Third Reading appears Senate Bill 1939, Ms. Barnes. 1939. Would you like the Bill called, Ms. Barnes? Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1939, a Bill for an Act creating the Illinois Health and Hazardous Substance Registry Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Barnes."

Barnes: "Mr. Speaker, I'd like to bring the Bill back to Second for purposes of an Amendment."

Speaker Greiman: "The Lady from Cook moves that the... asks leave of the House to return the Bill to the Order of Second Reading for the purpose of Amendment. Does the Lady have leave? She has leave, and the Bill is on Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #2, offered by Representative Barnes, amends Senate Bill 1939."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, on Amendment #2."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment deletes the Bill to create the Illinois Health Effects Registry Act in order to establish a unified statewide public system for the collection of information on cancer, adverse pregnancy outcomes and other chronic diseases. Directs the Department of Public Health to establish a health effects registry to consist of a record of cases of cancer, adverse pregnancy outcomes and chronic diseases which occur in Illinois. Provides that the University of Illinois School of Public Health advise the Department as to the design and function of the registry. Authorizes the Department to collect specific data, as indicated in the Bill, from hospitals and laboratories. Creates a seven-member Illinois Health Effects Registry Coordinating Council, five public members appointed by the Governor, plus the Dean of the School of Public Health, University of Illinois, Chicago, and the Director of the Department of Public Health. The Council would advise the

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Department as to the administration of the Act and review and comment on the Department's annual report to be submitted by the General Assembly. And this Amendment has been agreed to by the Illinois Hospital Association, the Illinois State Medical Society, the Public Health Association, the Cancer Society and the Department of Public Health. And I would ask for an 'aye' vote if there aren't any questions."

Speaker Greiman: "The Lady from Cook moves for the adoption of Amendment 2 to Senate Bill 1939. On that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Greiman: "Indicates that she'll yield for a question."

Cullerton: "Representative, on... in Amendment #2 on page four in Section 10, you deal with the issue of confidentiality of certain information. Could you describe that Section in greater detail?"

Barnes: "It just ensures the usual confidentiality that we always have with medical records."

Cullerton: "Well, is this language found somewhere else in the statute?"

Barnes: "Representative Cullerton, I have had this Bill for a long time, and Representative McPike has had many, many meetings in his offices and has changed this Bill entirely. And perhaps someone that attended those meetings could stand up and answer your question."

Cullerton: "Well, I just... I'm just reading it, and I'm not saying I'm opposed to it or anything. I just thought it would be a good idea for legislative intent. We have an idea of what you mean that... when you say, 'and that person or organization has satisfied the Department that it has taken measures to safeguard against unauthorized disclosure of that information.' I wondered if you could

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just simply flesh that out a little bit by, perhaps, giving me an example."

Barnes: "Well, that was... that was the language that the Medical Society wanted in the Bill. I don't know if Senator Joyce is going to appreciate this Bill when it does go back to the Senate, because he isn't going to recognize it."

Cullerton: "Okay. Well, you're saying that that language was put in with the intention of protecting the confidentiality and having some limit to it, right? Okay, thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Ms. Barnes, do you wish to make a Motion?"

Barnes: "I would like to ask permission to have the Bill heard, Mr. Speaker."

Speaker Greiman: "The Lady from Cook moves to suspend the operation of Rule 37(c) so that Senate Bill 1939 may be considered immediately. Does the Lady have leave? The Lady has leave, and the Bill may be considered immediately. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1939, a Bill for an Act creating the Illinois Health and Hazardous Substance Registry Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I do believe, when I read the explanation of the Amendment, it did enlighten everybody as to what is in the Bill. The purpose of having the Illinois Health Effect Registry is to try and pinpoint some of the illnesses of

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cancer and some of the effects of other chronic diseases, so perhaps we can pinpoint what some of the problems are in certain areas and move to correct some of the problems. We included laboratories with the hospitals, because in some instances, people in Illinois will go to laboratories and not really choose an Illinois hospital but will go to the Mayo Clinic. And since we are attempting to get as much information as possible to, perhaps, help the generations to come eliminate some of the problems of cancer that many of us are affected with in our families, I find this to be a very good Bill, and I would ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook moves for the passage of Senate Bill 1939. And on that, 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 113 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Keane, before I move to another Order of Business, did you want me to return to Senate Bill 1941?"

Keane: "No, we're still working on that problem. Thank you, Mr. Speaker."

Speaker Greiman: "Alright. Well, we may be able to get back to you. On page two of the Calendar, Senate Bills Third Reading, Short Debate. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1425. Mr. Steczo, do you wish to proceed with 1425? Out of the record. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1457. Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1457, a Bill for an Act to amend

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Sections of an Act in relation to state monies. Third Reading of the Bill."

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

Keane: "Thank... Thank you, Mr. Speaker. House (sic - Senate) Bill 1457 had been on the Consent Calendar, and I took it off for purposes of an Amendment. The original Bill, as it came over from the Senate, amends the Acts in relation to state monies. It eliminates the requirement that the State Treasurer annually notify banks and savings and loan associations of the date that he will receive sealed proposals for the deposit of public funds. We amended this Bill - I think it was yesterday or the day before - by putting on another Amendment which allowed the Treasurer to charge people who requested wiring of services, where they end up wiring or electronically transferring money. It now lets the Treasurer charge the cost of that wiring or electronic transfer of funds to the one requesting it. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of Senate Bill 1457. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting... I'm sorry. Yes, the Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he'll yield for a question."

Hawkinson: "Representative, could you enlighten us as to why we no longer need this annual notice of the date? Will the banks receive notice in some other way?"

Keane: "Well, most of the time... This came out of an Audit Commission recommendation. Most of the time, there's not enough money to be going... to go around. When we had a

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lot of money... When the State Treasury was in good times, and we had a lot of money, then we had... we would try to spread the money throughout the state. Now that... that's not a problem anymore, unfortunately."

Hawkinson: "Thank you."

Speaker Greiman: "Yes, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I believe this Bill is on Short Debate, and the Sponsor may end up being able to satisfy my concerns, but I'm going to ask that it be taken off Short Debate so that I might question him."

Speaker Greiman: "Well, you have the requisite number, but proceed, Mr. Vinson, if... unless you want a full debate on the Bill. Why don't you just ask him the questions, and no one's objecting to it."

Vinson: "Representative, as I read the language in the Bill, a... the Treasurer might be able, under this provision, to just keep the state's money in the same depository forever and not give other banks the opportunity to compete for that money. Now, I wonder if you might explain that."

Keane: "That is not the present practice at the time. They are presently... The Treasurer's Office looks out... goes out on the market and finds out where it can get the best return for its dollar, and then it... I'm told about 25 to 30 banks statewide."

Vinson: "Yes, I understand that, and I certainly don't believe that Treasurer Donnewald would have any intention to do what I suggested. But, here is my concern. Under the present law, the Treasurer must, on a date certain, go out and seek bids. Isn't that correct?"

Keane: "No... Well, proposals, yes."

Vinson: "Yes. Now, under the proposed legislation, the Treasurer would not be obligated, on any date certain, to do that. Isn't that correct?"

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Keane: "That's correct."

Vinson: "So the Treasurer wouldn't have to do that at all. Isn't that really correct, under the law?"

Keane: "That's correct."

Vinson: "So the Treasurer could, in fact, just leave the money in the same depository forever and not seek any competition."

Keane: "Well, he can do that under existing law, at the present time. There's no... There's nothing to keep him from doing it right now."

Vinson: "But, it is... There is a clear public record that there are depositories which have made proposals for, for instance, a higher rate of interest than that one under current law, right?"

Keane: "The... Yeah, that's possible... that's possible, and it's possible under current law. The thing that... One of the problems is that we... The reason for this Bill - the first part of it - is that there's no need for... we don't have that much money to go out and deposit it. It's being spent, as you look at the daily cash balance, relatively quickly."

Vinson: "How many... How many banks does the... does the Treasurer maintain balances in at this time?"

Keane: "I do not know."

Vinson: "It's my belief that the situation is that there's a very long computer printout that..."

Keane: "That's my impression, that he... that the Treasurer attempts to spread the money around the state as best as he can. And he's done it to... I think all of our Treasurers have done it just to give a... every part of the state an equitable amount."

Vinson: "Yeah, I think that's true, and I certainly wouldn't criticize the current Treasurer's practices in that matter. What... What is the purpose for the change?"

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Keane: "The purpose of the Bill, as it came over from the Senate, was so that the Treasurer does not have to go out and solicit bids for money, non-existent monies, the monies that just aren't there. If some bank bid and thought that he... that banker thought that he would be able to get deposits, we would only be leading him astray. There isn't... We have not had... We have not had funds that we can... We have not had growth in funds that we can deposit around the state. So, what we have is, we... the Treasurer is sending out notices, and there's no money to send out."

Vinson: "Now, isn't it a fact that the provision would apply to all of the money that the Treasurer acts as trustee for?"

Keane: "I'm sorry. I was distracted. Could you repeat your question?"

Vinson: "Isn't it a fact that the provision would apply to all of the money that the Treasurer is responsible for maintaining in banks?"

Keane: "No. It eliminates the requirement that the Treasurer notify, annually notify, of the date he shall receive sealed proposals for the deposit of public funds."

Vinson: "Yes, I understand that."

Keane: "Yeah."

Vinson: "Doesn't that provision currently apply to all of the money that he maintains in depositories?"

Keane: "I don't know. If you have a major problem with this, I'd be happy to take it out of the record and get the questions answered."

Vinson: "I really wish you would, because I think there might be the possibility for serious abuse, and until I'm satisfied on that, I wouldn't want to support the Bill."

Keane: "Alright. Mr. Speaker, can I take this Bill out of the record?"

Speaker Greiman: "Yes. 1457 will be out of the record. Yes, Mr.

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Clerk."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Greiman: "Okay. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1735. Out of the record. We may be able to get back to that. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1797. Ms. Currie. Ms. Currie. Out of the record. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1879. Mr. Vinson, 1879. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1879, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DeWitt has moved for the... I'm sorry. Mr. Vinson, the Gentleman from DeWitt."

Vinson: "Why don't we do it the way you were going to? I'd just as soon have it done that way."

Speaker Greiman: "We'll let you present the Bill, Mr. Vinson."

Vinson: "As I was saying when we took this out of the record yesterday, we have sufficiently debated this proposal. Mr. Cullerton asked me a lot of questions. Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1879 amends the Public Aid Code to reduce parental liability in categorical programs from age 21 to age 18, for children who live apart from their parents. It has been amended in the House to do two additional things. First of all, it provides for an increase in the maximum amount paid for a funeral by the Department of Public Aid; and it also allows for an increase in the maximum for burial expenses paid by the Department of Public Aid. I believe that it's been quite a long time since there have been any increases in these categories. It does not mandate the increases, it simply raises the ceilings and makes it possible for the

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Department to do so. And I would move for passage of Senate Bill 1879."

Speaker Greiman: "The Gentleman from DeWitt moves for the passage of Senate Bill 1879. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All 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 115 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading, Short Debate, appears Senate Bill 1887. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1887, a Bill for an Act to amend certain Acts in relationship to revolving credit. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1887 clarifies the revolving credit loans made in excess of 5,000, and they may be secured by beneficial interests in the trust as well as real property. I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook moves for the passage of Senate Bill 1887. And on that, is there any discussion? The Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates that he will."

Hawkinson: "Representative, I didn't catch all of your explanation, but as I understand it, House Amendment #1 would allow you to have a real estate second mortgage on your MasterCard. Would that be right?"

Nash: "No, House Amendment #1 was a technical Amendment. What

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the Bill does, it permits you... Right now, you can use a security real estate property. What the Bill does, it permits you to use property that's in the trust, beneficial interests... property that's in the trust to secure a loan of over \$5,000."

Hawkinson: "But not other real estate, only real estate that's in a trust?"

Nash: "No, you can use other real estate. Under present law, you cannot use real estate that's in a trust. What this Bill does, it permits you to also, to also use real estate that's in a trust."

Hawkinson: "For what kind of loans? Tell me what... Describe a revolving credit loan for me, then."

Nash: "Revolving loans in excess of \$5,000."

Hawkinson: "Would... Would that include credit cards?"

Nash: "If you... If your bank gives you a loan of over \$5,000 and puts it on your credit card so you can make monthly payments, they are really asking for security, and you put your beneficial interest in the trust up for security, I would say 'yes'."

Hawkinson: "So then, if you didn't pay your credit card bill, they could foreclose on your house."

Nash: "Well... Evidently, yes."

Hawkinson: "Thank you."

Speaker Greiman: "Further 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 86 voting 'aye', 10 voting 'no', 14 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Alright. On the Order of Concurrence on page 10 of the Calendar appears Senate...

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appears House Bill 243. Out of the record. Mr. Saltsman is here. Yes. Alright. On the Order of Concurrence appears House Bill 243. Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. House Bill 243, I nonconcur. I move that the House nonconcur."

Speaker Greiman: "Mr. Saltsman... The Gentleman from Peoria, Mr. Saltsman, moves that the House nonconcur with House... with Amendments... with Senate Amendment #1 to House Bill 243. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendment 1 to House Bill 243. On the Order of Concurrence appears House Bill 876, Mr. Levin. Out of the record. On the Order of Concurrence appears House Bill 1302, Mr. Hannig. 1302. Out of the record. On the Order of Concurrence appears House Bill 2296. Out of the record. On the Order of... On the Order of House Bills... On the Order of Concurrence appears House Bill 2332, Mr. Bowman. Mr. Clerk. Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that the House concur in Senate Amendment #1 to House Bill 2332. Senate Amendment #1 is, word for word, the exact language of House Bill 1663, which passed the House 87... with 87 votes on May 25th. It... It amends the Public Aid Code, specifies groups of families eligible for special assistance, emergency assistance, and increases the limitation for the Department expenditures for special and emergency assistance. This Amendment is supported by the Department of Public Aid and, as such, I believe, is agreed to by all parties. And so, I move... now move concurrence."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, moves that the House concur with Senate Amendment 1 to House Bill 2332. And on that, is there any discussion? There being

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none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2332?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action, and voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', 3 voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2332. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2339. Ms... The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, Senate Amendment #1 to House Bill 2339 is very simple. This is the elderly abuse Bill which was passed by the Senate 55 to nothing. What they added was a reporting group which would include those under the Medical Practice Act and physical therapists and Christian Scientists, which has been on all of our Bills of this kind. And I would move for concurrence."

Greiman: "The Lady from Sangamon moves that the House concurs with Senate Amendment #1 to House Bill 2339. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Greiman: "Indicates she'll yield for questions."

Cullerton: "Representative Oblinger, is this the same... Is this Bill the same as an Amendment that you have on Representative Homer's Bill?"

Oblinger: "Yes."

Cullerton: "Okay. Now, you... you amended that Bill today - the one that's on Representative Homer's Bill - by taking out that language concerning immunity from criminal liability."

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Oblinger: "Liability, yes."

Cullerton: "Now, in this Bill, did we amend that language out, or is it still in the Bill? I believe that if you look at Amendment #1 to this Bill, 2339..."

Oblinger: "Yes."

Cullerton: "...on page three, we have language that says we're giving immunity from any liability, civil or criminal, and there's also a presumption involved."

Oblinger: "You would like that language in this Bill, then, too. Then, I would move to nonconcur so that we can get that in."

Cullerton: "Right. Fine, thank you. She just moved to nonconcur, Mr. Speaker."

Oblinger: "I move to nonconcur so we can get the language in that Mr. Cullerton wishes."

Greiman: "Alright. The Lady from Sangamon moves... The Lady from Sangamon withdraws her Motion to concur and moves that the House do nonconcur with Senate Amendment 1 to House Bill 2339. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendment #1 to House Bill 2339. On the Order of Concurrence appears House Bill 2345. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, House Bill 2345 is the Bill that excludes from state income tax... taxation, the social security and railroad retirement benefits. I'm going to move to concur to both Senate Amendments 1 and 2. Senate Amendment #1 makes two technical additions. One, it changes a reference to a Section from Section 86 of the Internal Revenue Code, to Section 86, rather than Section 72(r). Also, the effective date of the Bill is changed from taxable years ending on or

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before December 31, 1984, to on or after December 31, 1983, to ensure that for those taxpayers whose taxable year began July 1, 1983, no social security or railroad retirement benefits would be subject to taxation. Amendment #2 is an Amendment we discussed thoroughly here. It's a Bill that Senate... Representative Pierce had. There is a quirk in the law where the partners in a partnership are subject to retirement taxation where the members of that plan are not. It doesn't affect many, but this would now put, with the concurrence of this Amendment and Senate Amendment #1, in conformance to Senate Bill 1385, which we passed out of here last week, unanimously. So, I move to concur with Senate Amendments 1 and 2 to House Bill 2345."

Speaker Greiman: "The Gentleman from Lake moves that the House concur in Senate Amendments #1 and 2 to House Bill 2345. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2345?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action, and voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', 1 voting 'no', none voting 'present', and the House does concur in Senate Amendments #1 and 2 to House Bill 2345. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Levin, are you now ready on House Bill 876? Alright, Mr. Levin, the Gentleman from Cook, on House Bill 876."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House do concur in Senate Amendment #1 to House Bill 876. The underlying Bill makes three changes in the special ed due process appeals procedure to bring us into conformity with federal law. One of those

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changes provided in the Bill, as we sent it over, that transcripts on appeals shall be provided by the local school districts within seven days after the request for the appeal is made. At the request of the State Board and some of the local school districts, Senate Amendment #1 was offered that changes the seven day provision to 10 days. We are still in conformity, and we'll be consistent with federal law. And, therefore, ask for concurrence in Senate Amendment #1."

Greiman: "The Gentleman from Cook has moved that the House concur in Senate Amendments 1 to House Bill 876. And on that, is there any discussion? Being none, the question is, 'Shall the House concur to Senate Amendment 1 to House Bill 876?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment 1 to House Bill 876. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2400, Mr. Bowman. Out of the record. On that Order appears House Bill 2428, Ms. Oblinger. The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, 2428 was a capitation Bill. As it went over to the Senate, it went through a very extensive hearing, and the result is, in Amendment #1, which was agreed to by the Illinois State Medical Society, the Illinois Hospital Association, the Illinois Pharmacists' Association, the Illinois Nurses' Association, the Illinois Retail Merchants, the Illinois Arthritis Foundation, the Illinois Pharmaceutical Manufacturing group, and the Council of Medical

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Specialties. And there will be a board made up of these various components, who will then report to us on an evaluation if more than 30% of the recipients become eligible under the capitation. And I would move for concurrence in Senate Amendment #1."

Speaker Greiman: "The Lady from Sangamon moves to concur... moves that the House concur to Senate Amendment 1 to House Bill 2428. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Representative Oblinger, if all those people are for it, why should we be for it? It makes me suspicious."

Oblinger: "Well, when we went over there, as you probably would gather, about two thirds of them were not. They worked out this compromise agreement. They think the idea's good, but they want to have a report along the way on how many recipients come under the capitation, which is a way of losing money, and maybe we should go with removing it. They wanted to study it, rather than go with it outright from the beginning."

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

Leverenz: "Will the Sponsor yield?"

Speaker Greiman: "Indicates she'll yield for a question."

Leverenz: "How many different organizations did you name that are in favor of this?"

Oblinger: "Well, I think... Well, let's see - Medical Society, the Hospital Association, the Pharmacists' Association, the Nurses' Association, the Retail Merchants' Association, the Illinois Arthritis Foundation, the Illinois Pharmaceutical Manufacturing, the County... the group of County Medical Societies, and in addition, we have the Retired Teachers' Association, the AARP and the Alliance of Senior Citizens."

Leverenz: "That's 10?"

Oblinger: "Yes."

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Leverenz: "Are you for it?"

Oblinger: "Yes."

Leverenz: "Who is against it?"

Oblinger: "Originally, I understand that the Medical Society and the Public Aid Department were against it, and they worked this compromise out in the Senate where everybody said they wanted to give this a chance."

Leverenz: "Okay. Thank you."

Oblinger: "You're welcome."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2428?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2428. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2430. Mr. Curran, the Gentleman from Sangamon."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. It simply adds an effective date to a Bill which passed out of this House 106 to nothing. So I move for concurrence."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran, moves that the House concur to Senate Amendment #1 to House Bill 2430. And on that, is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2430?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 113 voting 'aye', none voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2430. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 2454. Mr.... The Gentleman from Kankakee, Mr. Pangle."

Pangle: "Thank you, Mr. Speaker, I move to nonconcur with Senate Amendment #1. We have a problem with a technical error that we were informed of this morning by the Motor Vehicle Laws Commission. It's a technical error. What it simply did was it had... it deleted two lines in the Bill, and I move to nonconcur."

Speaker Greiman: "The Gentleman from Kankakee moves that the House nonconcur with Senate Amendment 1 to House Bill 2454. All those in favor signify by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendment #1 to House Bill 2454. On the Order of House Bills of Concurrence appears House Bill 2466, Mr. Bowman. Mr. Bowman, the Gentleman from Cook."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 does nothing to alter the language of the Bill which we sent over to them. Instead it adds some... some new language relating to a somewhat slightly different problem. It turns out that Section 4(c) of the Illinois Administrative Procedures Act provides that no agency rule is valid or effective against any person or party, nor may be invoked by the agency for any purpose until it has been made available for public inspection and filed with the Secretary of State. This provision is not applicable in favor of any person or party who has actual knowledge thereof. Well during the course of the Joint

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Committee's five year review, a potential problem was discovered concerning this, quote, 'actual knowledge', quote, provision. That the problem being the probable use of this provision by agencies to circumvent the requirements of the Administrative Procedures Act. Since that time, this potential problem has become a reality. There was a law suit, you're probably all familiar with the 'Senn Park versus Miller' case, that held that the actual knowledge provision of the Administrative Procedures Act precludes a challenge to an agency policy which has not been promulgated as a rule by person who have actual knowledge of the policy. This argument has a potential negative impact on the Administrative Procedures Act and would prevent a challenge to any agency policy which was not promulgated as a rule because to effectuate a challenge, one must have knowlege to the policy in question. This interpretation would allow agencies to circumvent the public notice and common provisions of the Administrative Procedures Act completely. This Amendment was drafted to overcome this... this deficiency in the law, and I urge concur... House concurrence on Senate Amendment #1."

Speaker Greiman: "The Gentleman from Cook has moved to concur with Senate Amendment #1 to House Bill 2466, and on that, is there any discussion? There being none, the question is 'Shall the House concur with Senate Amendment #1 to House Bill 2466?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'aye', none voting 'no', 4 voting 'present', and the House does concur on Senate Amendment #1 to House Bill 2466. And this Bill, having

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received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2516. The Lady from DuPage, Miss Nelson."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House do concur with Senate Amendment #1 to House Bill 2516. Senate Amendment #1 addresses a concern with an Amendment that was put on in the House that perhaps only a portion of a fiscal year, when earnings were artificially low, might be used as a basis for determining fair market value over the life of the system. And this Amendment added the words 'for the proceeding fiscal year', so as to make it perfectly clear that the reference was to a entire fiscal year. The Amendment specifies that in using the capitalization of income method net earnings of existing systems shall be utilized for the fiscal year preceding the date on which the condemnation petition is filed. Now besides that, the underlying Bill, which passed through this House, amended the Municipal Code and basically started out as a Bill that simply authorized municipalities to enter into joint long-term agreements for the purpose of getting a better deal from nurserymen and was esstentially a tree planting program. I now move that we do concur with Senate Amendment #1."

Speaker Greiman: "The Lady from DuPage moves that the House concur on Senate Amendment #1 to House Bill 2516. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "I am not in opposition to the substance of what you're saying, but we may have detected some technical flaw with the Senate Amendment. If you could just give us a few minutes to check that out, and then we'll come right back to it. You may want to nonconcur."

Speaker Greiman: "Alright, we'll take this out of... Out of the

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record, Miss Nelson? Out of the record. On the Order of Concurrence appears House Bill 2569. The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1 and 2 to House Bill 2569. This Bill allows under certain specified circumstances and only pursuant to a referendum certain areas of a fire protection district to be reincorporated into an adjoining fire protection district. The Senate Amendments limited the effect of the Bill to DuPage County and required a 5% petition as opposed to the originally stated 1%, and I ask the House to concur."

Speaker Greiman: "Yes, Mr. McCracken, the Clerk indicates to me that only Senate Amendment 2 has been in the House..."

McCracken: "Oh yes... yes, you're right, I'm sorry. You are correct."

Speaker Greiman: "Yes, the next Bill has two Amendments. Alright. The Gentleman from DuPage moves that the House do concur on Senate Amendment 2 to House Bill 2569. On that, is there any discussion? There being none... yes, Mr. Cullerton, the Gentleman from Cook."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "As I understand it the original Bill was drafted because of a specific problem in the town of Woodridge is that right?"

McCracken: "Not just the town, but that area yes."

Cullerton: "Okay, and the Senate Amendment... the purpose of the Senate Amendment was to do what?"

McCracken: "It raised the referendum petition requirement to 5% of the registered voters and limited the Bill's effect to DuPage County."

Cullerton: "So it only would effect DuPage County?"

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McCracken: "Correct."

Cullerton: "Were there any other areas in the state that would have been effected but are now not because of this Senate Amendment?"

McCracken: "There was a district in Cook County which claimed it was potentially effected, and the Amendment was put on as a result of that."

Cullerton: "Is this Bill supported by the people who live in Woodridge?"

McCracken: "Yes."

Cullerton: "So... and that's in your district?"

McCracken: "Yes."

Cullerton: "Okay. Are there any other Bills that they're concerned with down here in Springfield this year that you know?"

McCracken: "Yes, there are."

Cullerton: "That's the next one that's up."

McCracken: "No."

Cullerton: "Okay. Thank you, I think it's... they're good people. I spoke to them yesterday, and I think they're concerned citizens. And this is a fine piece of legislation which we should concur with the Senate Amendment."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendment 2 to House Bill 2569?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment #2 to House Bill 2569. And this Bill, having received the Constitutional Amendment... Constitutional Majority, is hereby declared passed. On the

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Order of Concurrence appears House Bill 2570. The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Ladies and Gentlemen, or thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur with Senate Amendment #1 to House Bill 2570. The same two Amendments were to be put on this Bill as the last one, the 5% petition requirement and limiting its effect to DuPage County. Unknown to me, another Amendment was put on which defeats the entire purpose of the Bill, and that is that where the disconnection would result in certain noncontiguous territory that the petition and referendum are not statutorily authorized. So, I move to nonconcur."

Speaker Greiman: "The Gentleman from DuPage moves that the House do nonconcur with Senate Amendments 1 and 2 to House Bill 2570. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendments 1 and 2 to House Bill 2570. On the Order of Concurrence, appears House Bill 2576, Mr. Terzich. The Gentleman from Cook, Mr. Terzich. Out of the record. The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, the Bill that we were on, 2576... on McCracken's... Representative McCracken's Bill."

Speaker Greiman: "2570?"

Cullerton: "Yes. Was the Motion to nonconcur with which Amendments? Well, then did we concur with Amendment #2?"

Speaker Greiman: "Yes... or he moved... yes, I'm... I'm advised by the Clerk that his Motion was to nonconcur with Senate Amendment 1 only."

Cullerton: "So does he want to move to concur with Senate Amendment #2?"

Speaker Greiman: "Mr. McCracken."

McCracken: "I'm sorry I didn't realize the procedure. If it's a

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separate issue on each Amendment, I do move to concur with Senate Amendment #2."

Cullerton: "Well because if the Senate recedes from Senate Amendment #1 then the Bill would pass."

Speaker Greiman: "Yes."

McCracken: "Alright, well then..."

Speaker Greiman: "It will not be final action in this House, but you would be concurring with Senate Amendment 2, and the House... if the House... if the Bill returns to the Senate and they recede from 1, the Bill would then go to the Governor. What is your pleasure?"

McCracken: "Well, they're not going to... the... there are three issues on these two Amendments, and they are structured such that the essence of the Bill cannot be receded from by only receding from one Amendment. So that it will not have..."

Speaker Greiman: "Then we'll let the matter stand as it is, Sir."

McCracken: "I just move to nonconcur on both of them then."

Speaker Greiman: "Yes, alright. Yes, I declared the Motion... Leslie. Having some divine inspiration on the issue. On the Order of Concurrence appears House Bill 1302, Mr. Hannig. The Gentleman from Macoupin, Mr. Hannig, on House Bill 1302."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This Bill which we passed out of here on a vote of 100 to 4 basically provided that a member of a coal mine, that a worker of a coal mine, could receive pay when he worked... when he spent his time on a tour of the mine with a state safety inspector. The way the Bill was structured was it says a... it said 'representatives', and all the Senate Amendment does is clarify that to say 'representative', a singular, one person. And for that reason I would move to concur with Senate Amendment 1 to this House Bill."

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Speaker Greiman: "The Gentleman from Macoupin moves that the House concur with Senate Amendment #1 to House Bill 1302. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1302?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'aye', 3 voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1302. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2693, Mr. Keane. Mr. Keane. Out of the record. On the Order of Concurrence appears House Bill 2751. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I'm moving now to concur with Senate Amendment #1 to House Bill 2751. The Bill as introduced would have provided free license plates for persons' eligible to receive the circuit breaker grants. With Senate Amendment #1 persons 69 years of age or older and disabled persons eligible for circuit breaker grants are eligible for a 50% reduction in automobile registration fees. The discounted fee will become effective with the 1986 registration year. With the concurrence in Senate Amendment #1 to House Bill 2755, the Bill is exactly in the same form as Senate Bill 1607, promoted by the Secretary of State's Office. And Secretary of State, Jim Edgar, did call me to inform me that he is in total support of House Bill 2751 with the Senate Amendment. So I would now make that Motion."

Speaker Greiman: "The Gentleman from Lake moves that the House concur in Senate Amendment #1 to House Bill 2751. On that,

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

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "No... As I understand the Bill, it will only apply to people who qualify for the circuit breaker, is that right?"

Matijevich: "Persons 69 and older will qualify, or who are eligible for circuit breaker grants."

Cullerton: "And the circuit breaker limitation is..."

Matijevich: "\$12,000."

Cullerton: "So someone... this Bill would apply to someone who is 69 or older..."

Matijevich: "And you think they don't have automobiles, I know."

Cullerton: "...who makes less than \$12,000, but who owns a car."

Matijevich: "That's right, and there is a lot of people in that category."

Cullerton: "Right. Do people have to... is there a rule with regard to having to take a driver's test at a certain age?"

Matijevich: "There is, yes."

Cullerton: "Would... do you know what that age is?"

Matijevich: "No, I don't know. It seems... oh, I better not say."

Cullerton: "It seems like it's 70, isn't it?"

Matijevich: "I think so."

Cullerton: "Okay, thank you."

Speaker Greiman: "Further discussion? The question is, 'Shall Amendment... Shall...' Yes, oh, I'm sorry, Ms. Oblinger, the Lady from Sangamon."

Oblinger: "Thank you, Mr. Speaker, Members of the House. As a Cosponsor with Representative Matijevich on 1607, which is an identical Bill to this, I want to also say that I support this, and I'm glad that the Secretary of State has agreed to support this Bill so we can go forward. And in

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answer to Mr. Cullerton, people 69 and over still have to take the driver's test. It's just the written test they no longer have to take."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2751?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', 2 voting 'no', 1 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2751. And... and that Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence appears House Bill 2775. Out of the record. Ladies and Gentlemen, as I announced earlier in the day, it is our intention to make every effort to take Bills and finish the amendment process on Second Reading. We have gone through Second Reading on Short Debate, Second Reading on the regular Calendar. Rather than go through Second Readings again if you have a Bill that is on the Order of Second Reading and you desire it to be called this afternoon, we would appreciate you coming down to the well. There will be a sheet for you to indicate that you wish the Bill to be called on the Order of Second Reading, and we will call it, hopefully, later on in the afternoon. Thank you for your attention and your effort in this regard. Now we are on page eleven of the Calendar. On the Order of Speaker's Table... On the Order of Speaker's Table appears HRA - 90. Out of the record. On the Order of Speaker's Table appears HR 159, Mr. Bowman. The Gentleman from Cook, Mr. Bowman, on HR 159."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Resolution was introduced after I read an

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article in the American Legion magazine dated June of last year regarding the Veterans' Administration which will be providing free medical care to atomic veterans. These are veterans who experienced the effects of fallout during the 40's and 50's and even into the early 60's as they were conducting maneuvers near atomic explosions. This Amendment was or this Resolution rather was introduced on their behalf. It was handled for me in the Committee on Veterans' Affairs by Representative DiPrima, for which I want to thank him, and I now move its adoption."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of House Resolution 159, and on that, is there any discussion? There being none, the question is, 'Shall House Resolution 159 be adopted?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. On the Order of Speaker's Table appears House Resolution 224, Mr. Dunn. The Gentleman from Macon, Mr. Dunn, on House Resolution 224."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 224 is a Resolution which would urge the Congress of the United States to enact legislation concerning motor fuel price increases. The purpose of this Resolution is to take a look at why gasoline prices go up. Actually this... this Resolution was filed more than a year ago, and it was filed at the time the federal gas tax increase went into effect. And those of you who were paying attention to gasoline prices at that time will recall that the gasoline tax increase at the federal level went on one day and gasoline at the pump went up almost twice that much within a week. And, I think, the public needs to know what the impact of... of these increases are, and they need to know what is a fair and equitable price

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for gasoline at the pump. And they need answers to these questions, and I think we should adopt this Resolution to encourage and memorialize the Congress of the United States to take a look at this very serious problem."

Speaker Greiman: "The Gentleman from Macon moves that the House adopt House Resolution 224, and on that, is there any discussion? There being none, the question is, 'Shall the House adopt House Resolution 224?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and House Resolution 224 is adopted. On the Order of Speaker's Table appears House Resolution 290. The Gentleman from Lake, Mr. Pierce. Out of the record. On the Order of Speaker's Table appears House Resolution 350. The Gentleman from Cook, Mr. Shaw. Is Mr. Shaw in the chamber? Out of the record. On the Speaker's Table appears House Resolution 364, Ms. Zwick. Out of the record. On the Speaker's Table appears House Resolution 438, Mr. Giglio. Out of the record. On the Speaker's Table appears House Resolution 564, Mr. Rea. The Gentleman from Franklin, Mr. Rea."

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

Speaker Greiman: "Excuse me, Mr. Rea. For what purpose do you seek recognition, Mr. Friedrich?"

Friedrich: "Mr. Speaker, there's been a Motion filed on this, and it's been on the Calendar for at least a month which you never get around to it which says to put... this ought to go back to Committee because it never legally passed the Committee in the first place. I'm not so much opposed to the Resolution as I am the fact that... that I don't know how we get this done. I've got the Committee Report in my hand which shows that it was passed out by a voice vote, no Roll Call was ever taken, and we filed this Motion. It was Mr. Van Dyne's Committee... and I don't remember what

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the name of it... Environmental or something. And we would like to have... we'd like to have that Motion acted on before this Resolution is called."

Speaker Greiman: "Mr. Friedrich, you have come to that moment in time. Under parliamentary procedure the Motion does take precedence, and if there's a Motion filed..."

Friedrich: "It's Mr. Vinson's Motion. I would appreciate..."

Speaker Greiman: "...we will certainly consider that. Mr. Clerk, is there a Motion filed?"

Clerk Leone: "'Motion, I move to recommit to Energy, Environment and Natural Resources House Resolution 564,' filed by Representative Vinson."

Speaker Greiman: "Mr. Vinson. The Gentleman from Dewitt, Mr. Vinson, on his Motion."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is a... certainly a rare occurrence to file a Motion for the purpose of recommitting a Resolution to a Committee. In this particular case though, I believe that favorable action on the Motion is absolutely necessary to preserve the integrity of House procedures. What occurred in regard to this Motion, or in a regard to the underlying Resolution, is that the House Committee on Energy, Environment and Natural Resources heard this Resolution. If anyone would care to, I'd be glad to play the tape of the Committee for them. In the tape of the Committee it is very clear that the vote on this Resolution was a voice vote. There was not a recorded vote. The rules of the House provide that Resolutions must be treated as Bills, and with regard to a Bill, there must be... there must be a recorded Roll Call vote. You cannot move a Bill out of Committee, as everyone knows, on an oral vote, a voice vote. For that reason, because the rules were transgressed in regard to this Resolution, I have filed this Motion.

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And I would urge Members of the House to join me in voting favorably on this Motion so that we can preserve the integrity of House procedures and recommit this Resolution. Certainly the Committee can rehear the Resolution, deal with it in a proper and legal fashion and then we can deal with it on the House floor. I would move for the passage of the Motion in regard to House Resolution 564."

Speaker Greiman: "The Gentleman from Dewitt has moved that House Resolution 564 be recommitted to... be committed to the Committee on Energy and Environment, and on that, the Gentleman from Franklin, Mr. Rea. Instead, the Gentleman from Hill, Mr. Van Duyne, the Chairman of the Committee. Mr. Van Duyne."

Van Duyne: "Thank you, Mr.... Mr. Speaker. As far as the integrity of the House is concerned I want to poll that as much as the Representative... the previous speaker. But my recollection of this Resolution as it was passed out of our Committee was that there was absolutely no opposition to this at all. And as... anyone in this House knows already, this is a procedure... it's a violation that is done in every Committee, in every meeting that we ever had because when you start your Committee, you call the Roll Call on your first... on your first business of the day you take a Roll Call, and from there on your procedure varies all along depending upon the opposition or the mood of the Committee. Now there was no opposition to this Resolution in our Committee at all, and if there's any error in procedure, it's an error... it's an error on the part of our Committee Clerk by not recording the unanimous vote of the people who had voted in Committee that day. But as far as I'm concerned, it's, in a word, it's a picayunish thing on the part of the Republicans to... to contest this. I'm fully in agreement. If they want to go into Committee and

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hear it again, we will take an absolute Roll Call and put their names on it one by one. But I really think that they are really speaking to a very, as I said, picayunish thing, and there was no opposition to the Resolution in Committee. And so I'm... I'm in opposition to the... to the Motion."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea. Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I... the Bill was properly heard in Committee, and there was a vote taken there. There was no opposition. It probably should have been on the agreed list. I'm not sure how it was recorded in Committee, but if there is a... has been any type of mistake made, I would move at this time to discharge the Resolution from Committee."

Speaker Greiman: "Well, yes, Mr. Rea, that might be appropriate a little later in the afternoon, but not right now. There's already a Motion pending, and we will give you that opportunity, however, in any outcome."

Rea: "Therefore, I... therefore, at this time I would certainly be opposed to the Motion because it was properly presented. There was no opposition whatsoever, and this probably should have been on the Agreed Resolution list to begin with. And I would ask that the Motion be voted down."

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

Vinson: "Thank you..."

Speaker Greiman: "Yes, excuse me, Mr. Vinson. Mr. Cullerton."

Cullerton: "I think that the best procedure would be to adopt Representative Vinson's Motion. Then the Bill would be back in Committee, and then we could move to discharge the Resolution from the Committee. So I would support Representative Vinson's Motion to..."

Speaker Greiman: "Alright, the Gentleman from Dewitt to close,

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Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. I certainly appreciate the support of Representatives Rea and Cullerton in this matter. There clearly was a violation of House rules here, as admitted to by the Chairman of the Committee. I believe we can correct that transgression and ensure that we have proper integrity for our procedures, and in the process send a message to people that we do have to follow the rules of this House. I would urge your favorable vote on my Motion in regard to House Resolution 564, and then I would certainly support Mr. Rea's Motion. I would move for a favorable vote."

Speaker Greiman: "The Gentleman from Dewitt has moved to recommit House Resolution 564 to Committee on Energy and Environment. The question is, 'Shall this Motion pass?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries.... and the Motion carries. Yes, the Gentleman from Franklin, Mr. Rea."

Rea: "I would ask leave of House now to discharge House Resolution 564 from Committee."

Speaker Greiman: "The Gentleman from Franklin moves to discharge the Committee on Environment... Energy and Environment for further consideration of House Resolution 564. Does the Gentleman have... No... No, we can't do that. Leave to use the Attendance Roll Call. All those... alright, is there any discussion on the Gentleman from Franklin's Motions? The Gentleman from Dewitt, Mr. Vinson."

Vinson: "Mr. Speaker, I wish you'd try to restore some order back there behind Mr. Cullerton's seat. There seems to be a dissident voice back there, and we can't have that."

Speaker Greiman: "We are a party of dissidents. We're proud of that, Mr. Vinson."

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Vinson: "Coalition, not party. I would support the Gentleman's Motion."

Speaker Greiman: "Alright, further discussion? There being none, the question is, 'Shall the House discharge the Committee on Energy and Environment from further consideration of House Resolution 564?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. 71 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 104 voting 'aye', none voting 'no', 1 voting 'present', and the... and the Committee on Energy and Environment is discharged from further consideration of House Bill 564. And now on the Order of Speaker's Table, Mr. Rea, the Gentleman from Franklin on House Resolution 564."

Rea: "I would ask leave now for immediate consideration of House Resolution 564."

Speaker Greiman: "Does the Gentleman have leave for immediate consideration of House Resolution 564? The Gentleman has leave. Mr. Rea, proceed on, at last, consideration of House Resolution 564."

Rea: "Thank you, Mr. Speaker, Members of the House. This Resolution is a Resolution that urges the Federal Administration, U. S. Department of Agriculture, U. S. Forest Service and the Congress of the United States to not sell the Shawnee National Forest or any portion of it in southern Illinois. The U. S. Forest Service has been reviewing the 188 million acres of federally owned forest land for possible sale, and the Forest Service announced that 6 million acres nationwide as suitable for possible sale and 69,694 acres of this total 250,000 acres of Shawnee National Forest located in southern Illinois was listed as one of those areas that warranted further study. As the only national forest in the State of Illinois, many

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people throughout the state, many environmental groups, as well as myself and others feel that... that it's very important that we maintain this national forest. It cannot be replaced as a wildlife habitate, scenic wonderland, woodland preservation, as well as the valuable resources not only to the local economy and to the region, but to this entire state. And I would ask for the adoption of House Resolution 564."

Speaker Greiman: "The Gentleman from Franklin moves for the adoption of House Resolution 564. Is there any discussion? The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I support the Gentleman's Motion because since the Federal Government has mandated that we go into a nuclear compact, I'm going to suggest that that's going to be the site for low level nuclear waste dump."

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

Brummer: "Would the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for a question."

Brummer: "How many acres are involved in the Shawnee National Forest?"

Rea: "In southern Illinois, there is approximately 250,000."

Brummer: "Is there Shawnee National Forrests outside of southern Illinois?"

Rea: "No."

Brummer: "Okay, and how many acres are being examined for possible sale did you think... indicate?"

Rea: "Approximately 70,000 acres."

Brummer: "Thank you."

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

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

Speaker Greiman: "Indicates he'll yield for a question."

Woodyard: "Representative, sometime back there was some interest

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by Dixon Springs Experimental Station on acquisition of some land. That's been over a year ago. Does any... does that Shawnee Forest join Dixon Springs Experimental Station that the University of Illinois has?"

Rea: "Does it join?"

Woodyard: "Yeah."

Rea: "It's... I think there may be some of it that... that joins the Dixon Springs Experimental Station. I could not say exactly."

Woodyard: "Would... well, I know, the Resolution is not going to do all that much. But would... would the intent be that Dixon Springs could not acquire a portion of Shawnee National Forest for an ag experimental farm?"

Rea: "No, because... and if... this would not prohibit an agreement being worked out there or even a trade."

Woodyard: "Okay, fine."

Speaker Greiman: "Further 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 Resolution. It's a good Resolution. I think we've gone way to far in protecting Morton Arboretum already, and I believe that it's time that we build the tollway. I believe that it's an essential matter of transportation in Illinois, and I would urge an 'aye' vote on this Resolution."

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

Rea: "I would just ask for a favorable vote."

Speaker Greiman: "The question is, 'Shall this Resolution be adopted?' All those in favor signify by voting... by saying 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. We will return now to one that was... we called

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earlier. House Resolution 350 appears on the Speaker's Table. The Gentleman from Cook, Mr. Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 350 is directing the Illinois Legislative Investigating Commission to investigate the abuse in administration of federal and state housing... housing... subsidized housing, and I'm asking for a favorable vote. And how this Resolution came about is, I've had numerous complaints in my district about people who are living in subsidized housing. Aids to Congressmens making some \$39,000 a year living in there, falsifying the applications. People who working and hiding... a certain portion of their income, and I think it's a matter that the Legislative Investigating Commission could look into. And I'm encouraging a 'aye' vote on this Resolution."

Speaker Greiman: "The Gentleman from Cook has moved for the adoption of House Resolution 350. And on, that is there any discussion? The Gentleman from Dewitt, Mr. Vinson."

Vinson: "Mr. Speaker, I believe that at this time neither of the Co-Chairman of the Legislative Investigative Commission are on the floor, Mr. Jaffe or Mr. Hastert, and I wonder if the Gentleman might take the Resolution out of the record until one of them can appear and discuss..."

Speaker Greiman: "Well, Mr. Jaffe..."

Vinson: "Let's... Let's hear from him."

Speaker Greiman: "...has appeared."

Vinson: "...see what his position is."

Speaker Greiman: "Mr. Jaffe's grandson was with him today so he probably was back there with him. The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, as you know the Commission investigates those things that Legislature tells us to investigate. And so if it's agreeable with this Body, of course, we

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investigate it. That's our mandate. We don't take positions on any Resolutions that come before us. However, if your asking me whether or not I would be supportive of Representative Shaw, yes, I would be supportive of Representative Shaw and his... and his Resolution."

Speaker Greiman: "Further discussion? The Gentleman from Kendall, Mr. Hastert."

Hastert: "Well, thank you, Mr. Speaker. Representative Jaffe and I co-chair this Commission. And, you know, I talked to Representative Shaw before on this situation. We have just finished a investigation of the Chicago Housing Authority. We spent a great deal of time and really came up with little... very, very little information. Here we're being asked to investigate the federal subsidized housing. I'm not sure with the situation that we face at this time how much... what kind of a fruition we can come to when we start investigating federal subsidized housing. I tried... tried to do that once before, and we didn't get very many answers either. I hope that we're not just making a charge off of or charging against windmills here. I'm not sure that this is... this type of investigation, which I understand the genesis of was that some person lives there, works for a Congressman and has a higher salary and, therefore, lives in these things. I'm not sure that these... these types of charges of one person in one type of a situation justifies a very, very extensive investigation which the Legislative Investigation does. And I would ask that maybe this could... this type of problem could be handled in a different manner. As a matter of fact, if it's a federal probe that we're looking for, then maybe we ought to ask the feds to come in and make that investigation themselves."

Speaker Greiman: "Further discussion? The Lady from Cook, Miss

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Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Greiman: "Indicates he'll yield for a question."

Pullen: "Does this Resolution relate to the residence of a former Mayor of Chicago?"

Shaw: "I beg your pardon?"

Pullen: "Does this Resolution relate to the residence of a former Mayor of Chicago?"

Shaw: "I was unaware that a former Mayor had lived in subsidized housing."

Pullen: "I thought I heard some publicity about that, about three or four years ago. Thank you."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we should pass this Resolution out. The Commission is not going to be around after next Friday anyway, so what difference does it make?"

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

Bowman: "Well, Representative Kulas sort of anticipated in my rhetorical inquiry. I wonder if the Commission can do this investigation in nine days? So we better pass this thing now and give them a maximum amount of time possible to... to do their investigation. So I, with high hopes for the future, I urge adoption."

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

Huff: "I move the previous question."

Speaker Greiman: "Well... no one else is seeking recognition. Unlike the other Resolutions that we have so far considered this afternoon, pursuant to Section 43(c), Rule 43(c), this Resolution requires a record vote. Accordingly, the question is, 'Shall House Resolution 350 be adopted?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On this question there are 91 voting 'aye', 12 voting 'no', 1 voting 'present', and the Resolution is adopted. On the Order of... On the Speaker's Table appears House Resolution 628. The Lady from Marshall, Miss Koehler."

Koehler: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 628 urges the United States Congress to pass an Act establishing a national minimum drinking age of 21. Alcohol impaired driving is a serious public health and safety problem. It is the number one killer of young people in this nation. At least 50% of all highway deaths involve the irresponsible use of alcohol. Over the past ten years 250,000 Americans have lost their lives in alcohol related crashes. Conservative estimates placed an annual economic loss at 21 billion dollars. There is, of course, no way to measure the loss in human lives. And to reach our goal of reducing this carnage on our roads, I am asking your support of House Resolution 628, calling upon Congress to establish a nationwide drinking age of 21. Statistics and experience indicate that a nationwide 21 year old drinking age would save over 1,200 young people a year. In states where the drinking age has been raised to 21, they have experienced an average 28% reduction in nighttime traffic deaths of young adults. Now Illinois has taken the lead and raised our drinking age to 21. However, many states still have lower ages. Almost every state in the nation borders on a state with a lower drinking age. Accidents along these statelines have resulted in such carnage that they are now referred to as 'bloody boarders', and to illustrate this point, after Illinois raised its drinking age to 21 the number of alcohol related fatal accidents dropped statewide, but increased in the area along its

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boarder with Wisconsin. There is simply no way to adequately address the needless tragedies caused by young persons commuting to boarder states except by establishing a uniform drinking age among states. House Resolution 628 is an important message to the Congress and President. It shows our intention to support preventive life saving measures. The Resolution does not have any language pertaining to the withholding of federal highway funds. It has one straight forward message - a nationwide 21 year old drinking law. I urge your support. Others who are supporting this are the Alliance Against Intoxicated Motorists, the Motor Vehicle Laws Commission. There was an editorial in the Bloomington Pantagraph supporting it. WBBM radio editorialized in favor of a nationwide standard. The Women's Christian Temperance Union is in favor of it, and the Secretary of State's Office. Thank you, I would urge your support."

Speaker Greiman: "The Lady from... The Lady from Marshall moves for the adoption of House Resolution 628. Representative Matijeovich, in the Chair."

Speaker Matijeovich: "The Gentleman from Champaign, Representative Tim Johnson."

Johnson: "Unlike other issues when I urge colleagues to vote as I... as I believe, I'm not going to urge anybody to vote a particular way on this Bill except... on this Resolution except to explain my position which is in opposition to Representative Koehler's Resolution. I guess there is two separate issues. The first is this. Representative Koehler and others who undoubtedly will support this Resolution have been forefront... in the forefront of... of... of a general trend of opposition to national mandates and to federal control over what ought to be properly state jurisdiction. This is a... urging Congress to do something

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that the states, if in fact anything ought to be done, ought to do at the state level. And those of us who believe that the old federalistic system... our system of federalism where the states are the repository of the police power ought to oppose this Resolution simply on that basis. On another level and I realize I'm like a salmon swimming against the tide because the national trend seems to be clearly in the opposite direction, I don't believe we ought to have a 21 year old drinking age nationally, and I don't believe we ought to have one in Illinois. You know, it seems at least fairly clear that people of a certain age group have tended in the past to abuse their right to consume alcohol perhaps more than others have. There are also statistical evidences that older age groups - the 30's and early 40's - have tended in the same direction. And likewise there are certainly evidences that senior citizens are, for physical reasons, are not as safe drivers as younger people are. But I don't believe the way you cure those things is by making 18 and 19 year olds and 20 year old citizens in every respect except in this respect, and I believe that if an individual, and I realize they're going to say that there's a different maturity level in a different issue, but I believe the symbolism of telling young people that they can vote and they have to in appropriate circumstances go to other countries to defend this country and otherwise enjoy all the contractual and other rights of adulthood, but they don't have the ability to... to drink a beer just because some number of their colleagues and peers abuse that right, I think is a trend and a symbol that we ought not to set. So from both the standpoint that it's not good legislation in my judgment, and from the standpoint that if anything ought to be done it ought not to be done at a national level but rather at a

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state level, I'm going to vote 'no' on this Resolution."

Speaker Matijevich: "The Gentleman from Cook, Representative Shaw."

Shaw: "I... I concur with Representative Johnson in terms of dealing with this Resolution. I don't see any need for passing a... asking Congress to pass a national Resolution of this magnitude dealing with teenage drinking, and everybody... every Member of this House know if you go throughout your district there's a bar in every basement in your district. And if a teenage... if a teenager wanted to get drunk and go and drive a car, he can go right in their own basement and drink it. They don't have to go and buy. Everybody know that, and I don't know why anyone would get up in this Body and attempt to fool the public by passing this type of Resolution. If he wants a law prohibiting teenage drinking, let's pass a law. Let's not be... ask Congress to pass this type of legislation nationally. We should deal with it on a state level and take those... maybe we should pass a law taking those bars out of everyone's home, and that... therefore, the teenagers would not have access to hard alcohol. That's what it should be about, and I'm urging everybody to vote against this Resolution."

Speaker Matijevich: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker, I... I stand in support of the Resolution and not because I'm asking perhaps that the states shouldn't address this problem individually, but I happen to live and represent two counties that boarder another state that does not have the same drinking age that we have in Illinois. So really what happens unlike perhaps some of the other Representatives whose children don't really drive out of state to another state that has lower

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drinking laws, they certainly aren't as concerned. But if you come up to the northern part certainly of Illinois and you see some of the travelings going on to Wisconsin where the young people of Illinois are going there who can't drink in Illinois, but try to come home in safe, sane way and we have to scrape them off the pavements because they didn't make it, really would make you stop and think a little bit more. And when you start seeing your young children and your young ones going up there, you really get concerned. Now the only reason some of those people don't want to close their bars or to pass laws as Illinois is obviously because they believe in the almighty dollar perhaps more than some of our lives. So I stand in support because I believe that though we don't want interference in mandating by the Federal Government everytime we turn around that sometimes when the states fail to act to save our own people then perhaps we must recommend that they do. At least this would make the bordering states surrounding Illinois to at least come in conformance with Illinois, and maybe our children won't leave our state and end up not coming back ever. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich."

Terzich: "Mr. Speaker, I'd like to move the previous question."

Speaker Matijevich: "Representative Terzich moves the previous question. All in favor say 'aye', opposed 'nay', and the main question is put. Representative Koehler, to close."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Thank you for your consideration of this measure, and I would urge you to help us send a message to the Congress of the United States urging them to enact those measures that would require a 21 year old nationwide limit for drinking of alcoholic beverages. I believe the

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prevention is the only long term remedy for driving under the influence of alcohol problem, and this is Illinois' opportunity to influence national public policy. For right now the Senate of the United States is engaged in debate and consideration of this measure, and I would like to have you join me in sending Illinois' affirmation of this policy and telling them of our positive experience with the 21 year old drinking age and urge them to do the same for the nation. The question is the saving of lives. Statistics indicate that we will save many teenagers and that we will then be able to see their potential realized as adults. Thank you."

Speaker Matijevich: "Representative Koehler has moved for the adoption of House Resolution 628. Those in favor say 'aye', those opposed say 'no'. In the... Those in favor say 'aye', those opposed say 'no'. The 'nos' have it. House Resolution... Those in favor vote 'aye'... those in favor vote 'aye', those opposed vote 'no'. I'll see how good my ears are. I don't know. My eyes are going haywire, but... Representative Jaffe, one minute to explain his vote."

Jaffe: "Yes, Mr. Speaker, I'm going to rise in support of this particular Resolution. When we passed the 19 year old beer Bill, the reason that we did it at that time was because Wisconsin, Michigan, Iowa and Kentucky had lowered their drinking age, and so then we went ahead and complied. At that particular time we were having bloody boarders. Since that time a lot of the states have come back and highered the drinking age. If you take a look at the boarder between Wisconsin and Illinois, it's probably the bloodiest boarder in the entire country. So I think it's about time that we really do have a national drinking age, and I think that this will solve the great problem. And I would

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commend Representative Koehler for bringing forth this Resolution."

Speaker Matijevich: "Representative DiPrima, one minute... or Vitek, one minute to explain his vote."

Vitek: "Thank you, Mr. Speaker. Your ears are very good because you acceded to the Roll Call vote which I supported, and I'm glad that your hearing is so good. Thank you very much. The loud mouths over there are not loud enough."

Speaker Matijevich: "Representative DiPrima, one minute to explain your vote."

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I was Chairman of the Committee at the time the 18 year old drinking age was... we held it in abeyance all during the time I was Chairman of that Committee. Eventually then it went to 21. Now our kids are going, like the ones in northern Illinois... they're going across the Wisconsin boarder, getting themselves blind and coming over and getting themselves killed and crippled. That's why I'm in favor of a nationwide 21 year old law. Thank you."

Speaker Matijevich: "On this issue there are 86... 88 answering 'aye', 12... 12 very loud 'nos' and 6 voting 'present', and the Resolution is adopted. House Resolution 643, Representative Sam Wolf. The Gentleman from Madison, Sam Wolf."

Wolf: "Thank you, Mr. Speaker, Members of the House. This Resolution would memorialize Congress to enact a fair trade law which would temporarily limit steel imports into this country under the concept and provisions of Senate Bill 2380 and House Bill 5081 which are now being considered in Congress. The Resolution points out and notes that this country has lost over 200,000 in jobs in the steel industry since 1977, and that over 175 steel plants in this country have been closed since the same date. The Resolution also

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points out the reasons for some of these conditions and points out specifically that some of the biggest producers in foreign countries of steel have been subsidizing and dumping steel into this country at below cost prices. And in effect what they've been doing is importing their own unemployment into this country. I think everyone is familiar with the conditions, and I would simply move for adoption of the Resolution."

Speaker Matijevich: "Representative Wolf has moved for the adoption of House Resolution 643. On that, Representative Jeff Mays."

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

Speaker Matijevich: "He indicates he will. Proceed."

Mays: "Part of your Resolution, as I understand it, reads that we are memorializing Congress to provide the steel industry with the means to modernize and becoming fully competitive in the world market. Is that correct?"

Wolf: "That's correct."

Mays: "What kind of price tag do you think we're going to be looking at that we're asking Congress to spend on this endeavor?"

Wolf: "We're not asking Congress to spend anything. But what we are doing is asking for the steel industry in this country to be given the time, under the same conditions that imports are coming into this country, to modernize the plants that they're trying to operate."

Mays: "So when your saying that we should be asking Congress to provide the steel industry with a means to modernize and become fully competitive in the world market, you're not saying that they should spend a dime on the steel industry. Is that correct?"

Wolf: "That's correct."

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Mays: "Well, I support it then."

Speaker Matijevich: "Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I was... I, too, rise to support the Resolution, Representative Wolf's Resolution. The steel industry is in dire straits in this country, and the company that I spent my entire career with has now been... half of it's been bought by the Japanese. This is something we can't afford to continue to do. I think we need to give the steel industry, at least for a short while, a level playing field so they can at least take the money that they can make on the... the steel that would have been imported and put it back into the steel industry. We built those steel industries in western Europe, this country did, and in Japan with the taxpayers dollars. The taxpayers are now suffering. The steel workers are suffering for jobs. The country is suffering. Someday, I hope it never happens, but someday we may face a general world war, and I'm certain our enemies across on the other side of the pond won't send us steel so we can fight it. So let's preserve our steel mills with this Resolution just as a small step in that direction."

Speaker Matijevich: "The Gentleman from McLean, Gordon Ropp."

Ropp: "Thank you, Speaker, would the Sponsor yield, please?"

Speaker Matijevich: "Yes, proceed."

Ropp: "I guess I need a little further explanation on what you intend for Congress to do in terms of a Fair Trade in Steel Act. Could you kind of detail that just briefly for me, please?"

Wolf: "What we're simply attempting to do is to ask Congress to address and to pass Senate Bill 2380, that's the United States Senate Bill 2380, and House Bill 5081, which are now before Congress. And in effect, that legislation would restrict importing of steel to a maximum of 15% of the

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domestic market. At the present time and in the first quarter and second quarters of this year, steel imports into this country have reached the percentage of 26% which is much in excess of what this country can afford to tolerate."

Ropp: "But most of our steel companies, as I understand it, have very inefficient steel producing factories, and I'm wondering why we want to continue to allow them to operate in an inefficient manner at the expense of some countries around the world who may have extremely efficient means of producing steel for world sales."

Wolf: "The countries that have been importing steel into this country have been doing it unfairly and unethically. I might point out to you that a year and a half, 18 months, ago five Members of this House had the opportunity to visit Washington, D. C. and to sit down with the Executive Committee of the Congressional Steel Caucus. We had the opportunity at that time to present our views with regards to the steel industry and to point out some of the things that we would like to see legislated. Following that meeting with the Executive Board of the Congressional Steel Caucus, three of us, including Representative Flinn, myself and Senator Newhouse, were given the opportunity to sit in on a private discussion between the Executive Committee of the Congressional Steel Caucus and three Members of a European country, who are in violation of the fair trade laws. Now some of the language that was used by the Chairman of the Congressional Steel Caucus was such that I couldn't repeat it on the floor of this House, but he pointed out specifically that all that they were doing was importing their unemployment to this country and that he wanted it to stop. In effect... this is what we're trying to do with this particular Resolution."

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Ropp: "Okay, thank you."

Speaker Matijeich: "Representative Panayotovich from Cook County, Sam Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I rise in support of this Resolution. As Representative Wolf stated, if you'd look at the figures, 200,000 jobs lost since 1977. The amount... it effects this whole... this whole country. How many in your own district have had steel plants close down? Yesterday in Committee we talked about being able to save a financial institution, and we were worried about not letting a foreign bank come in and take over an institution here in this state. And now what we are trying is we're trying to save our steel industry the same way. We've got to save our steel industry here because of the jobs that we're losing. I urge everybody on this House floor to vote 'aye' for this Resolution. Thank you."

Speaker Matijeich: "Representative Wolf, to close."

Wolf: "Thank you, Mr. Speaker. I think the... I think the Resolution has been... has been debated extensively. All that we're saying is that we are tired of having the steel industry in this country being forced to compete in a very unfair manner, and I would simply ask for your adoption of this Resolution."

Speaker Matijeich: "Representative Wolf has moved for the adoption of House Resolution 643. All in favor say 'aye', opposed 'nay', and the 'ayes' have it. And House Resolution 643 is adopted. House Resolution 823. The Lady from Cook, Representative Barbara Flynn Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Resolution 823 calls upon the Department of Commerce and Community Affairs to establish an incentive program in the distribution of Federal Job Partnership Training Act Funds to ensure that those people for whom the Federal Government

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created those dollars in the first place have access to the job program. The Resolution is supported by the Department of Commerce and Community Affairs. It is also strongly supported by the Illinois Association of Community Action Agencies, the human service agencies in each of your own home communities. I would be happy to answer questions, and I would appreciate your support for House Resolution 823."

Speaker Matijevich: "Representative Currie has moved for the adoption of House Resolution 823. On that, the Gentleman from Adams County, Representative Jeff Mays."

Mays: "Thank you, Mr. Speaker, will the Lady yield for a question or two?"

Speaker Matijevich: "Proceed, Representative Mays."

Mays: "Do we have any evidence at all to indicate that the Department has spent those bonds on other than those groups that they were suppose to be spent on?"

Currie: "The Department agrees that the present incentive system is likely to give somewhat short shrift to the programs that are... that are aimed at the handicapped, for example, other hard to place populations. That's why the Department supports this Resolution."

Mays: "The Department says that there may at some point arise a case when those people that are suppose to be getting these funds aren't getting them. Is that what they're saying?"

Currie: "I think what the Department agrees is that because the Federal Government created this program to reach people who were in need of training for jobs, that it's important that we have procedures in place in our state that will give us all assurance that the way we spend the money in fact is the way the Federal Government intended us to."

Mays: "Don't the... can't the Federal Govern... wouldn't the Federal Government withhold funds if we don't spend it the

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way they want us to do it right now? Isn't that why they have audits in the first place?"

Currie: "Certainly. What I'm suggesting is that it would not... it would be a good idea to just make sure that we're targeting dollars where the dollar should be targeted."

Mays: "Are we specifically designating any amounts or any portions of anything to designated groups such as women, blacks, Hispanics and so on?"

Currie: "Handicapped and so forth. No, we are not, Representative Mays. The Resolution does not... does not suggest that we do so. It merely says that DCCA should try to create a program, a bonus program, so that those individuals will be more likely to be helped by the Job Partnership Training Act Funds."

Mays: "So this will emphasize then that they should get more attention."

Currie: "It gives them a fair shake at the dollars in this program."

Mays: "Thank you very much. To the Resolution."

Speaker Matijevich: "Proceed."

Mays: "I guess, you know, we deal with... we've been passing out these Resolutions all afternoon thus far, and everybody here knows that these things are relatively toothless. They're just voice votes in the first place, but I really don't see the need for this program. I believe we're going to be creating special categories or, you know, giving special attention to groups that are receiving attention currently. And if they're not, the Federal Government currently has the power to withhold whatever they feel we're not spending those monies for properly. So I would urge a loud 'no' voice vote on this Resolution."

Speaker Matijevich: "Representative Currie, to close."

Currie: "Thank you, Mr. Speaker, Members of the House. As I say

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the Resolution merely encourages DCCA to create an incentive system so that hard to... hard to reach populations are included in a fair distribution of the Federal Job Training Partnership Act dollars in the state. The Resolution does enjoy support from DCCA itself and from all the local human service agencies, the Illinois Association of Community Action Agencies, that serve each and everyone of you in your home communities. I urge your support."

Speaker Matijevich: "Representative Currie has moved for the adoption of House Resolution 823. Those in favor say 'aye', those opposed say 'no', and the Resolution fails. Roll Call. Those in favor vote 'aye', those opposed vote 'no'. Representative Ropp, for what purpose do you rise?"

Ropp: "Yes, Mr. Speaker, in explanation of my vote. I'd like to ask a question and maybe the Sponsor could answer it in her explanation."

Speaker Matijevich: "Too late. Too late, but go ahead."

Ropp: "How does a 45 member council that we... Representative Markette passed a couple of days ago dealing with the Joint Training Partnership Act fit into this scheme?"

Speaker Matijevich: "With the vote on the board, she's crazy if she answers that, but go ahead."

Currie: "Representative Markette assures me that this Resolution does not have to do with the issue that you're describing."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 71 'ayes', 40 'nays', 1 answering 'present', and House Resolution 823 is adopted. And my ears are bad again. House Resolution 837, Giglio. Is Representative Frank Giglio here? Out of the record. House Resolution 848, Marzuki. The Gentleman from Cook, Representative Marzuki."

Marzuki: "Thank you... Thank you, Mr. Speaker, Ladies and

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Gentlemen of the House. HR 848 is a Resolution that attempts to protect the issuance of Industrial Revenue Bonds in Illinois and preserve the state's right to issue those bonds. The proposed legislation has unfortunately already passed out of the House, the Congress, but is in a Conference Committee. I would hope that this would have some influence on the outcome of that legislation. This will have a detrimental effect on many communities throughout the State of Illinois, including my own, where development has started and is being phased. This could lead to the downfall of many projects. The proposed legislation would also affect many state agencies and be detrimental in their operations. I think that we must preserve the ability to redevelop and promote Illinois, and also to protect the Development Finance Authority, the Health Facilities Authority, the Farm Development Authority, student loans and so on. I think this may be futile in light of what is occurred already in Congress, but I would hope that we would pass this out so that our Representatives in Washington would realize that a program that is working should be kept in place. The revenue that can be generated from new economic activity would far outweigh anything that might be lost in the issuance of these bonds. I would ask for a Roll Call vote on this."

Speaker Matijevich: "Representative Marzuki has moved for the adoption of House Resolution 848. Those in favor say 'aye', opposed 'nay', and the Resolution is adopted. House Resolution 848 is adopted. House Resolution 906, Wyvetter Young. Wyvetter Young. House Resolution 906."

Young: "Take that out of the record, please."

Speaker Matijevich: "Out of the record. HR 961, Giglio. Is Frank Giglio back? Out of the record. HR 982, Wyvetter Young, are you ready to pursue?"

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Younge: "Thank you, Mr. Speaker and Members of the House. HR 982 urges the Department of Public Health to study the effects of air pollution, chemical spills, hazardous waste, toxic chemicals, nuclear pollutants, and incineration from nuclear waste and other harmful pollutants and substances on these citizens that are presently living in the East St. Louis area. There have been a number of chemical spills, and there is a very, very... very bad air pollution, water pollution situation in the East St. Louis area. I have been able to get the Illinois Environmental Protection Agency to agree to assess... make an assessment. The second half of that study then would be, what has been the effect on the health of the people of East St. Louis. There have been a number of people who have died mysteriously. We know that generally most of the deaths are from lung diseases, and the time has arrived to make such an assessment. And I ask you to join with me in urging the Director of the Department of Public Health to make this assessment and study. I move for the adoption of the Resolution."

Speaker Matijevich: "Representative Younge has moved for the adoption of House Resolution 982. The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you. Will the Sponsor yield for a question?"

Speaker Matijevich: "Yes."

Hallock: "Is this binding on the Department of Public Health?"

Younge: "No, the Resolution is one urging them to favorably consider my request."

Hallock: "Could you tell us why you didn't just call the Director and ask him to do that? It seems to me if there's a legitimate need down in that area that he'd be happy to do that at your request."

Younge: "In talking with the Director, my impression is that he

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is favorably inclined to do that. I want... I have been talking with him, but I want the General Assembly, the House... the Illinois House, to join me in urging him to make a definite decision to do so."

Hallock: "Thank you."

Speaker Matijeich: "The Gentleman from Effingham, Representative Rich... Rich Brummer."

Brummer: "Will the Sponsor yield?"

Speaker Matijeich: "Yes, proceed."

Brummer: "I don't have the Resolution in front of me. Is this the U. S. Department of Public Health or the Illinois Department of Public Health?"

Younge: "The Illinois Department of Public Health."

Brummer: "The Calendar indicates that the substance of the Resolution deals with among other things, the incineration of nuclear wastes and the effect of that on residents of East St. Louis. Is that correct?"

Younge: "That's correct."

Brummer: "Is the effect of the incineration of nuclear wastes different on the people of East St. Louis then the people of Effingham, or Springfield or Chicago?"

Younge: "I think so from the standpoint that East St. Louis is located right next to the Mississippi River and the St. Louis metropolitan area. On one side of it, butting it, is SOJA which has incineration, and there has been... it is suspected that there's dioxane in a landfill on the other side or other types of industry. And because of its very special location, there is every reason to... to believe that when you take the composited effect of... of chemical spills, incineration..."

Brummer: "Are you indicating that the people in East St. Louis would react differently to the incineration of nuclear waste then the people in Springfield or Granite City or..."

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Younge: "No, what I'm saying is because of the location and because of the multiplicity of circumstances involved in..."

Brummer: "Okay, thank you."

Younge: "Okay."

Speaker Matijevich: "Representative Younge has moved for the adoption of House Resolution 982. Those in favor say 'aye', opposed 'nay', and the Resolution is adopted. House Resolution 1013. The Gentleman from Rock Island, Representative DeJaegher. Robert DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the House. The intent of this particular Resolution is to make the Department of Corrections receptive to the wishes of the people. What's taking place throughout the State of Illinois, especially those Representatives that have either a prison or a work release center in their particular facility, have assistance from that particular agency. To give you an example of what took place in my area which is East Moline, when a prison was established in that particular facility they came in there and told the people that we would limit the population to 225. That facility is now over 820 inmates. It's getting to be a serious situation. The City of East Moline by Resolution has also asked for a capacity level be placed on that particular facility. Even though this Resolution does not state a certain amount to have in each particular prison facility, it's trying to make the Department of Corrections aware that the people of the community should have a right to see what's placed in their particular domain. And for this I hopefully... that I have support of you on this Resolution."

Speaker Matijevich: "Representative DeJaegher has moved for the adoption of House Resolution 1013. Those in favor say

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'aye', opposed 'nay', and the Resolution is adopted. House... House Joint Resolution 124, Flinn. Representative Monroe Flinn."

Flinn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Joint Resolution 124 is a JCAR Resolution, and what it does is simply ask the Commissioner of Banks and Trusts, the Commissioner of Savings and Loans and the Department of Financial Institutions to undertake a collective study to see if there were any overlapping regulatory jurisdiction or duplications of their administrative effort in order that we may some day decide to make... have them join in one Department at least at the top. This doesn't require them to do anything except make that study and report back to the Legislature by March 1 of 1985, and I move for the adoption."

Speaker Matijevich: "Representative Monroe Flinn has moved for the adoption of House Joint Resolution 124. Those in favor say 'aye', opposed 'nay', and House Joint Resolution 124 is adopted. House Joint Resolution 138, Representative Jane Barnes. Representative Jane Barnes, the Lady from Cook."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Joint Resolution 138 resolves that the Illinois Commission on Intergovernmental Cooperation undertake a comprehensive study of the state's administrative structures, management capabilities, information systems and regulatory processes for the control of hazardous waste. And the Resolution identifies the controlling, the manufacturing, transport, storage and disposal of hazardous waste as one of the most serious environmental problems faced by the people of Illinois. The Hazardous Waste Task Force believes that the state needs a clear, coherent, comprehensive and long range plan for the management of hazardous waste. Testimony before various Committees of the Task Force

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frequently cited a lack of cooperation, communication and understanding between agencies, as well as among separate divisions with an individual agency. The Land Disposal Committee found blind aspects in areas of responsibility of state and federal agencies that may allow hazardous situations to develop unnoticed. The Generation Commission of the Task Force has recommended an intergovernmental and interagency study to determine the potential for intergrating data basis and information systems on hazardous wastes and environmental pollutants, and I would ask for an 'aye' vote, Mr. Speaker."

Speaker Matijevich: "Representative Jane Barnes has moved for the adoption of House Joint Resolution 138. Those in favor say 'aye', opposed 'nay', and House Joint Resolution 138 is adopted. House Joint Resolution 151. The Gentleman from Cook, Representative Larry Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Joint Resolution 151 was discussed briefly yesterday. To recapture that debate, the House and the Senate, with this Resolution, would be urging Governor Thompson and Secretary of State (sic - Transportation) Kramer to undertake to develop what's called a Coastal Zone Management Program in Illinois. Moreover, we direct that those entities would work with units of local government in providing a comprehensive program to develop coastal zone managements in our state. This legislation attempts, in some way, to connect to federal legislation that is before the Congress under the Ocean and Coastal Development Impact Assistance Block Grant Act. The Great Lakes states were included in the federal legislation primarily to allow us not only to begin to clean up the erosion along our coastal areas, but to allow Illinois to become eligible for possibly 4.8 million dollars in grants. If we do not have

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a Coastal Zone Management Program in place, not only will we lose out from our fair share of those federal funds for coastal zone management development, but we could very well lose out on the meager \$600,000 that would be available to us. Let me just say in closing and be glad to answer any questions, Mr. Speaker, that it is my understanding that the Department of Transportation does indeed support this Resolution, and it is my understanding that the Governor has no objections to this Resolution. We previously had legislation to this effect, which I recommitted to Committee for further study. So, this is merely a Resolution expressing the will of this Body, and hopefully, the Senate, on the subject of coastal zone management development legislation. Mr. Speaker, I would urge an 'aye' vote."

Speaker Matijevich: "Representative Bullock has moved for the adoption of House Joint Resolution 151. The Lady from Lake, Representative Virginia Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Motion. I was involved, several years ago, in thorough study of the coastal zone management plan. And through that plan, I learned that families up and down the shore of Lake Michigan, who had owned property for three generations and sometimes even longer than that, were going to lose control of their property, because the Federal Government was going to be able to come in and tell them exactly what they could and could not do on that property. The homeowners took an absolute opposition ban to this legislation at that time, and I would be opposed, at this time, to even studying the issue. I would ask my colleagues to carefully think about what we're doing in supporting this legislation. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative

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Roger McAuliffe."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I would rise in opposition to this, also. They have this concept in Wisconsin. And let me tell you, if you own lakefront property in Wisconsin and you want to move a boulder that's on the lakefront, you have to get permission from the Department of Conservation, Department of Natural Resources, to move that boulder. If you want to cut a tree down that's on your property, you have to go and ask them for that. If you have weeds in front of your property, and you want to get rid of the weeds so you'll have a sandy beach, you've got to get permission from the State Department of Conservation and Natural Resources before you can touch any piece of property, any tree, any shrub, any rock, or alter, in any way, the shore... the shore land on your property. It's a... It's a very much of a hassle. You have to fill out all kinds of bureaucratic forms to try and get something changed, and it's almost impossible, and if you... Literally, if you go down to the beach and took a shovel full of sand off the beach and the game warden caught you, they'd arrest you for it."

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

Pullen: "Thank you, Mr. Speaker. I, too, rise in opposition to this Resolution. The immediate preceding Gentleman described some of the implications of coastal zone management. Those same implications were brought out with scenic rivers legislation several years ago, and putting coastal zone management into any kind of a respectable pose also brings back the ghost of scenic rivers. When you establish the precedent, it can go throughout the state and not just in one particular area. Coastal zone management legislation was defeated in the Legislature several years ago, and it's interesting that it hasn't come back until

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this spring. It could be that there is a particular reason for it to be coming up this spring. It could be that Crane's Chicago Business, in its April 9th issue, was correct in its discovery that the purpose for bringing back coastal zone legislation is to persuade Congress, even by a Resolution, that we are making substantial progress toward coastal zone management in order to get 4.8 million dollars in federal planning money. The Sponsor has indicated that, but what he did not indicate is that the City of Chicago intends to use that planning money for the World's Fair. Now, to look at it and say, well, the Department of Transportation is for it this time is not to particularly give anyone a secure feeling about that not injuring people's property rights or not hurting people, because one would expect the bureaucracy in the Department of Transportation to be for it for all of the reasons in terms of implications of coastal zone management itself, as well as what the money is planned to be used for, for that 1992 Chicago World's Fair. So, that's what this is really about, and I think the Members of the House should keep that in mind in voting. And Mr. Speaker, I would request that there be a Roll Call vote on this Resolution. Thank you."

Speaker Matijeovich: "The Gentleman from Cook, Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to remind you that the lake is a resource for the several... the people of the several states that surround it. The lake and its shoreline, in essence, belongs to all of the people. When we talk about the rights of one individual property owner, we need to look at the rights of all of the other property owners. One person messing with that tree, or bush or bucket of

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sand on his property may affect 10 properties below him or 10 properties above him. I think that coastal zone management is something that we ought to look carefully at. The idea that it's only connected to the World's Fair is a simple idea and not one that is at all in the interest of all of the people. I think the coastal zone management, which has been defeated before, as has been said, ought to be something that enlightened individuals of this Assembly ought to adopt now."

Speaker Matijevich: "The Gentleman from Cook, Representative Woods Bowman."

Bowman: "Thank you, Mr. Speaker. I rise in support of this Resolution. I think people ought to read it carefully because what it does is to call upon the Governor and the Secretary of the Department of Transportation to work with local officials to develop an appropriate program, and that phrase, 'to work with local officials', implies that they will work with officials all up and down the lakefront. I represent a lakefront community, and they should... they will be consulted. And the implication of this Resolution is that the Governor and the Secretary of Transportation should try and work out something that is congenial to all of the interests along the lakefront before bringing it to the General Assembly. And I think that's a very constructive approach. This is not a Bill that's on final passage. This is simply a direction to state government to work with local persons to work out the problems and to bring to us a consensus package. I think that is a constructive approach and urge... suggest our support."

Speaker Matijevich: "The Lady from DuPage, Representative Karpel."

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

Speaker Matijevich: "Yes. Proceed."

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Karpiel: "In the... In the Resolution, Representative Bullock - and I'm not real familiar with how the property rights of the property owners that are on the shore of Lake Michigan - you know, I understand riparian rights, but I'm not sure how much of the shoreline is private, or is it an easement, or whatever. Could you explain how much land in from the lake would be able to be in this coastal zone - be managed by this coastal zone? On private property, I'm talking about."

Bullock: "First of all, Representative Karpiel, this Resolution, in and of itself, does not attempt, indirectly or directly, to spell out the boundaries and perimeters of property rights. That, consequently, would be an issue that the... the Governor's Office and the Department of Transportation would consider, as it presents, back to this Body, their plan. This Resolution in no way addresses that subject."

Karpiel: "Well, under #5 of the... #5 of the Resolution, it says that this coastal zone will protect the common law and statutory public and private rights of the Lake Michigan coastal zone. I'm wondering what that means, not being an attorney, Representative, to protect the common law, statutory, public and private rights. Now, what are the private rights? If you're a private property owner, you have rights on that property. What is it, now? Do you... If you buy a lot on Lake Michigan, and you buy a home that's on Lake Michigan, do you own the property all the way to the shoreline and then out a certain number of feet into the lake?"

Bullock: "My understanding is that you do not. My understanding that common law... My understanding is that common law would allow you to own up to the high water rights in that particular area."

Karpiel: "Up to the high water rights?"

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Bullock: "Yes, Ma'am."

Karpiel: "And that's a certain number of feet, probably, in, or something, on the lake?"

Bullock: "Yes, Ma'am. I would presume so. I'm not an oceanographer, and I'm sorry I don't know."

Karpiel: "Well, so then, you're saying that this coastal... and this Resolution is saying that we want to form this coastal zone that is going to manage this... these property rights of people who have purchased property on Lake Michigan."

Bullock: "No, Ma'am. This Resolution does not say that."

Karpiel: "What does it say?"

Bullock: "It says that this House, and hopefully, the Senate, direct the Governor of the State of Illinois and the Secretary of Transportation to develop, for this Body's consideration, deliberation, cogitation and disposal, a Coastal Zone Management Program, whatever that would be."

Karpiel: "To the Resolution, Mr. Speaker. I think this whole thing is rather obscure, and I think it's a lot more complex and a lot more in depth than just a mere Resolution asking the Governor and the Department of Transportation or Secretary or State or whoever, to do something. I think we're interfering here with a whole batch of statutory rights of private property ownership. And anyone who is, as Representative McAuliffe stated, anyone who does own property here, and you get into the state or a coastal zone managing that property, every time you do want to do anything on your property, you want to move something, you want to cut a tree, you want to anything, you have to get permission to do it, I think we're going into a whole body of statutory rights, as I say, of property... property ownership. And I think this is a very far-reaching Resolution that we ought to defeat."

Speaker Matijevich: "The Gentleman from Cook, Representative

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Robert Piel."

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

Speaker Matijevich: "Representative Piel moves the previous question. All in favor say 'aye', opposed 'nay', and the main question is put. Representative Larry Bullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think we've heard several remarks on this subject, and I think all of them collectively point to a problem that the Resolution attempts to address, and that is to have some expertise involved in the subject of coastal zone management and the establishment of the programs. And in effect, that's what the Resolution attempts to do, by calling upon the Governor and the Secretary of State to develop such a program. For the record, the facts are that 60 miles of shoreline in Illinois are considered under the Coastal Zone Management Program. Thirty miles of that shoreline are in the City of Chicago. In the U.S Senate, both Senators from Illinois, Senator Percy and Senator Dixon, support the coastal zone management legislation before the Congress. The Governor of our state supports the studying of this problem in Illinois. The Secretary of State in Illinois supports the study of the problem in Illinois. Congressman William 'Lipinsky', who is on the Merchant Marine and Fishery Committee in Congress supports the proposition, advocates House Joint Resolution 151. In this House of Representatives, a Committee, a Subcommittee was established of the House Energy Resources Committee. That Subcommittee has already scheduled hearings on the essence of coastal zone management legislation to commence in July and to bring back to this Body, after Labor Day, its findings. I say to you, in closing, that the legislation

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in Congress will provide a tenfold dollar increase to Illinois. If we pass House Joint Resolution 151, we will see an appreciable increase in our federal dollars coming back to the state as we proceed to develop a coastal zone management program. I urge adoption of House Joint Resolution 151."

Speaker Matijevich: "Representative Bullock has moved for the adoption of House Joint Resolution 151. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Tim Johnson, one minute to explain his vote. Representative Tim Johnson. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 48 'ayes', 50 'nays', 2 answering 'present', and the Resolution fails. Be at ease for one moment. Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of the following title, together with Amendments to House Bills 598, 877, 1190, 1427, 1448, 2040, 2381, 2458, 2475, 2479 and 1563, passed by the Senate as amended June 20, 1984. Kenneth Wright, Secretary.'"

Speaker Matijevich: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1075, DeJaegher; 1076, DeJaegher; 1077, DeJaegher; 1078, DeJaegher; 1080, Bullock; 1081, Topinka; 1082, Curran; 1083, Hastert and Deuchler; 1085, Nash - et al."

Speaker Matijevich: "The Gentleman from... "

Clerk O'Brien: "1086, Koehler and Tuerk; 1087, Topinka. House Joint Resolution 166, Panayotovitch; and 167, Saltsman."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi, on the Agreed Resolutions."

Giorgi: "1075, by DeJaegher, notes a 50th wedding anniversary;

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1076, by DeJaegher, notes another one; 1077, by DeJaegher, reiterates another one; 1078... it's not redundant with the fourth one, DeJaegher; Bullock's 1080 says nice things about a mortitian; 1081, by Topinka, honors the Hinsdale Chamber of Commerce; 1082, by Curran, eulogizes five historians; 1083, by Hastert - Deuchler, retires a seaman; 1085, by Nash - Madigan, congratulates Archbishop Iakovas; Koehler's ... (sic - 1086) proclaims a space week; and Topinka's 87 (sic - 1087) jumps to applaud Bunny Halama."

Speaker Matijevich: "Representative Giorgi moves the adoption of the Agreed Resolutions."

Giorgi: "Not yet. I'm not done."

Speaker Matijevich: "Oh, you're not done? Proceed."

Giorgi: "Panayotovitch's, Madigan and Daniels' House Joint Resolution 166 announces that the House has taken some of the lane ball players from the Senate, and they challenge the Chicago City Council to a ball game August 5th; and 167, by Saltsman, records a centennial for East Peoria, and I move for the adoption of the momentous Agreed Resolutions."

Speaker Matijevich: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted. Representative Lawrence DiPrima, for what purpose are you seeking recognition?"

DiPrima: "Yes, Sir, Mr. Speaker. I wanted to talk on my Resolution."

Speaker Matijevich: "I think we adopted it yesterday, Larry."

DiPrima: "Which one, #77?"

Speaker Matijevich: "Oh, it's in there. I'm sorry. I was misinformed. We evidently adopted it without your eloquent words. What do you have to say?"

DiPrima: "You mean to tell me it passed?"

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Speaker Matijevich: "It sure did."

DiPrima: "Well, alright, now. I did want to say a few words.
Number one..."

Speaker Matijevich: "Go ahead."

DiPrima: "I'll start off with a note to all the Members that I have copies of 4th of July speeches. If any of you desire to have one between now and adjournment time, come over and see me, and I'll give you a copy of the 4th of July speeches. Now, House... House Resolution #77. The 77th Infantry Division was the Statue of Liberty Division. I happened to have served with the 83rd Infantry Division, but I always admired the 77th Infantry Division, because it had the Statue of Liberty on there. Now, what House Resolution 47 (77) does is... "

Speaker Matijevich: "You'd better be careful. You've already passed it, you know."

DiPrima: "Yeah, I know."

Speaker Matijevich: "You may be going backwards."

DiPrima: "Well, I'm glad it passed, but I met in the back there with Paul Simon last week, and he was telling me he was for the nuclear freeze. And I told him in no uncertain terms that I was a warmonger, and I had him back off a little bit. He says, 'Well, Larry,' he says, 'if the Russians don't go along with our program,' then he would share my feelings, so that made me feel a little bit better about him, you know."

Speaker Matijevich: "Bring your remarks to a close."

DiPrima: "But anyway, I'm glad that the Resolution was adopted. I didn't know about it. It passed Committee 12 to 1. Thank you. That's all."

Speaker Matijevich: "The Gentleman from Perry, Representative Ralph Dunn, for what purpose are you seeking recognition?"

Dunn, R.: "I just want to speak in behalf of Senator Percy and

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thank Representative DiPrima. Thank you."

Speaker Matijevich: "Representative Panayotovich, for what purpose are you seeking recognition?"

Panayotovich: "Yes, Mr. Speaker, I'd like to speak to House Joint Resolution 166."

Speaker Matijevich: "I think we'd better hold that for awhile."

Panayotovich: "Okay. Thank you."

Speaker Matijevich: "I understand there are some Bills to move on Second Reading which the Chair will proceed to that Order of Business. Senate Bill 1664, Oblinger, on page eight. The Clerk will read the Bill. Just a moment, I don't see Representative Oblinger here. Out of the record. House... Senate Bill 1943, Breslin, on page six. It's on Third Reading. Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1943, a Bill for an Act to amend the Illinois Environmental Facilities Financing Act. Third Reading of the Bill."

Breslin: "Thank you, Mr. Speaker. I would ask leave to bring this Bill back from the Order of Third Reading to Second Reading for the purposes of an Amendment."

Speaker Matijevich: "The Lady asks leave to return Senate Bill 1943 to the Order of Second Reading for the purpose of Amendment. Does she have leave? Leave, and the Bill is on Second Reading. Other Amendments?"

Clerk O'Brien: "Amendment #5, Breslin, amends Senate Bill 1943 on page four by deleting line 30 through 32 and so forth."

Speaker Matijevich: "The Lady from Cook, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, the purpose of Amendment #5 is to clear up language in the Bill dealing with the recycling reclamation and storage tank treatment facilities. And it clearly... The purpose of the Amendment is to indicate that above ground treatment or

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above ground tank storage facilities are included in these environmental facilities that we are talking about."

Speaker Matijevich: "The Lady moves for the adoption of Amendment #5. Representative Breslin, would you mind if we take this Bill out of the record? We have reached the hour of four, and I'm told, now, we're ready for that Order. Could we do that? Because there evidently is some debate. Out of the record. Speaker Michael Madigan in the Chair."

Speaker Madigan: "Representative Breslin, do you wish to permit Senate Bill 1943 to remain on Second Reading, or do you wish it placed on Third Reading? Place the Bill on the Order of Third Reading. The hour of 4:00 having arrived, the House will now resolve itself into a Committee of the Whole for the purpose of hearing the subject matter of school finances. Representatives Mulcahey and Satterthwaite will serve as Co-Chairs of this Committee of the Whole. The Chair recognizes Representative Mulcahey."

Chairman Mulcahey: "Thank you, Mr. Speaker. The Committee of the Whole is now in order. Members will please be in their seats. All those not entitled to the floor, please retire to the gallery. For the benefit of the Membership, I would like to announce the Order of Business that will be conducted this afternoon. From 4:00 until 4:30, Mayor Washington of the City of Chicago; 4:30 to 4:40, Dr. Don Gill; from 4:40 to 4:50, Dr. Ruth Love; from 4:50 to 5:00, Mr. Bob Healy; at 5:00, Mr. Reg Weaver; 5:10, Mrs... Ms. Joan Levy; 5:20, Dr. Walter Warfield; 5:30, Ms. Desi Harris; and at 5:40, Ms. Theresa Peterson. The Committee of the Whole, as most of you know, is meeting today for the purpose of hearing the Subject Matter of School Finances, and the Chair now recognizes the Honorable Harold Washington, Mayor of the City of Chicago."

Mayor Washington: "Thank you. Thank you, Chairpersons Mulcahey

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and Satterthwaite, distinguished Ladies and Gentlemen of the House, which I have served for so many years, and I must confess to you I feel somewhat nostalgic here when I sat in that seat where the young man is sitting with his pipe in his mouth just in front of Larry DiPrima. About eight years ago, it never occurred to me that I would be standing here today talking about something I know you don't want to hear about - money. But strange things happen, so we're here today, and for a worthy cause, and I'm just delighted to address my former colleagues and distinguished mayors and other visitors from the city who have come down here with us join in this great cause. Early this week, I met with the mayors in Philadelphia at our National Conference of American Cities in a special session with mayors from Illinois. After these meetings, I was clear... it was clear to me that drastic cutbacks in social programs ranging from education to infrastructure - that non-sexy word which means sewers, streets, bridges, roads, et cetera - have been crippled by... throughout this country in our large and small cities. It was also made abundantly clear that cities and public schools in Illinois are in a more distress than are most... almost anyplace else in the United States. It's a comparative that disturbs me greatly, but the figures are there in sharp relief, whoever wants to look upon them. Illinois ranks dead last among the 50 states in the percentage of tax dollars it receives back from the Federal Government. Illinois ranks 41st among the 50 states in the amounts it appropriates for its public school system. Here in this proud state - and it has justifiable grounds for being proud - we rank almost at the bottom of the pit in terms of trying to sustain, and maintain and improve that one institution which has made this country great, our public

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school system. State aid, as a percentage of the total funds spent on public education, has dropped from about 48% in 1976 to about 38% in the present fiscal year. This, clearly, is an alarming sign of weakening of our will to social and economic success. I think I speak for the citizens of the City of Chicago, and I have a feeling - and I'm pretty certain, and I hope I'm not presumptuous - that I speak for the citizens and parents and school institutions throughout this entire state when I say that the most important matter facing this Legislature is the extension of the income tax surcharge until June 30, 1985. I refer to that extension as the 'Emergency School Relief Plan'. It simply maintains - and you've read it, I'm certain, and know it better than I - that the present surcharge of one-half of one percent for individuals and eight-tenths of one percent for corporations should be sustained to forego the extension which slashed \$550,000,000 of urgently needed money from our public schools and other essential services. Maintenance of the surcharge provides for no luxuries or frills... no luxuries or frills. It simply extends the status quo for another year. Without the extension, school districts, including Chicago, may face a crisis that could prevent some of them from opening their doors this fall. Without the extension, increases in state tuition from higher education may, might ban qualified students from going to college. It might encourage the flight of top professors because pay scales will not be competitive, and it would hasten the crumbling of the urban infrastructure in cities large and small. It would reduce public assistance where help is needed most. With the extension, the Chicago public schools could receive close to \$100,000,000 more for the next school year, and without these dollars, nobody can say how the

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schools can continue without gutting educational standards all over this city... all over this state, rather. There is an argument which, I think, is specious, which says that more income reductions can be overcome by making new cuts among non-teaching personnel, particularly among administrators. The idea is that the educational hierarchy of most school systems is heavy with fat, but this is a dangerous myth with no basis in fact, and I've gone over and over these budgetary figures with the people in the school system in Chicago, and the fat is just not there. It has been excised. Of the 40,691 employees of the Chicago Public School System, for example, only 944 of them are administrators - a very, very low two percent. The reason why the figure is so low is because the Chicago Schools have done an admirable job of trimming away unnecessary and redundant personnel over the last several years. The Chicago schools had a total of 52,939 positions budgeted in 1978. During the school year just completed, the number of jobs had dropped to only 40,227, an unprecedented decrease of 12,708 jobs. Where is the fat? Slashes in school personnel were necessary because the number of students in the school were dropping, dropping, dropping. But income to the schools was falling much, much faster than need. Revenues for students in the Chicago schools has fallen in constant dollars by an incredible 19.5 percent from the 1,304 per student, all the way down to \$1,057 per student. Let me repeat that for the benefit of our critics who believe money is being wasted - and I repeat, in the past decade, per student expenditures in Chicago have fallen from \$1,304 per student to \$1,057. These figures are in constant dollars, and they are not self-serving ones generated by the schools. They are the official findings of the Chicago Panel of Public School

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Finances. A further look at revenue shortfalls reveals that Chicago public schools' income have been falling further and further behind inflation. In constant dollars, Chicago school revenues were one-eighth less this year than they were in the year 1970, only 14 years ago. We do not have a similar study for other school systems in Illinois, but we can expect them to be just about as dire, just about the same. Public schools are in money trouble throughout Illinois. Don't hide it. Don't duck from it. Don't obfuscate it. Don't run from it. Public schools are in financial trouble throughout the entire State of Illinois. The reason is because the schools have been receiving less and less help from the state for the past decade, and they have been getting less and less from the general... Federal Government, as well. The last three federal budgets since 1981 has called for cutting federal spending in education for other social services. The constant downward trend in school income has placed greater and greater strains on local property taxes. You know that better than I, because you hear it perhaps almost as much as I do. The burden on local property tax levies has increased from 45.6 percent to about 54 percent, but it has not been able to make up the difference caused by decreasing federal and state aid. That's why your school administrators, principals and teachers have been looking so worried, so haggard lately, and, sight unseen, I submit to you they are looking worried and haggard. They are being asked to do a better job of teaching our children with much, much less. Our nation was founded on the Jeffersonian principle that good public education was the one essential element of a democracy. That's a given with us. We don't even debate it... debate it. It's beyond debate. It is totally and completely accepted. Public education has been recognized by people

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throughout the world as the basis of our national prosperity. Public education is the secret of Illinois' industrial, commercial and social success, and it is upon that bastion of public education that the wealth attendant to this great state and my city has been built, and built so high and so powerful that even during days of recession, even though there is attrition, that bastion, that great economic base called Chicago with all of its tremendous surroundings, and other cities in the state, is still strong. But we are falling behind. Illinois is falling behind other states. The kinds of cuts which our public school systems have suffered now threaten the future of our children. Growing weakness in our schools now endangers the economic vitality of our cities and towns. The incipient financial crisis in our public schools is a threat to the prosperity of this great state. Public education benefits public wealth like rain during the growing season. With it, we can expect to harvest good crops. Without it, we can expect bad harvests, poverty, foreclosure and economic distress. The question is, what can we do, how can we grow if our good public schools become bad ones instead of good ones. Many years ago, I think it was in 1979... 75, I was sitting out in that same chair, looking up at someone speaking here, the Mayor of the City of Chicago, and he was standing here, urging, in his forensic, loud, clear, clarion voice, an adequate level of state aid for education for all the school children of this city... state. And he said, and I quote, 'As long as I'm around, I'll raise my voice for the school children of Illinois, and especially for the school kids in the cities of our state. We can talk all we want to about law and order and crime, but if a kid doesn't have a chance, and if a kid doesn't have an opportunity for a good education and

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a good home, we're kidding ourselves. We're spending millions and billions of dollars for prisons,' he said. Let's try and spend something for the kids, or as he said, the children of the State of Illinois. That remark, and I quoted it directly, was from the late, great Richard J. Daley, my predecessor in office. The situation is even more urgent now than it was then. Ask the mayors from the districts which you represent. Ask your school boards and superintendents. Ask the parents and your children. Ask the children themselves. The need is clearly great and transcends, if I may say so respectfully, the needs of any other area within this state. Reason, fairness and economic self-interest are all on the side of extending this surcharge. There is no argument against it, which, in my lexicon, makes common sense. Let me go briefly to another subject, and then I'll conclude. To fund education over the longer term requires that we also find ways of improving our economy throughout the state through additional economic development and tourism. Our tax base can and must increase to provide more funding for education, not just this year, but next year, and next year and next year. It's a continuum which must be thoroughly and completely developed and thought out over a period of time. One possible contributor to the increased tax base is very much in the news today. It's the 1992 World's Fair. As you know, I have asked some hard questions about the fair, and after getting satisfactory answers up to this point, I will now support it, and it says here, 'with gusto'. And I mean it, with gusto. I firmly believe that the potential is there for jobs, for additional tax revenues, for public improvements - those solid things which we all need, no matter from what enclave or what the name is - throughout this great state. If the planning of

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the exposition is done in an open, careful and thoughtful manner, the Fair will be a success. If it's done in an open, thoughtful and fair manner, the fair will be a success. The effort to date has been good, but it needs to be broadened and made excellent. These are still unanswered... There are still unanswered questions, and more people have to be given... more people have to be given an opportunity to contribute their ideas to making this state the centerpiece of the entire world in 1992. Legislation pending before the General Assembly would allow additional feasibility studies and the hiring of additional personnel and contractors so that this can be undertaken. We have made a commitment to fully analyze the potential of the World's Fair, and that effort cannot be shortened at this time. I would respectfully urge this General Assembly to pass legislation to allow additional study and planning. A year from now, we will be able to judge the magnitude of the benefits and to whom they will accrue. We will also need more confidence for the projected revenues... or, in the projected revenues and expenses. We have asked, or our predecessors have asked, and we're on record as a city and a state, the international community for the right to have the host affair in 1992, and it would be a tremendous embarrassment, not just to the mayors, but to everyone in this state and to our country, the state and city if we don't carry forward based on the information we now have. I want to thank you for this opportunity to address you. I must confess to you I am somewhat nostalgic in speaking before you here today, and I keep looking back at that same seat in front of Larry DiPrima and thinking of all the days when I anguished over questions which have just been posed like the one I posed to you. And that is, how do we adjust these priorities? How do we maintain our great state in

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the forefront of those states which put out their breasts proudly and say that we have institutions second to none. And I labored and sweated back in that seat many a painful day. But I would like to think that I laid down a legislative glass, here in 1980, and left with the feeling that I had done my best in all matters affecting the body politic, particularly where the knotty, gnawing issue of tax dollars was raised. I always think, or would like to think, that I tried to raise myself above my immediate provincial problems and try to look at the goodness of this state, and the necessity for maintaining this powerful, economic base with this multi-ethnic, multi-linguistic, multi-economic aspects, one of the finest economic and political enclaves in the world, and I would like to think that I have always done just that. So, I want to thank you for hearing me today. I urge you to look at these, not necessarily in tandem, but it's important. Fund the public school system this year through the extension of the surtax. Look forward to the development of this great state in the future by giving your unjaundiced eye to the question of the World's Fair in 1992. Thank you very much."

Chairman Mulcahey: "Thank you, Mayor. The Chair now recognizes Dr. Don Gill, State Superintendent of Education. Dr. Gill."

Dr. Gill: "Thank you, Mr. Chairman. Ladies and Gentlemen of the House, I appreciate the opportunity to talk to you one more time at least about the funding of education in the State of Illinois. Before I do, I want to compliment Mayor Washington and thank him. I'd say, Brother, that's good preaching. And we better continue to get the message preached. And we're here to do that and to help to inform you about the urgent, real needs of education here in the

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State of Illinois. I've had an opportunity to talk to many and most of you individually, some of you in groups, and the message has always been the same - that the needs of the schools in Illinois are critical for funding, that we're reaching positions and have reached positions in school districts throughout this state that call for something to be done now. We can't wait for something to be done about funding for one more year. It's important that we know that we have school districts in desperate trouble. Ruth Love, who's going to follow me, I'm sure will outline for you very clearly the problems that are faced by the Chicago School District, and they are indeed immense. But they are no more immense proportionally than those problems that many, many, many downstate school districts face. And it's important for us now to give attention to that and do our very best, here in the last days of this Session of the Legislature, to properly address those needs for increased funding for education and to bring to bear those decisions that will allow us to get sufficient funding for schools so that we can at least maintain status quo this year, as we look forward to another year where we may be able to begin to make some progress in recovery toward those high standards which you have come to be accustomed to and those of us who are involved in education have become accustomed to delivering. When I first presented the budget of the State Board of Education, I indicated that the State Board, in advancing a full resource needs budget, called for a minimum of \$295,000,000 in new money for support of educational programs. That sounded like an awfully high number, particularly as we looked at what the apparent availability of revenue was. I think there are a number of factors that play upon how our decision ultimately will be made. First,

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is the \$285,000,000 a legitimate number? I have established over and over again that it is essentially the bottom line that describes the amount of dollars that educational programs need if they are going to be maintained in the next school year without further decline, without further erosion of quality in those programs. The full resource needs budget called for general state aid at a substantial increase. It has been made very clear, over and over again, that the appropriation that we have in 1984 is still lower than that appropriation which we had for general state aid in 1982. As a matter of fact, over these two years, '83 and '84, where we had appropriations in general state aid that were lower than those... than that appropriation in 1982, local school districts have failed to have access to \$218,000,000 in revenue. They have lost the support of those dollars because the state aid appropriation has remained less than it was two years ago. Statutory categoricals with formula driven formula, requirements that appear in the law under the State Board of Education's budget for the first time in years, would be funded fully and bring us into full compliance with the law of the State of Illinois. For far too many years, statutory categoricals have suffered in overall annual proration. Since Fiscal Year 1978, for example, schools have failed to receive \$171,000,000 in state reimbursement - funds due to these prorations. I'm talking about dollars that school districts have already spent on the promise in the law that the state would repay them for doing... for spending those dollars. Those promises have been ignored and ignored far too long. It's time that we approached our responsibilities directly and conclude that we must fund, according to the law, categorical programs that are required at a reimbursement level in the law at that full

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level. All those other categorical programs that many of you have personal interests in have virtually been constant for the past four years, forcing local school districts to absorb all the cost of program maintenance, not to mention any improvements or program expansion for areas such as gifted education, and vocational education and bilingual education. And also, in the area of textbooks, those services had to be shorted because those dollars were not available to provide the textbooks that the law has required that we provide. And all of this, Ladies and Gentlemen, has occurred at a time in which, for the most part, all of our state was facing double-digit inflation. This did not include the school... exclude the schools who, in addition, face those skyrocketing energy and transportation costs. During that time, we managed to get some modest increases in employee salaries. However, since education is a labor intensive enterprise, even small salary increases are a heavy burden on school districts that are fighting to avoid or to contain deficits and thus, to protect and maintain needed education programs. Another factor further exacerbated the problem for local school districts. During the last four years, legislative response to constituents' calls for local tax relief has led to homestead exemptions that have been increased, farmland assessment relief, a number of other efforts that were intended to relieve the burden on local taxation. And this needed relief came at a time, not only of escalating costs for education, but also at the time that the state's contribution to the total cost of education was proportionally declining and declining at an alarming rate. Consequently, school districts received a double blow. They not only were not receiving what they expected they should rightfully receive from the state in funding but

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also were finding that their access to local revenue was being curtailed by the tax relief measures that were coming from Springfield. The potentially legal impact of those two blows is now becoming dramatically personified in the problems that school districts are facing. The net result is a statewide system of some of the nation's finest schools in desperate financial condition, crying out in their desperation for help from this great state. It's a cry that we simply cannot ignore. Adequately funding schools and doing it now is more than just a moral imperative. It's a practical matter of maintaining this state as a viable economic and political entity in America. It's on a sound, high quality education system that we build our state's economy. It's on an effective... It's on effective schooling that we build the moral and intellectual strength of this state's people. And it's with those people, products of that system, that we vitalize a great state for a rightful role of leadership in this country and in this world. We must act, and we must act now. We cannot wait for next year. I speak not only for the State Board of Education today, but for a coalition of all of the major education groups within the State of Illinois. We are united, as we have never been united before, in our resolve to work effectively together and with you to advance the cause of education funding in this state. A year ago, we worked hard to support the income tax initiative. We stand ready now to support your efforts to provide additional revenue to support funding for education. You are aware of a number of revenue sources such as the tax amnesty proposal, a vehicle use tax and, of course, a continuation of the income tax initiative of a year ago. We are prepared to go the whole route with you, as we urge you to consider new sources of revenue to fund

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education. It has been encouraging to the education community to note that many of you individually and many collectively have spoken to the concerns that you have, that education be funded at appropriate and adequate levels. We deeply appreciate that. We think that that is the right way to be thinking now. We urge you to look carefully at additional sources of revenue, and while we recognize that that gives you difficult decisions to make, we also recognize that you are capable of making those decisions, and we intend to support you in the process and after the process because the needs are urgent. The desperate needs of education in school districts around this state have been demonstrated over, and over and over again. In a little book that we have compiled for you, each one of you has it, I encourage you to look at this document. See what school districts in your area are saying about their very desperate needs. Some of them are extremely urgent, and I'm going to give you one or two examples. B.J. Davis, who is Superintendent of the Granite City public schools in Madison County says, quote, 'I represent a district in extreme financial difficulty. In the past 12 years, we've lost 36 percent of our pupils. We've reduced our staff 43 percent. We've closed 10 schools, which is 46 percent of all the schools. We've accumulated a debt of \$8,000,000 in the last seven years. Our class sizes have gone from an average of 22 to over 30. In less than two years, a once financially sound district will be financially exhausted. A once outstanding staff will be demolished, and the pupils of our community will suffer severe educational deprivation.' Over and over again, we hear school districts sounding this alarm and saying, 'Help. We need your help from the state. We've exhausted our resources at the local level. We no longer

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can begin even to deliver those educational programs that we consider to be fundamental.' The State of Illinois, historically, has always responded and responded effectively to needs in education. Otherwise, the State of Illinois would not have the reputation across the country of having one of the finest educational school systems in that country and, indeed, in the world. And yet, we're threatening the very underpinnings of that educational system if we fail to advance adequate funding this year to help schools at least remain static - remain the same. We promise you no marvelous improvement. We simply want to survive so that we can begin to grow together in the coming years. I thank you very much for your attention."

Chairman Mulcahey: "Thank you, Dr. Gill. Thank you. Dr. Ruth Love. The Chair recognizes Dr. Ruth Love, Superintendent of the City of Chicago District 299. Dr. Love."

Dr. Love: "Members of the Illinois House of Representatives, colleagues and friends, I speak to you today as a member of an education group composed of the School Boards' Association, the Administrators' Association, the Large Unit District Association, both of our teachers' unions, and we are here today because we ask of you to fund and to fund adequately public education throughout this great state of ours - funding which is needed to keep the very doors of our schools open and to allow educational reform to continue. I say to allow educational reform to continue because most of our school systems have begun to look at and to initiate education reform. We are certainly not where we want to be, and we won't get there without your help. I'm not going to spend much time talking about Chicago's plight, because I believe you have our story before you. You have our report card on the Chicago Public Schools, and I believe a packet is being disseminated to

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you. And if you will take the time to review it, I believe you can see some of the things that we have attempted to do for cost containment, for personnel reductions in our school system. The issue today is a larger issue than Chicago. It's an issue that plagues our entire state, and that is adequate resources to maintain quality education. We've decided that education in this state - public education - is near a state of emergency. It is, indeed, at a crisis proportion. There are some hard facts. It is true that Chicago tends to grab the headlines, but the fact of the matter is, many of the school districts throughout this state are staring at red ink this fall. They really know they'll either have to borrow money or cut back essential programs in order to maintain the educational quality that they have. There are some who say that we ought to reform first, and then we'll give you the money. That's not a very logical argument. If you want to build an airplane, you don't say, 'We'll give you the money if you correct the default in the airplane.' You give the money so you can build a better airplane. We think that educating this state's valuable resources - its children - is one of the most important things that we can do. And we think it's important for you to know, once again, that we are asking the state to assume its constitutional responsibility and maintain the primary responsibility for public education. Whatever interpretation it is, it can't be 38 percent. And you know that we've gone from 48 percent funding of public education in this state to 38 percent. And we understand the economic problems, so we're not being critics. We understand that we've all had to tighten our belts in recent years. But we also know that our state is 41st out of 50 states when it comes to funding public education - 41st out of 50 states. That tells us

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that we've got to take another look at whether education is the viable institution that we think it ought to be. The thought occurred to me that if public education as an institution in this state were a private entity, I think that the Governor of this state and the Leadership would call for a Special Session, a major summit, and find a way to solve the problems. And we ask no less of public education. For many of you, you have always supported the schools, and to you, we offer our heartfelt thanks and appreciation. But the reluctance to deal this year with the source of revenue to fund educational programs is very disturbing because it represents a kind of mind set that the money is just not there. But it's there for lots of other things, as we noticed in the budget. What we're saying, simply, is that public education ought to be a priority in this state. If, indeed, we want a strong work force - and I believe we all do - if, indeed, we want a viable industrial state - and we all do - if, indeed, we want to maintain the democracy - and I believe we all do - then we must have, we must have strong educational systems throughout this state. And that means we must have adequate resources. Of course, we must reform and, of course, we must do a better job with educating our youngsters. And surely, we all intend to. And surely, we've begun upon that path, but we can't do it without the financial resources. There are others who say that extending the income tax is not viable. As a matter of fact, I have seen a great lack of enthusiasm for that recommendation. Well, if that won't work, you come up with the solution, please. We will take the resources from any source we can find it. After all, we are not elected officials, and we don't know the vast revenue sources that you might come up with to fund public education. But if

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you find, because it is an election year - and we understand that - that extending the income tax is not... is not acceptable at this time, then we offer a challenge to you to find an alternative source of income that will help the school systems in this state stay afloat. However, I would be remiss if I did not say to you that unusual circumstances always require unusual action. And we believe that this annual pleading for money for the school systems of this state is not the way to have a strong, viable educational system throughout Illinois, because we spend so much time raising money when that time ought to be spent in educational planning that we would hope that this would be the last year that you would... you would permit us to do this. And the only way we can avoid it is by having long-term, predictable funding for our state that is predicated upon some formula that's fair and equitable to all of our school systems, that will ensure that systems will get the money year after year to do the job that they must do and hold us accountable for the educational products that we produce. I think you should know that our coalition plans to remain together because we believe in educational reform, and we want your ideas about educational reform. We plan to stay together and to work together next year to come up with a package for educational reform that will help do the job that we must do for all of the children in the State of Illinois. Someone has said that no state is any greater than the way it treats its young and its old. We have an unparalleled opportunity this year, this year, to do something special in the way of finding funds for the public school children of this state. Thank you very much."

Chairman Mulcahey: "Thank you, Dr. Love. The Chair now recognizes Mr. Robert Healy, President of the Illinois

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Federation of Teachers."

Mr. Healey: "Chairman Mulcahey and Chairman Satterthwaite, distinguished Members of the House of Representatives, Dr. Love, Dr. Gill and other guests, many of the statistics that I was going to discuss have already been mentioned by Dr. Gill, Mayor Washington, Dr. Love, and I'm not going to repeat them. I would just like to say that the placing of education as a major political issue is one that I think that you could support, because we see evidence all across the country that governors in the United States now are putting a lot of their political capital in supporting the schools. We have in Florida, North Carolina, Arkansas, California, Texas, governors and other political leaders coming out front saying, 'We must spend much more money for the schools. We must improve them.' We have seen that in the State of California has moved to funding 86 percent of the cost of education; Florida, 62 percent of the cost of education. The national average has risen to 51 percent of all the other states, and as has been mentioned here by previous speakers, we are at 38 percent. Not only has the percentage of state support declined, but so have the actual dollars to the schools. The schools of Illinois received fewer dollars from the state this year than they did three years ago. Massachusetts is currently increasing, increasing educational funding by \$350,000,000. California has already appropriated an additional \$800,000,000. Florida has earmarked \$464,000,000. Tennessee is adding \$1,000,000,000 over the next three years. Texas is in a Special Session considering adding 900,000,000 new dollars over each of the next three years, while Illinois is giving less to the schools this year than they gave in 1981. Illinois cannot continue to ignore the funding of our public schools, nor can it continue to

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transfer the responsibility of funding the schools to the local property taxpayers. In 1976, education received 29 percent of the state's total appropriations. This year, we have dropped to 24 percent. Now, Illinois ranks, as has been mentioned, 41st in state funding of education. Some suggest that one of the problems that we face is that teachers' salaries are too high, or that teachers' jobs have not been cut in proportion to the drop in student enrollment. In the last eight years, student enrollment has dropped 14 percent across the state while classroom positions have declined 15.2 percent across the state. High teachers' salaries are certainly not the reason, either. In 1981, Illinois ranked 9th nationwide in average teachers' salaries. In 1982-83, it slipped to 12th, and although figures are not complete and in for this school year, Illinois is expected to decline further as other states move dramatically to increase teachers' salaries. In respect to teachers, we do not have students in our colleges now preparing to be teachers in the numbers that we're going to need in the very near future. We have beginning teachers stay... only 50 percent of beginning teachers stay only five years and leave the profession. We are now experiencing the beginning of a teachers' shortage in Illinois. And it will get worse, and as other states raise their compensation for teachers, our problem will be even more severe. I would like to reiterate, as others have, that this is not simply a Chicago problem. We represent in the IFT, teachers in Waukegan, where there have been severe cuts in the number of jobs, where they have had to cut programs - industrial art programs, home economic classes and others. We represent teachers in Granite City, where one-fourth of the schools were closed last year and 20 percent of the staff were laid off. We

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represent teachers in Peoria that have had hundreds of positions closed, various programs also curtailed. Kankakee is another place where we have lost a great number of teachers and cutbacks in programs, and there are threats of cutting even more in September. In Aurora, 10 percent of the faculty, we have lost. In Chicago, it's been pointed out that we have lost 8,500 to 12,000 positions, depending on when you measure and how you measure the positions. I know that I did represent 33,500 teachers in Chicago in... teachers and other workers in Chicago, and now, my bargaining unit is 27,500. So I know that we have lost almost 5,000 some bargaining unit members since 1979. We have eliminated home economics classes, curtailed drafting classes and other such classes. I would ask you to consider that I am only standing here representing teachers who cannot stand here personally. We appreciate, very much, the opportunity to represent those teachers. As you know, the teachers have great faith in the Legislators. Tens of thousands of children are brought through these halls by our teachers every year, because they respect this process. They know how complicated it is and how difficult your job is. They are depending on you. You will hear some suggestions - and I read them even this morning - that the answer to Chicago's problems is raise class size by three, increase the teaching load of high school teachers by one and have the persons pay a third of their medical costs. When you hear or read such statements, I would like you to consider this: The elementary class size in Chicago, at 32 to 34, is the highest in the State of Illinois. We have not been able to reduce it since 1975. When you hear such suggestions of putting 35 to 37 in these classes, consider the students whom we teach. Consider they are 85% minorities. Seventy percent come from

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families at the poverty level. Over 50 percent come from single parent homes. A good percentage of them live in public housing. We really need 20 such children as a maximum in classes to allow our teachers to succeed. To take a suggestion to add three more children and lay off 1,500 elementary teachers is really not realistic. When they talk about increasing our high school teaching load by one more class, remember that our high school teachers teach 140 different students each day, plus 30 home room students whom they counsel. So, instead of 170 students, they would ask us to have 200 students or 198 students. That is not really realistic and lay off 1,200 or so high school teachers. Those are not the answers. When they talk about the benefits of our teachers, remember that we did agree to cap hospitalization costs and took a reduction in benefits. So, I would like to close on behalf of all of the teachers across the state. We know you will help us in whatever way that you feel you can. We will appreciate it deeply. Thank you."

Chairman Mulcahey: "Thank you, Mr. Healey. The Chair recognizes now Mr. Reg Weaver, President of the Illinois Education Association. Mr. Weaver."

Mr. Weaver: "Thank you very much for the opportunity to speak with you on an issue that I believe - as I'm sure you do - to be extremely important to our great nation in general, and to Illinois specifically. And that issue is education. Yesterday, thousands of IEA members came to Springfield to lobby and fight for what we believe in. That's quality public education. And it is no great secret to us or to anyone in this room that public education, which is an extremely important component in attracting business and industry, which translates to more jobs for Illinois citizens, is facing some serious challenges in the General

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Assembly this spring. And this year, like last year, like every year, we work with the Legislature in order to come up with a decent budget for our public schools. And you are the watchdogs of education, and as leaders, you must come up with adequate funds for our schools, for public education in our state, as well as for the future of Illinois. And while complaining that the state is in dire financial straits, there seems to be funds and legislative clout to help McCormick Place, to help the Continental Bank, to support a World's Fair, and increase tourism advertising and build a DuPage Toll Road. Now, please understand me, that I believe that these things are important. But what about our schools, and what about our children, and what about our teachers? I believe education to be just as important, if not more, because education is our future. Illinois ranked, recently, 35th in states for spending of... on public education. Now, that's not anything to brag about. I would say that now is the time, today is the time to turn that trend around. We're proud to teach in Illinois, and we would like to continue to teach in Illinois. Today, Illinois enjoys one of the highest per capita incomes in the country, yet ranks so poorly in supporting its public schools. Now is the time to correct this appalling situation, and I really do believe that you can do it. Now is the time for you to vote for public education in Illinois to be more of a priority, and I really do believe that you can do it. And we will continue to work with you. We will continue to try to persuade you to vote the way we know you know you should vote, and that means a decent budget for public not private education. The Bill you passed without the Senate Amendment is really not a true increase. School districts around the state will still lose money under this proposal.

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And we must... We must absolutely stand firm for higher appropriations this year. Lyndon Johnson indicated that, 'At the desk where I sit, I learned one great truth. The answer for all our national problems, the answer for all the problems of the world comes to a single word, and the word is education.' So, in closing, I would hope that when you consider this issue again, and as you meet with various colleagues for purposes of making a decision as a powerful, prestigious group of Legislators, you will say to yourselves that, 'In the chair where I sit, I have learned one great truth. The answer for Illinois problems and the answer for the national problems in the world problems comes in a single word, and the word is education.' And as you are about to press your button to vote, please be reminded of Franklin Roosevelt, when he said, 'The school is the last expenditure which America should be willing to economize.' We, in the IEA, as you, have a job to do that is so vitally important to the future of public education, and as I closed at the Madigan conference, if we believe and care, nothing can stop us. Whenever we have invested in the talents of our future, we have succeeded. Let us do so and succeed again. Thank you very much."

Chairman Mulcahey: "Thank you, Mr. Weaver. Representative Satterthwaite in the Chair."

Chairman Satterthwaite: "Our next speaker will be... excuse me. Our next speaker is Ms. Joan Leavy, the President of the Illinois Association of School Boards."

Ms. Leavy: "I am here today as the President of the Illinois Association of School Boards, and I am representing more than 1,000 local boards of education that provide local lay control of public education in Illinois. My colleagues, more than 7,000 locally elected board members, all volunteers, share with you the responsibility for assuring

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that Illinois students are provided a quality public education. But providing a quality public education is an increasingly difficult task in the light of the fiscal condition of most school districts. You'll have to admit, we're all singing the same song today. The School Code requires local boards to provide the revenue necessary to main school... maintain schools in their districts. We depend on you to help us fulfill that obligation. But if additional state funds are not forthcoming, many boards will be unable to meet that duty, and schools will be forced to close their doors before the school term is completed. I don't want to belabor the statistics again this afternoon. You know what has caused the problem - the decline in state funding. The proration of categorial grants alone has caused the loss of more than \$170,000,000 from the underfunding of state mandates in the past six years. The huge loss is in local revenue because of the general homestead exemptions. Over one-half billion dollars in tax dollars have been lost through the homestead exemption. The severe reduction in farmland assessment, with more than 400 school districts with over 50 percent of their assessed valuation in farmland even a 10 percent cap on the decline in farmland values is going to hurt them - the drop in corporate personal property tax replacement revenues, and the decline in the 1983 quadrennial reassessment in urban property values and the continuing expansion of unfunded mandated programs. The actual dollars spent by the state for elementary and secondary education have increased by only 12 1/2 percent in the past eight years. Well, that means that total school revenues, which have increased by approximately 42 percent in that same eight years, have required that the differences be made up by the local property taxpayer. Local property tax

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revenues have grown, and grown and grown. They have increased 70 percent in the past eight years. We feel that local property taxpayers cannot and should not be asked to bear more of the school funding burden. I have heard frequently over the past few months that education will have to wait until next year, until 1985, for major funding increases, and then, only if a reform package is enacted. We are willing to support constructive reforms and, in fact, have already endorsed a number of the recommendations made in the national task force reports. We cannot wait until 1985 for state funding increases. Maintaining the current level of school programs costs money. Maintaining... Increasing graduation requirements costs money. Making teaching a more attractive career costs money. Reducing school dropout rates costs money. A state's real priorities are demonstrated by what it does with tax dollars, not what it says about education. Indulging in educational excellence rhetoric will always be easier than confronting the reality of what school improvement costs. We urge you to give education your highest priority now. The permanent extension of an income tax increase is, in my judgment, a decision that must be made at some point in the future, but the immediate need is to find additional state revenue to help us get through the 1984-85 school year and position us to make the necessary reforms. We will need your help in the future, but most importantly, we need your help now. Thank you."

Chairman Satterthwaite: "Thank you, Ms. Leavy. We'll go next to Dr. Walter H. Warfield, Chair of the Illinois Association of School Administrators Legislative Committee."

Dr. Warfield: "Thank you, Ladies and Gentlemen of the House. I speak to you today as the Chairperson of the Legislative Committee of the Illinois Association of School

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Administrators, but possibly more importantly, as the Superintendent of Mattoon Community Unit Schools, which many of you might recognize as being a somewhat typical school district in the State of Illinois. I would like to limit my remarks within that framework and hold down any repetition and redundancy of some of the other comments that you may have heard today. At Mattoon, we have read all of the national studies that talk of quality and improvement of that quality of education in our public schools. We don't spend a great deal of time talking about improvement of education in Mattoon schools, not because we are not concerned about it, but because we devote a great deal of our time to maintenance of the programs that we have and, in fact, survival of those programs that we have. You've heard, earlier today, about the plight that teachers are faced with in terms of choosing education as a career. It is becoming increasingly more difficult to maintain quality teaching staff in our schools and increasingly difficult to recruit our young people into this profession. What is happening is, they are looking at the priority, the real priority that education is in this state, and choosing not to choose this as a potential field of employment and endeavors. Today, we have the opportunity to provide money for education that will maintain the programs that we already have. Additional monies at a later point in time will not be used to maintain the program but will, in fact, be used to try to regain the quality that we once had. The same amount of money a year from now will not buy as much for our dollar because we'll be buying back what we have already had and lost. Let me take, for example, some of the reductions that we have had in Mattoon over the past few years, again reminding you that this is somewhat typical of schools downstate. During the last two years,

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we have made reductions in our educational program amounting to over \$330,000, by reducing over 13 teaching positions, over seven aids' positions, eliminating an internship program, reducing the gifted program, and reducing travel, conference and inservice expenses. During the '83-'84 school year just completed, we eliminated the artist in residence program, the elementary art program, the agricultural program at the high school. We have eliminated custodians and secretarial positions. We have eliminated administrative positions, and we have reduced our expenditures in supply and capital outlay as well as in athletics and other related areas. We have also reduced five teaching positions at the junior high school level, three teaching positions at the high school level, and our principals are currently assigned to two positions, many of them serving both administratively and educationally. We have drastically reduced our program at the same time that our state aid has been reduced systematically and consistently over the past five years. During the 1979-80 school year, we found our state aid to be at a \$3,044,000 level. This past school year, after the final tally was in, we received, for state aid, \$2,590,000 with consistent reductions over those past five years. I believe that the Mattoon Community Unit School District is typical of downstate school districts, and I believe it to be at a point of stagnation. I fear that any further delay in giving us the appropriate amount of funding that we will need will prove to see a decline in that quality which will be many years coming back to us when we decide to give it the appropriate funding that we need. Thank you."

Chairman Satterthwaite: "Thank you, Dr. Warfield. Our next speaker is Ms. Desi Harris from the Civic Federation. For what purpose does Representative Matijevich arise?"

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Matijevich: "Well, I only wanted to say that Desi is a former staff member here. Many of us Democrats know her. She did such a good job. I want to congratulate her on her position. We never knew you'd be here to address us. I know many of them are in their offices listening to you. Just nice to see you back."

Chairman Satterthwaite: "Thank you, Representative Matijevich. Ms. Harris."

Ms. Harris: "Thank you, John. Madam Chairman, Ladies and Gentlemen of the Illinois House, it's nice to be back before you, but I'm wearing a different hat today. The Civic Federation of Chicago appreciates this opportunity to offer our views on the issue of school finances. We recognize the need for additional revenue for the public schools systems and the Chicago Board of Education, in particular. We share the concern that the Chicago Public Schools be a viable educational system. However, we believe that as an act of faith to the taxpayers, the Chicago Board of Education should take the necessary steps to implement fiscal reform. The magnitude of this year's deficit does not bode well for the future of Chicago's public school system. The current projected deficit of 136.9 million dollars exceeds the operating cash deficit that tipped the Chicago Board of Education into financial collapse in 1979. The Board has projected large deficits every year since that crash, but they have managed to balance their annual budgets by using methods that have been described by experts in school finances as band-aids and bubblegum. Property taxpayers in Chicago are already in the process of repaying the \$573,000,000 in bonds that had to be sold by the Chicago School Finance Authority in 1980. Property taxpayers will continue to pay off these bonds for the next 25 years. To make the Chicago Board's

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fiscal future even more grim, the Board's three year financial plan, which was disapproved by the School Finance Authority in April, projects deficits in the hundreds of millions of dollars for all three years - 186.9 million dollars in FY '85, 102.2 million dollars in FY '86, and 125.8 million dollars in FY '87. There appears to be no commitment on the part of the Board or its employee groups to put an end, once and for all, to Chicago's annual school cliff-hangers. Two in-depth analyses, one done by Hay and Associates in 1980, and one conducted by 'Boos', Allen and Hamilton in 1982, were independently conducted to seek cost reductions that would resolve the Board's projected deficits without damaging the quality of education provided by the Chicago public schools. The 'Boos', Allen and Hamilton Report, alone, described in detail budgetary cuts that could save the Board as much as \$200,000,000. Virtually none of the suggested cuts have been implemented by the Board. It is true that most of the cuts in spending would have to be agreed to by the Board's employee groups, but with a total budget of 1.5 billion dollars, of which 83 percent goes for some form of employee compensation, it is a fact that cuts must be made on the employees' side. In short, to keep the Chicago public school system from another complete financial collapse, there must be some cooperation from the Board's employees. Employees in private industries have had to make sacrifices in order to keep job security and keep their respective systems afloat. Public employees should be willing to assume the same posture. The City of Chicago must have a viable and productive school system. The repercussions of another collapse of the system would be sociologically and economically devastating. Since the financial collapse of the Chicago public school system in 1979, the Civic

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Federation of Chicago has made many suggestions to the Board for reducing expenditures. These have been largely ignored. The Board of Directors and Advisory Committee of the Civic Federation recently voted to oppose the extension of the income tax surcharge because we believe that along with new revenue should come reform. I repeat that the Chicago Board of Education is currently projecting nine figure deficits through Fiscal '87. The public has grown tired of the annual budget charades. The Chicago Board of Education must regain some credibility. When the Chicago Board of Education takes the necessary steps towards long-term financial stability, then Chicago taxpayers will believe, justifiably, that their hard-earned tax dollars are well spent. We thank you for the opportunity to testify before you today."

Chairman Satterthwaite: "Thank you, Ms. Harris. Our next speaker is Ms. Theresa Peterson, the Mayor of the Village of Sleepy Hollow."

Ms. Peterson: "Thank you. I come before you as the Mayor of the Village of Sleepy Hollow. You have heard today from our Illinois metropolis of Chicago and from other large organizations. My village represents the other end of the scale. We are a village of 2,000 plus in Dundee Township, Kane County, a 25 year old residential village that has little commercial and no industrial value. We are a part of the large Unit District #300, one of the many small towns within its borders. District 300 is not only the largest employer in our area, but it has the greatest effect on our tax bills. The trustees of Sleepy Hollow are making moves toward encouraging a broader tax base to help our own situation, but I know that our residents' tax bills cannot be helped by what we in the village do to lower them, so long as the school district requires such immense

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effort and support on our part. District 300 is one of those reported to be in the most serious financial need in the state. Our school board has closed schools, rified teachers, increased class size, cut courses, reduced and cut programs. Next year, we will pay individually for our children's participation in any extracurricular activities. With a student population of 10,500, we will have no nurses at all at the elementary level and only five in all the district middle and high schools. Administrative jobs have been chopped or they have been forced to double up their responsibilities. The District 300 community has been an embattled area for the past two years, as these closings and cuts have been implemented by the Board. The Village of Sleepy Hollow has been particularly affected by the closings. I believe our property values have been affected. Houses coming on the market have not sold because of the distance some of our students have to travel to school. Buses take them to classes, but parents must provide for all those extra rides so their kids can participate in the extracurricular or studies of all sorts that capture their interest and energy and involve them in wholesome and worthwhile activities and keep them off the streets. We in Sleepy Hollow and of all of District 300 believe we have done our best to show our desire to shoulder our local share. Our present school rate... tax rate is four dollars, one of the highest in Illinois. We cannot do more than we have done without seriously diminishing the education our children receive and/or becoming such a burden financially on our residents that the whole of their lives will be affected. Ladies and Gentlemen, it has been quite an unexpected honor for me to come and speak before you today. When I got on the bus near home this morning at 6:30 with a group of parents to

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come down here and talk to our Legislators, I never thought I would have this chance to talk to so many of you. So I say for all of us, for the parents who came down today, for my residents in Sleepy Hollow, for all of the people of District 300, we look to the state for help. How can we win your support? Will you, our elected Representatives, vote to help us? Thank you."

Chairman Satterthwaite: "Thank you, Ms. Peterson. Are there questions of any of the Members of the two remaining speakers? Ms. Peterson and Dr. Warfield are still here. Seeing none, Representative Steczo, for what purpose do you arise?"

Steczko: "Thank you, Madam Chairman. I move that the Committee of the Whole do now arise."

Chairman Satterthwaite: "Can we hold that Motion for just a moment, Representative Steczo? The Gentleman from Cook, Representative Brookins."

Brookins: "Yes, Madam Chairman, I would like to ask the question of the Mayor from ...'Montune'. I would like to know what is the position of his State Representative in aiding his school. It seems that he has laid off a cut to the bone. He has cut out every program that I can understand in the school and has the principal working in three classrooms."

Chairman Satterthwaite: "Dr. Warfield, would you like to come up to the microphone again, please? And Representative Brookins, would you repeat the question, please?"

Brookins: "Yes, Dr. Warfield, I would like to know from you, what is the position you take in taxes, the extension of the income taxes, and have you consulted with your Representative from your area concerning this matter?"

Dr. Warfield: "We have been in touch with the Representatives and Senators of our area, both our Legislative District and the surrounding districts; and, as a whole, we have been

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suggesting that people look towards the extension of the income tax, surtax, as a viable and a constant source of revenue, as opposed to some of the other ideas that have come before the House as in the recently discussed Lottery surtax and things of this nature. We feel that there are other revenue sources, but the extension of the income tax surtax is certainly the most constant source. It is a tax which does not need, in actuality, to be added. It is already in place. It merely needs to be extended. And a tax which people are used to paying, however reluctantly, is more acceptable than a new tax."

Brookins: "If this tax is not forthcoming, what is your contingency plan? What is left to cut?"

Dr. Warfield: "The contingency plan at this point, Sir, is to be taking a look at class sizes which are currently approaching 30 and catching up with many of our big brothers and sisters around the state and taking a look at class sizes in excess of 30. We had mentioned dropping programs in art. We would then be taking a look at athletics. We would be taking a look at music programs. We would be taking a look at other extracurriculars and then getting into some of the other areas of the program. You are talking advanced science, advanced math classes, advanced foreign languages. Courses which now are overcrowded will soon not exist because of the lack of monies and also of the mandated programs such as, and I will pick out one of my favorites, such as the driver education programs, which will remain intact because of state mandates, in lieu of higher priority classes in my terms."

Brookins: "One final question."

Dr. Warfield: "Yes, Sir."

Brookins: "How far are you from Chicago, and is this a unique, as

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it was kind of pointed out... It seems that it is not unique that the board of educations and the school system... it is not unique to Chicago alone. Would I be correct?"

Dr. Warfield: "Well, Sir, we are about three hours away, south, on Route 57. In terms of how unique our problems are, I would say that the financial plight of districts throughout the state is on a spectrum, and that spectrum puts us somewhere in the middle to the more severe end. There are districts such as the Peoria's and Granite Cities, which are preceding us in financial plight, but we are in a position now, as I tried to state earlier, where we are about to rapidly catch up with some of those schools."

Brookins: "Thank you very kindly."

Dr. Warfield: "Thank you, Sir."

Chairman Satterthwaite: "Thank you, Dr. Warfield. I see that we have Ms. Harris and Mr. Weaver also with us. For what purpose does the Gentleman from McLean, Representative Ropp, arise?"

Ropp: "Madam Chairman, I was just going to ask a very brief question to anyone that is left. I guess, I, first of all, would like to thank all of the speakers for coming on behalf of those who are still in the House and somewhat regret that some of the earlier speakers have, since the TV cameras are gone, they too left. We here in the House have heard from every speaker the fact that they want more and more money. I have not heard anyone say how much money they really need other than we need more. No one has addressed the issue that we have a tremendous number of truants in the State of Illinois; that 25 percent of the kids who enter high school do not graduate. No one is addressing those issues. No one is attempting to address the fact that if we keep 25 percent of the kids in school,

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we are, in fact, going to receive more state aid. All you have to do is keep them in school, and you're going to, in four years, increase your amount of money 25 percent. Why don't we address some of the real gutty issues rather than to say, quote, 'We need more state money?' If you had more money, will you, in fact, assure us that, number one, we are going to have more kids graduate from high school; number two, they are all going to be able to, at least more of them, be in a position to acquire some vocation so that we don't continue to have to build five new prisons every ten or fifteen years? 28,000 dollars a year for a prison inmate is a heck of a lot of money to be spending. I would much rather spend it in elementary education, in high school and even in higher ed than to continue to build prisons. And I don't think anyone here today has addressed those issues at all."

Chairman Satterthwaite: "Dr... is still present. Representative Ropp, are... do you wish to direct those questions to a specific witness?"

Ropp: "I guess I am ready to leave like everyone else is. I do think that is something that somebody ought to address rather than to just come and say we need more money and then hit the road."

Chairman Satterthwaite: "I see that Dr. Warfield is willing to take it on."

Dr. Warfield: "I might start off by saying that anytime you make a trip to the Legislature and the item of the day is appropriations, and it is difficult at best to get one's attention, looking at the seats vacant here today, that you don't come in and start talking about dropout programs when you are here to be discussing money. One of the problems in the past is we have been given the double shuffle around the states, saying when is and when isn't the appropriate

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time to be asking for money. But, with respect to the question concerning additional students, truant, dropout or otherwise and what additional students in the state schools might prove in the way of state aid, I would like to remind you that we are working with a fixed dollar amount of money typically each year which is appropriated and that the level of funding is usually adjusted to meet the state claims. Additional money... additional claims for students who were counted that would not dropout or would not be truant would merely be prorated, and we would receive the same dollar amount but less dollars per pupil, and that has been our experience and our history over the last five years."

Chairman Satterthwaite: "Thank you, Dr. Warfield. Does the Gentleman from Lake, Representative Matijevich, desire recognition?"

Matijevich: "Yes, only in defense of those who have left. We didn't have any procedures, as I understand, outlined in this Committee of the Whole. Sometimes, in the past, witnesses have answered questions immediately after their testimony. Sometimes we wait until the end of the Committee of the Whole proceeding. So, I think that it was normal for those witnesses to think that since nobody called for questions, that they could leave. I don't think they deserve that admonishment from Representative Ropp. And I am here to defend them for that."

Chairman Satterthwaite: "Thank you, Representative Matijevich. Are there further questions or further comments and responses from the witnesses? Being no further response, I believe then we should recognize again Representative Steczo for the Motion that he was willing to put earlier."

Steczko: "Thank you, Madam Chairman. To renew my Motion, I move that the Committee of the Whole do now arise."

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Chairman Satterthwaite: "Representative Steczo has moved that the Committee of the Whole do now arise. All those in favor will signify by saying 'aye', the opposed say 'no'. The 'ayes' have it, and the Committee of the Whole shall now arise."

Speaker Greiman: "Representative Greiman in the Chair. The House will now be in Session. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of the following title, together with the attached Amendments, to wit; House Bills #2787, 2740, 2732, 2692, 2598 and 2574, passed by the Senate as amended June 21, 1984. Kenneth Wright, Secretary.'"

Speaker Greiman: "Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "What time are we reconvening tomorrow, Mr. Speaker?"

Speaker Greiman: "Well we are in Session now, Mr. McCracken, if you want to just wait for a little while."

McCracken: "Oh, I am sorry."

Speaker Greiman: "We will probably have a Motion to that effect."

McCracken: "I thought we were done."

Speaker Greiman: "No, no. I called us in Session. We have just had a Message from the Senate read in, an exciting Message. We are going to have some General Resolutions read into the record. So, if you will be patient with me, we will get on with the business of the House. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1088, Daniels - Madigan."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, on the Agreed Resolution."

Matijevich: "Speaker, House Resolution 1088, Daniels - Madigan, speaks to the issue of monitoring appropriation matters. I

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move the adoption of the House Resolution 1088."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolution is adopted."

Speaker Greiman: "Death Resolution."

Clerk O'Brien: "House Resolution 1079, Shaw, with respect to the memory of Van Otis Sneed of Chicago, Illinois; and House Resolution 1084, Nash - et al, with respect to the memory of E. N. Maisel."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Death Resolution... moves for the adoption of the Death Resolution. All in favor signify by saying 'aye', those opposed 'no'. And in the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Alright, Ladies and Gentlemen of the House, we have... we will first adopt a Motion on adjournment, and then we will take up a Death Resolution memorializing the death of a former Member of the House. So that upon the adoption of the Death Resolution, the House will then be adjourned until the hour of 10:00. Mr. Matijevich, on the Motion to adjourn."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I move that on the adoption of the Death Resolution of this former Member that we will stand in adjournment until when? 10:00 a.m.?"

Speaker Greiman: "Until the hour of 10:00."

Matijevich: "The hour of 10:00 a.m. tomorrow, Friday."

Speaker Greiman: "All those in favor will signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion is adopted. Death Resolution of a former Member, Mr. Clerk, read the..."

Clerk O'Brien: "House Resolution 1051, sponsored by

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Representative Alexander - et al. Whereas, the honorable Kenneth E. Wilson, a noted jurist and one of Chicago's outstanding civic leaders as well, as our distinguished former colleague, recently passed away; and whereas, most recently a Justice of the First Appellate District of Illinois, Kenneth Wilson previously served as a Master of Chancery in the Superior Court of Cook County and as a Judge and Associate Judge in the criminal law and divorce divisions of Cook County Circuit Court; and whereas, Justice Wilson's concern for both government and the citizenry it serves brought him to the House of Representatives on behalf of the 5th and 21st Districts during the 69th through 73rd General Assembly's; and whereas, a graduate of Hampton Institute and the University of Chicago Law School, Justice Wilson began his legal career as an Assistant Attorney General, then gained experience as an assistant state's attorney and subsequently entered private practice; and whereas, Kenneth Wilson completed several educational seminars in furtherance of his Appellate Court skills, actively participated in numerous local and national bar associations and was the deserving recipient of such professional platitudes as listed in 'Who's Who in America' and selection as a Northwest Suburban Bar Association's Man of the Month; and whereas, involved in the well-being of his community beyond the realm of jurisprudence, Justice Wilson was a board member of the Church of the Good Shepherd, the Chicago Boys' Club and the YMCA, a trustee of Roosevelt University, president of the Druids Social and Civic Club and the Original 40 Club of Chicago and member of the NAACP and Chicago Urban League, to name but a few of his concerns; and whereas, a native of Tacoma, Washington, who defended his country in the United States Army during

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World War II, Kenneth Wilson was the beloved husband of Mrs. Drestes T. Wilson and the father of Kay Michele. Therefore, be it resolved, by the House of Representatives of the 83rd General Assembly of the State of Illinois, that we mark with sorrow the death of Justice Kenneth E. Wilson, commending his life to commitment to the furtherance and improvements of the legal system through which our freedom is preserved and appreciating his dedication to the noble pursuit of public service, and that we extend our heartfelt sympathy to his grieving family and friends. And be it further resolved that a suitable copy of this Resolution be presented to his widow, Mrs. Kenneth Wilson. And as a further token expression of our esteem, the House does now stand adjourned."

Speaker Greiman: "The Lady from Cook, Representative Alexander."

Alexander: "Thank you, Mr. Speaker. I rise to say a few words concerning the honorable Justice Kenneth E. Wilson. My earliest recollection of Judge Wilson was when I was a younger person than I am now and he served with my father here in this General Assembly. I had the occasion for our paths to cross later in my career, where he then served as a Judge of the Criminal Division in Cook County. And down through the years our association has been one of very closeness and one of total friendship. Judge Kenneth Wilson was known throughout the south side in many parts of the city. His activities, as just read through this House Resolution, certainly says that we have lost a very beloved and dear friend. His demise was occasioned by his willingness to be a servant. He was giving a eulogy for a very close friend of his, and he was called away to rest. Many of us will miss Judge Wilson, and many things that he performed and did in his late days are still being acted upon now. And I want to say to this august Body that we

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would appreciate with leave of this Body for the name of the Majority and Minority Leadership to be included and all Members of this Body to be included in this House Resolution for presentation to the family. Thank you.

Speaker Greiman: "The Chair also remembers Kenny, with respect and fondness, and I served as a lawyer with Kenny in Cook County. The Lady from Cook has moved for the adoption of House Resolution 1051, with leave to add all of the Members of the House as Cosponsors. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. And the House will stand adjourned."

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